

January 25th, 2016
Hawthorne, NJ

The Regular Meeting of the Zoning Board of Adjustment of the Borough of Hawthorne was held on the above date at 7:05 p.m. in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

Vice Chair.....	John F. Gallagher
Board Member.....	David A. Schroter
Board Member.....	Scott Chamberlin
Board Member.....	AnnaMarie Sasso
Board Member.....	Kevin Duffy
Board Member.....	Jack B. De Ritter
Board Member (Alternate #1).....	Curtis Leininger
Board Member (Alternate #2).....	Nancy Agnello
Zoning Board Attorney.....	James Delia. Esq.
Zoning Board Secretary.....	Joan Hervé
<u>Absent:</u>	
Chair.....	Raymond Hallock

FLAG SALUTE

Vice Chair, Gallaher invited all present to join him in the Pledge of Allegiance.

“Adequate Notice of this meeting has been posted on the Municipal Bulletin Board, published in the legal newspaper of the Borough and a schedule, including date and time, provided to all persons entitled by law to same. “

REORGANIZATION

Meeting is turned over to Secretary to accept nominations for office:

Board Secretary asked for nominations for Chairman. Motion by Gallagher to nominated Mr. Hallock as Chairman, seconded by De Ritter, on roll call all voted yes.

Board Secretary asked for nominations for Vice Chairman. Motion by De Ritter to nominated Mr. Gallagher as Vice Chairman, seconded by Chamberlin, on roll call all voted yes, with the exception of Gallagher who abstained.

Meeting is turned over to Vice Chairman Gallagher who calls for nominations for Secretary.

Vice Chairman Gallagher entertained a motion to appoint Joan Herve as Board Secretary; Moved by De Ritter seconded by Schroter, on roll call all voted yes.

Vice Chairman Gallagher entertained a motion to appoint Jim Delia as Board Attorney; Moved by De Ritter, seconded by Schroter, on roll call all voted yes.

Vice Chairman welcomes the two new Board members AnnaMarie Sasso & Curtis Leininger.

BILLS:

Vice Chair Gallagher entertained a motion to approve the bill list and forward it to the Treasurer for payment, moved by Chamberlin, seconded by a De Ritter. On roll call, all voted yes.

Hawthorne Press for Legal Notices: \$31.98

Hawthorne Press for Legal Notices: \$31.20

APPROVAL OF MINUTES

Vice Chairman Gallagher entertained a motion to approve the minutes of the Regular Meeting of December 21st, 2015 moved by De Ritter, seconded by Schroter. On roll call, all voted yes, with the exception of Board Members, Duffy & Chamberlin who abstained.

MEMORIALIZE RESOLUTIONS:

Jim Conte, 179 Arlington Avenue, (Block 137, Lot 1). Vice Chairman Gallagher entertained a motion to adopted Memorialize Resolution for approved application seeking bulk variances for proposed construction of an addition to the side property. The variances proposed: a side yard setback of 4'9" where 25' is required, a combined side yard setback of 4'9"/16'3" is proposed where 15'/40' is required, and any and all other variances deemed necessary by the Board of Adjustments. Moved by Schroter, seconded by De Ritter, on roll call, all voted yes with the exception of Board Members Chamberlin & Duffy who abstained.

204 Wagaraw Road, LLC, Rivergate of Hawthorne, (Block 12, Lot 8 and Block 13.01, Lot 0).

Vice Chairman Gallagher entertained a motion to adopted Memorialize Resolution denying the application seeking preliminary & final site plan approval along with use and bulk variance relief to develop the properties in question for a mixed use development. The Applicant proposes a total of 219 residential units, 6,000 square feet of retail and 4,000 square feet of office space in the B-3 Zone. Moved by Duffy, seconded by De Ritter, on roll call, all voted yes.

New Business

Hearings

Fadi & Gahada Haddad, 71 Mary Street, (Block 87.01, Lot 1).

After being sworn in applicant Haddad, Attorney Russell Teschon, & Architect Anwar Alkhatib testified they are seeking construction of addition to existing home which will have a rear yard setback off 11 foot 9" where setback of 25 ft. is required. The applicant will demolish part of the existing structure which is setback 21.40 ft. from the rear property line and as such constitutes an existing variance condition. The property and specifically the rear lot line are immediately adjacent to a large piece of property owned by the Borough of Hawthorne and which is undeveloped. As such, it is submitted that the proposed addition within the setback will not affect the adjoining property or the public in general. Attorney Teschon stated for the record when this matter was presented previously for a rear deck (which was approved, but never constructed) to the Board in 2008, there was a finding by the Board that this was a unique situation that the lot had difficulty topographical features dropping significantly depth over the lot.

Questions for the Applicant

Board Member De Ritter, when looking at the drawings A-01 you show the front of the house & side elevation, however what about the back of the house, the garage area. Architect Alkhatib - the reason

nothing would be affecting that area. Board Member continued, opposite of Mary Street looking at the house looking at the back, would there be an entrance. Architect - the only entrance you would have is on the basement level.

Board Member Agnello asked if they anticipate any problems with the drainage due to the fact topography of the land. Architecture stated right now the existing conditions the water is discharging to the back of the property, we are not increase the impervious coverage, and therefore he does not anticipate any drainage issues. Board Member Schroter added you are going to increase some of your storm water run-off because you have a larger roof area. Board member Chamberlin stated this something that is not within our purview that does not fall under our jurisdiction.

Board Member Schroter asked the garage on the first floor, does that change the floor plan on the first floor. Architect – no, the first floor is above the garage. Architect added regarding the draining if there are any building requirements, we will comply.

Vice Chairman Gallagher entertained a motion to approved application. Moved by Chamberlin, seconded by De Ritter, on roll call, all voted yes.

ADJOURNMENT

At 7:18p.m. Vice Chair Gallagher entertained a motion to adjourn the regular meeting, moved by Schroter, seconded by Chamberlin. All in favor, “Aye”.

**THE NEXT REGULAR MEETING OF THE ZONING BOARD OF ADJUSTMENT
WILL BE ON
~MONDAY, FEBRUARY 22RD, 2016 ~
THE WORK SESSION WILL BEGIN AT 6:45P.M. WITH THE REGULAR
MEETING IMMEDIATELY FOLLOWING**

Respectfully Submitted,
Joan Herve, Secretary