

WHEREAS, application has been made to the Hawthorne Planning Board by **John Hryncewich** for final major subdivision approval for property commonly known as 53 Braen Avenue and 7 Sotnick Street and also known as Block 287, Lots 7, 8 and 9 on the Borough Tax Map, located in the R-1 and R-2 Zones; and

WHEREAS, the Planning Board conducted a public hearing on said application on April 18, 2017 at which time the Board had the benefit of a report submitted by the Board engineer and the Board opened the hearing for comment by the public; and

WHEREAS, the applicant was represented by Darryl W. Siss, Esq.; and

WHEREAS, the Board engineer submitted a written report dated March 22, 2017.

WHEREAS, the Board opened the hearing for comment by the public at which time no members of the public requested the opportunity to be heard.

WHEREAS, the Board, after considering the arguments of counsel and the report and comments of the Board engineer, does hereby make the following findings of fact and conclusions of law:

1. The applicant previously received preliminary major subdivision approval, bulk variance approval, soil movement permit and waivers on May 20, 2014, which approval was memorialized in a written resolution adopted by the Board on July 15, 2014. The terms and conditions of said resolution are incorporated herein by reference.
2. The applicant now seeks final major subdivision approval based on the plans submitted in support of the application. Based on the report and comments of the Board engineer, the Board finds that the applicant has

complied with the conditions of preliminary approval and that the final subdivision plat is in conformance with the Map Filing Law.

3. The Board further finds that final approval of the proposed subdivision can be granted without significant negative impact upon public health, safety and general welfare.

WHEREAS, at its meeting on April 18, 2017, the Board approved a motion granting the application subject to the preparation of a memorializing resolution:

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Hawthorne, that the application of **John Hryncewich** for final major subdivision approval be and hereby is granted subject to the following terms and conditions:

1. Conformance with the plans previously submitted by the applicant and admitted as exhibits at the time of preliminary approval.
2. Compliance with the terms and conditions of the Board's resolution dated July 15, 2014 memorializing the preliminary approval granted by the Board, a copy of which is attached hereto.
3. The developer's agreement to be entered into between the applicant and the Borough of Hawthorne shall include a time limit of six months from execution of the developer's agreement for the demolition of the structures proposed to be demolished as shown on the applicant's plans.
4. No building permits except demolition permits shall be issued until the demolition of the structures proposed to be demolished has been completed.
5. The applicant must demonstrate adequate water pressure for fire protection to be confirmed by the Board engineer.

6. The applicant must provide for adequate tree protection during construction.
7. The applicant previously submitted a soil movement plan which was reviewed by the Board engineer.
8. The applicant shall provide a certification from the Borough tax collector that real estate taxes on the subject properties are current.
9. The deeds of conveyance for the lots to be created shall contain restrictions confirming that maintenance of the seepage pits and trench drains shall be the responsibility of the individual lot owners. The deeds shall be submitted to the Board attorney and Board engineer for review and approval prior to execution and recording.
10. Deposit in escrow of such sums as are required for reasonable engineering expenses associates with the application.

The undersigned, Chairman of the Planning Board of the Borough of Hawthorne, hereby certifies that the above is a true copy of a resolution adopted by said Board on the 16th day of May, 2017.


WALTER GARNER, III, Chairman