

# BOARD OF ADJUSTMENT

## BOROUGH OF HAWTHORNE

Municipal Building  
445 Lafayette Avenue  
Hawthorne, New Jersey 07506

Raymond G. Hallock  
Chairman

John F. Gallagher  
Vice Chairman

Jack De Ritter

Kevin Duffy

Dominic Mele

Robert Scully

Kenneth Silvestri

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Joanne J. Graziano

Mark Michalski

Charles C. Collins, Jr.

Attorney/Secretary

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October 16, 2007

**TAKE NOTICE** that on October 15, 2007, at its regular monthly meeting, the Zoning Board of Adjustment of the Borough of Hawthorne took the following action:

1. Approved payment of the following bills: bill of the Hawthorne Press for legal publication in the amount of \$42.90; bill of N.J.P.O. for attendance of Graziano, Mele and Duffy at the mandatory training course in the amount of \$228.00 and bill of the Board attorney for services to date in the matter of the appeal of Elias Youssef in the amount of \$585.00.

2. Approved the Minutes of the meetings, work session and regular, for September 17, 2007.

### **Old Business**

#### **Resolutions**

NONE

### **Old Business**

#### **Hearings**

NONE

### **New Business**

#### **Hearings**

1. **Nicholas and Sue Passaro** – 83 Warren Avenue, Lot 1, Block 94. Adjourned to November 19 meeting date an application to make additions to the first and second floors

of a single family home in the R-1 Residence District requiring side yard, combined side yards, front yard, centerline setback and lot coverage variances required.

2. **Laurela and Hasan Khaferi**. 59 Elberon Avenue, Lot 15, Block 46. Adjourned to November 19 meeting date an application to make a two story addition to the rear of a two family home in the R-2 Residence Zone. Side yard and combined side yard variances are sought.

3. **The Bedrin Organization**. 121 Wagaraw Road, Lot 16, Block 47. Approved at a bifurcated hearing a proposal to erect a shopping center in the I-1 Industrial Zone subject to future site plan submission and approval.

Resolutions memorializing the actions taken will be adopted at the next regular meeting of the Board of Adjustment to be held on November 19, 2007, and, after adoption, will be available for public inspection.

*Charles C. Collins, Jr.*

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Charles C. Collins, Jr., Attorney/Secretary

MINUTES OF THE REGULAR MEETING OF THE  
HAWTHORNE ZONING BOARD OF ADJUSTMENT  
SEPTEMBER 17, 2007

The September 17, 2007 regular public meeting of the Hawthorne Zoning Board of Adjustment was called to order at 7:30 p.m. by Chairman Hallock. All members were present except Messrs. Duffy, Mele and Scully. William A. Monaghan, III, acting Attorney/Secretary, was also present.

The Chairman announced that notice of the meeting had been published and posted in accordance with the requirements of the Open Public Meetings Act.

**Bills** On motion by Silvestri, with second by DeRitter, the bill of the Hawthorne Press for legal publication in the amount of \$65.52 was approved for payment.

**Minutes** On motion by DeRitter, correcting the minutes of the work session regarding a reference to the Columbia Bank application, with second by Silvestri, Graziano abstaining, the Board voted approval of the minutes of the work and regular sessions of the Board for August 20, 2007.

**Old Business**

**Resolutions**

1. **David Koch.** 94 McKinley Avenue, Lot 1, Block 140. On motion by Silvestri with second by Gallagher, Graziano abstaining, the Board adopted a memorializing resolution denying an application pursuant to sec. 194-14 of the Hawthorne Code to locate an in-ground swimming pool five feet from property line in the R-1 Residence zone.

2. **Victor and Shana Van Dyk.** 27 Ravine Drive, Lot 26, Block 287. On motion by DeRitter with second by Gallagher, Graziano abstaining, the Board adopted a memorializing resolution granting an application to add a second floor add-a-level with cantilevers to a one family house in the R-1 Residence zone requiring front yard, centerline setback, side yard and rear yard variances.

**Old Business**

**Hearings**

NONE

**Old Business**

**Resolutions**

1. **288 Lincoln Ave Realty LLC** . Block 120, Lot 13 & Block 121, Lot 13. On motion by Silvestri with second by Graziano, the Board accepted the withdrawal of an application for certificate of continued non-conforming use and structure with bulk variances, or, in the alternative, use variance with bulk variances for proposed motor vehicle repair and service shop in prior new car/truck dealership sales and service center in the B-1 Neighborhood Commercial Zone New Business.

**New Business**

**Resolutions**

1. **Elias Youssef** – 579/1195 Goffle Road, Lot 1, Block 285. On Motion by Gallagher with second by Michalski, the Board adopted a resolution authorizing the Board Attorney to defend an appeal from an adverse decision.

There being no further business to come before the Board on motion by Silvestri with second by Michalski the regular public meeting of the Hawthorne Zoning Board of Adjustment for September 17, 2007 was adjourned at 7:40 PM.

Respectfully Submitted,

*Charles C. Collins, Jr.*

Attorney/Secretary

MINUTES OF THE WORK SESSION MEETING  
OF THE HAWTHORNE ZONING BOARD OF ADJUSTMENT  
SEPTEMBER 17, 2007

The September 17, 2007 work session meeting of the Hawthorne Zoning Board of Adjustment was called to order at 7:00 p.m. by Chairman Hallock. All members were present excepting Duffy, Gallagher, Mele and Scully. In addition, William A. Monaghan, III, acting Attorney/Secretary, was present.

The bill of the Hawthorne Press for legal publication was reviewed.

Mr. DeRitter suggested the work session minutes for the August meeting were in error by reason of a reference to the Columbia Bank application.

The Board then discussed the withdrawal of the 288 Lincoln Ave. Realty, LLC, application. Mr. Silvestri suggested the matter should have been approved as a continuation of a non-conforming use and described the failure of that proposition as "Chuck against the Board". He wondered whether Mr. Collins had a bias against the applicant's attorney.

The discussion then veered to the mandatory Planning/Zoning Course, who had taken it and who had received the books that were ordered.

Ms. Graziano discussed her upcoming registration.

Mr. Hallock advised Mr. Monaghan about the usual procedures for conduct of the Board's meetings.

Mr. Gallagher arrived at 7:30 PM.

Respectfully submitted,

*Charles C. Collins, Jr.*  
Attorney/Secretary