

**TOWNSHIP OF MAHWAH
BOARD OF ADJUSTMENT**

MINUTES

APRIL 17, 2019

The combined public/work session meeting of the Board of Adjustment held at the Municipal Building, 475 Corporate Drive, Mahwah, NJ, beginning at 7:39 pm was called to order by Mr. Rabolli, Chairman, with the reading of the opening statement followed by the flag salute.

These minutes are a synopsis of the meeting. A verbatim audio tape recording is on file with the Board Secretary at the Board of Adjustment Office, 475 Corporate Drive, Mahwah, NJ. Copies of the tapes may be purchased for a fee.

Mr. Rabolli reminded all members of the Board that Board of Adjustment meetings are now being videoed and broadcast live.

PRESENT:	Mr. Calijone	Mr. Montroy
	Mr. DeSilva	Mr. Rabolli
	Mr. Jackson	Mr. Whiteman

ABSENT:	Mr. Kearney	Mr. Straffin
	Mr. Larson	

ATTORNEY: Mr. Ben R. Cascio, Esq.

I. APPROVAL OF BILLS:

None to present.

II. APPROVAL OF MINUTES:

None to present.

III. MEMORIALIZING RESOLUTIONS:

**1. DKT.#1454-19 – MARIA GORCZYCA
MOUNTAIN AVENUE, BLOCK 2, LOTS 2 & 3**

Resolution granting an approval to build on an undersized lot that does not have frontage on an improved and approved street and related Bulk Variances.

A motion to approve was made by Mr. Montroy, seconded by Mr. Jackson. A roll call vote revealed 4 aye votes by Mr. Calijone, Mr. Jackson, Mr. Montroy and Mr. Rabolli.

**2. DKT.#1455-19 – MICHAEL & GAYLE SAHLER
117 LAWRENCE ROAD, BLOCK 70.02, LOTS 97 & 98**

Resolution granting a front-yard variance to add a two-story addition.

A motion to approve was made by Mr. Montroy, seconded by Mr. Jackson. A roll call vote revealed 4 aye votes by Mr. Calijone, Mr. Jackson, Mr. Montroy and Mr. Rabolli.

IV. OPEN TO THE PUBLIC:

Mr. Rabolli opened the meeting to the Public for general questions or statements. None were received.

V. PUBLIC HEARINGS:

**1. DKT.#1458-19 – NEIL AND BETTY GERACE
122 GROVE STREET, BLOCK 50, LOT 63**

Application for Amended Variance approval for construction performed under prior variance approvals; further variances requested for front-yard setback and maximum improved lot coverage.

Mr. Neil and Mrs. Betty Gerace approached and were sworn in by Mr. Rabolli. Mr. Cascio indicated all notices were in order.

Mr. Montroy recused himself from this application as he was the Administrative Officer at the time of the original application submission in 2011.

Mrs. Gerace described the circumstances leading to the request for additional amended variances. It was indicated the builder did not construct the original addition in strict conformance with the prior approvals where variances for a 4.7 front-yard setback and the maximum improved lot coverage of 49.55% were approved. Referencing the Boswell Engineering report dated March 28, 2011 and the As-Built survey dated October 29, 2010, revised February 11, 2011 prepared by Edward T. Gannon, P.L.S., the front-yard setback constructed was 4.3 feet and the improved lot coverage increased to 53.61%.

Upon questioning by Mr. Calijone, there was a discussion regarding the lot coverages, the eaves that are around the entire house, the porch addition, the house setbacks and the prior approvals. Mr. Whiteman mentioned he visited the property and the home does not look out of place in the neighborhood. The actual lot size was questioned. Mrs. Gerace has owned the property since 1980. There is a house behind her home located on Avenue B. Mrs. Gerace noted there is an existing sewer easement that is paved, which is included in the improved lot coverage calculations for her lot.

There were no further questions from the Board or the Public for Mr. or Mrs. Gerace.

2. DKT.#1447-18 – PRESTIGE MANAGEMENT SERVICES/MSN SERVICES, LLC.; 73 RAMAPO VALLEY ROAD, BLOCK 41, LOT 1

Application for a “D” Use Variance for the use of a 5,830 sf public auction business for sales of furnishings, equipment and personal property.

Mr. Rabolli announced correspondence has been received from Mr. Kevin T. Conway, Esq., dated April 15, 2019 withdrawing the Use Variance Application. The Application has been withdrawn.

A motion was made by Mr. Whiteman seconded by Mr. DeSilva to close the Public Hearing of the meeting and move into Work Session. All voted in favor.

VI. WORK SESSION:

**1. DKT.#1458-19 – NEIL AND BETTY GERACE
122 GROVE STREET, BLOCK 50, LOT 63**

Application for Amended Variance approval for construction performed under prior variance approvals; further variances requested for front-yard setback and maximum improved lot coverage.

Mr. Rabolli summarized the application mentioning the existence of the pavement over the sewer easement increases the improved lot coverage percentage. A motion to approve was made by Mr. Whiteman seconded by Mr. DeSilva. A roll call vote revealed 5 aye votes by Mr. Calijone, Mr. DeSilva, Mr. Jackson, Mr. Rabolli and Mr. Whiteman.

VII. ADJOURNMENT:

The meeting adjourned at 8:13 pm on a motion by Mr. Whiteman, seconded by Mr. DeSilva.

These minutes were prepared by Geraldine Entrup, Administrative officer. The minutes were provided to the Board of Adjustment on July 17, 2019 for approval at the Regular Meeting to be held on July 24, 2019.