

**TOWNSHIP OF MAHWAH  
BOARD OF ADJUSTMENT**

**MINUTES**

**MAY 6, 2015**

The combined public/work session meeting of the Board of Adjustment held at the Municipal Building, 475 Corporate Drive, Mahwah, NJ, beginning at 7:32 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.

<b>PRESENT:</b>	Mr. Dator	Mr. Rabolli
	Mr. DeSilva	Mr. Straffin
	Mr. Ervin	Mr. Whiteman

<b>ABSENT:</b>	Mr. Kezmarsky	Mr. Montroy
	Mr. Larson	

**ATTORNEY:** Mr. Ben R. Cascio, Esq.

**I. APPROVAL OF BILLS:**

4/1/15; 4/15/15	\$500.00	Ben R. Cascio, Esq. – Attendance Two meetings
Period – April 2015	\$450.00	Ben R. Cascio, Esq. – Services Rendered Dkt.#1388-14 (Purcell)

A motion to approve was made by Mr. Whiteman, seconded by Mr. Dator. A roll call vote revealed 6 aye votes by Mr. Dator, Mr. DeSilva, Mr. Ervin, Mr. Rabolli, Mr. Straffin and Mr. Whiteman.

**II. APPROVAL OF MINUTES:**

**A. MINUTES OF MARCH 18, 2015**

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

**B. MINUTES OF APRIL 1, 2015**

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

**C. MINUTES OF APRIL 15, 2015**

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

**III. MEMORIALIZING RESOLUTIONS:**

**A. DKT.#1387-15 – SPORTS MEDICINE OF BERGEN, PA,  
d/b/a EXCEL ORTHOPEDIC REHABILITATION  
1019 MacARTHUR BOULEVARD, BLOCK 138, LOT 151.01**

Resolution granting Use Variance and Tenancy Approval for rehabilitation and orthopedic services, which is not specifically listed under the provisions of the Mahwah Zoning Ordinance.

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

**B. DKT.#1388-15 – ROBERT PURCELL  
122 MALCOLM ROAD, BLOCK 105, LOT 16**

Resolution granting a Side-Yard Variance for an addition.

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

**C. Dkt.#1262-08 A-1 – PILOT TRAVEL CENTERS, LLC  
230-250 ROUTE 17 SOUTH, BLOCK 136, LOTS 2 & 3**

Resolution of Denial of Appeal from Zoning Officer's Decision pursuant to N.J.S.A. 40:55D-70(a).

A motion of Denial of Appeal was made by Mr. Whiteman, seconded by Mr. Straffin. A roll call vote revealed 4 aye votes by Mr. Ervin, Mr. Rabolli, Mr. Straffin and Mr. Whiteman.

**IV. OPEN TO THE PUBLIC:**

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

For documentation purposes, two Mahwah High School students were in attendance to observe.

**V. PUBLIC HEARINGS:**

**A. DKT.#1389-15 – MATTHEW AND DANIELLE RYAN  
22 RIVERVIEW TERRACE, BLOCK 17, LOT 6**

Application for a Side-Yard Variance for an addition.

Mr. and Mrs. Ryan approached, along with Mr. Michael DeCarlo, who is Mrs. Ryan's father. All were sworn in by Mr. Rabolli. Mr. Cascio indicated all notices were in order.

Mr. Ryan gave an overview of the application and stated they would like to add another bedroom for future use by their family. The house has an existing side-yard setback of 18.4 feet to an extended breakfast nook and 28 feet to the main house, where 30 feet is required. They are proposing a 12 x 21 foot addition in the rear of the home.

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

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:**

**A. DKT.#1389-15 – MATTHEW AND DANIELLE RYAN  
22 RIVERVIEW TERRACE, BLOCK 17, LOT 6**

Application for a Side-Yard Variance for an addition.

Mr. Rabolli summarized the application, mentioning the existing encroachment. A motion to approve was made by Mr. DeSilva, seconded by Mr. Straffin. A roll call vote revealed 6 aye votes by Mr. Dator, Mr. DeSilva, Mr. Ervin, Mr. Rabolli, Mr. Straffin and Mr. Whiteman.

**VII. ADJOURNMENT:**

The meeting adjourned at 7:53 pm on a motion by Mr. Whiteman, seconded by Mr. DeSilva.

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