

**TOWNSHIP OF MAHWAH
BOARD OF ADJUSTMENT**

MINUTES

JULY 15, 2015

The combined public/work session meeting of the Board of Adjustment held at the Municipal Building, 475 Corporate Drive, Mahwah, NJ, beginning at 7:34 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.

PRESENT: Mr. Dator Mr. Montroy
Mr. DeSilva Mr. Rabolli
Mr. Ervin (in at 7:37 pm)

ABSENT: Mr. Kezmarsky Mr. Straffin
Mr. Larson Mr. Whiteman

ATTORNEY: Mr. Ben R. Cascio, Esq.

I. APPROVAL OF BILLS:

5/06/15; 5/20/15	\$500.00	Ben R. Cascio, Esq. – Attendance Two meetings
6/03/15; 6/17/15	\$500.00	Ben R. Cascio, Esq. – Attendance Two meetings
Period – June 2015	\$525.00	Dkt.#1390-15 (Bledsoe)

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

II. APPROVAL OF MINUTES:

A. MINUTES OF MAY 6, 2015

A motion to approve was made by Mr. DeSilva seconded by Mr. Dator. All eligible members voted in favor.

B. MINUTES OF JUNE 3, 2015

A motion to approve was made by Mr. Montroy, seconded by Mr. Dator. All eligible members voted in favor.

III. MEMORIALIZING RESOLUTIONS:

**A. DKT. #1390-15 – ALICE BLEDSOE
11 YOUNGS ROAD, BLOCK 150, LOT 25**

Resolution granting a Variance to permit the construction of an accessory apartment that results in 47% of habitable living space where only 30% is permitted per Township Code.

A motion to approve was made by Mr. Dator, seconded by Mr. Montroy. A roll call vote revealed 3 aye votes by Mr. Dator, Mr. Ervin and Mr. Montroy.

IV. OPEN TO THE PUBLIC:

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

V. PUBLIC HEARINGS:

**A. DKT.#1391-15 – WASIM & SARA RAHMAN
1076 RAMAPO VALLEY ROAD, BLOCK 25, LOT 21**

Application to construct an additional accessory structure in excess of the amount of accessory structures permitted by ordinance.

Mr. Antimo A. Del Vecchio of Beattie Padovano, LLC, approached on behalf of the Applicant. Mr. Cascio indicated all notices were in order. It was noted the docket also included the submission of a Soil Movement Permit Application.

Mr. Del Vecchio called his first witness, Mr. Keenan Hughes of Phillips Preiss Grygiel. Mr. Hughes was sworn in by Mr. Rabolli. Mr. Del Vecchio gave Mr. Hughes' credentials, and he was accepted as an expert Professional Planner.

Mr. Hughes gave an overview of the application noting the depth of the lot, the topography and the existence of an old hunting cabin. The Applicants propose to construct an in-ground pool and cabana to the rear of the property. Mr. Hughes described the pool and cabana dimensions as shown on Sheet 2 of the submitted plans. Due to the existing cabin, a variance is needed for an additional accessory structure. Mr. Hughes cited variance criteria and indicated the benefits of the cabana outweigh any detriments. The proposed pool and cabana location is a distance from the existing home. Mr. Hughes

stated the Applicants do not want to demolish the existing cabin, which was there when the property was purchased, in order to construct the cabana. Upon questioning by Mr. Del Vecchio, Mr. Hughes indicated the property contains a dense canopy of trees and buffer from the road and neighbors. The home is approximately 600 feet from Ramapo Valley Road. The pool will not be visible from Ramapo Valley Road due to the distance and topography.

Mr. Montroy commented that if the cabin were to be demolished, there may be a disturbance of wetlands so leaving the cabin as is will mitigate any wetland disturbance. Mr. Hughes agreed with Mr. Montroy's statement.

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

Mr. Del Vecchio called Mr. David Garval, 30 Madison Avenue, Paramus, NJ. Mr. Garval was sworn in by Mr. Rabolli. Mr. Del Vecchio gave Mr. Garval's credentials and he was accepted as an expert Professional Engineer. Upon questioning by Mr. Del Vecchio, Mr. Garval testified to the soil movement volume calculations for cut, fill and import. Two trees are proposed to be removed.

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

Mr. Del Vecchio concluded by giving a closing statement.

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

VI. WORK SESSION:

A. DKT.#1391-15 – WASIM & SARA RAHMAN 1076 RAMAPO VALLEY ROAD, BLOCK 25, LOT 21

Application to construct an additional accessory structure in excess of the amount of accessory structures permitted by ordinance.

A motion to approve was made by Mr. Montroy, seconded by Mr. Ervin. A roll call vote revealed 5 aye votes by Mr. Dator, Mr. DeSilva, Mr. Ervin, Mr. Montroy and Mr. Rabolli.

VII. ADJOURNMENT:

The meeting adjourned at 7:57 pm on a motion by Mr. Montroy, seconded by Mr. Ervin.

These minutes were prepared by Geri Entrup, Zoning Board Recording Secretary.