

**RESOLUTION #2016-009**

**RESOLUTION OF THE BOARD OF ADJUSTMENT  
THE BOROUGH OF HAWTHORNE**

**In the matter of:**

**300 Lincoln Avenue, LLC (“Applicant”)  
300 Lincoln Avenue  
Lot 13, Block 120  
Hawthorne, New Jersey 07506**

**WHEREAS**, The Applicant made application to the Borough of Hawthorne Board of Adjustment for an extension from Chapter 293, Article III, Section 293-24 of the Borough of Hawthorne code until June 30, 2017 of all approvals granted by the Board to the applicant, inclusive of site plan, use variance and variance approvals in connection with the premises known as Lot 13, Block 120, commonly referred to as 300 Lincoln Avenue (the “Property”), located in the B-1 Zone; and

**WHEREAS**, the Permit Extension Act N.J.S.A. 40:55D-136.1 adopted by the State of New Jersey in 2008 only extends such approvals to the current expiration date of June 30, 2016; and

**WHEREAS**, the Board reviewed this matter at its public hearing on May 16, 2016; and

**WHEREAS**, after due consideration and deliberation at the aforementioned hearing, the Board did vote upon the Application and instruct the Board Attorney to prepare a Resolution memorializing the vote taken; and

**WHEREAS**, the Zoning Board of Adjustment of the Borough of Hawthorne makes the following findings of fact, based upon the evidence presented at its public hearing:

1. The Applicant is the owner of the Property. The Property is located in the B-1 District.

2. The Applicant has submitted satisfactory evidence of having given statutory notice pursuant to N.J.S.A. 40:55D-12.

3. The Applicant's counsel, Mark J. Semeraro, Esq. indicated that due to delays in construction beyond the Applicant's control and delays in related approvals and permits, the Applicant is unable to complete its project within the time initially permitted.

4. In reviewing the Application presented by Applicant's attorney, the Board finds that the extension requested by the Applicant can be granted in this instance.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Adjustment of the Borough of Hawthorne that the Application of 300 Lincoln Avenue, LLC, with respect to the Property, requesting an extension of all approvals inclusive of site plan, use variance and variance approvals until June 30, 2017 as set forth above, be and is APPROVED, subject to the terms and conditions hereinafter set forth:

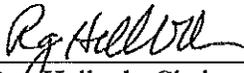
1. The foregoing findings of fact and conclusions of law are incorporated herein as if set forth at length.

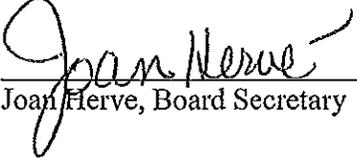
2. The Applicant shall obtain approval from all other governmental agencies having jurisdiction over the subject Application and development, if any.

3. The Applicant shall pay all fees due and owing to the Borough of Hawthorne, including the posting of any application fees, review fees, inspection fees and/or escrow fees which may be due, prior to the issuance of any building permits.

4. The Applicant shall comply with all applicable rules, regulations, ordinances and statutes of the Borough of Hawthorne, County of Passaic and State of New Jersey with regard to the application.

The undersigned certifies that the within Resolution was adopted by the Board and memorialized herein pursuant to N.J.S.A. 40:55D-10(g) on June 20, 2016.

  
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Ray Hallock, Chairman

  
\_\_\_\_\_  
Joan Herve, Board Secretary

OFFERED BY: Schroter  
SECONDED BY: Chamberlin  
VOTE: Ayes: 6  
Nays: 0