

**MINUTES OF THE SPECIAL MEETING OF THE  
HAWTHORNE ZONING BOARD OF ADJUSTMENT  
FOR MARCH 10, 2014**

The March 10, 2014 Special meeting of the Hawthorne Zoning Board of Adjustment was called to order at 7:00 p.m. by Chairman Hallock. All members were present except DeRitter, Duffy and Terraglia. In addition, Michael Pasquale, Borough Attorney, appeared for Charles C. Collins, Jr., Attorney/Secretary, Peter Ten Kate representing the Borough Engineer, were present.

**Flag Salute**

**Bills**

NONE.

**Minutes**

NONE

**Report on Litigation**

Mr. Pasquale reported to the Board on the termination of the Puddingstone Goffle Holdings (7-Eleven) litigation.

**Old Business**

**Hearings**

1. **300 Lincoln Avenue, LLC.** 300 Lincoln Avenue, Lot 13, Block 120.

On motion by Gallagher with second by Chamberlin the Board continued to April 21, 2014 hearing of an for car wash, detailing and lubrication business, a non-permitted use, in the B-1 Neighborhood Commercial zone requiring a use and bulk variances and preliminary and final site plan approvals.

**New Business**  
**Hearings**

2. The Chairman then called for the hearing of the application of **Be a Better You, LLC**, 295 Rea Avenue, Lots 21 & 22, Block 202. The applicant was represented by Darryl W. Siss, Esq., Teschon, Ricobene & Siss, Esqs. 327 Godwin Avenue, Midland Park, NJ, who described the application as one to realign lots 21 and 22, Block 202. Presently, Lot 22, a corner lot fronting on Rea Avenue with Ninth Street on its side, contained multiple, preexisting uses, a three family home and a hair styling shop and Lot 21 is unoccupied. The proposal would transfer land from Lot 22 to Lot 21 to make it conforming and erect a single family home thereon. The uses on the reduced lot 22 would continue but it is the applicant's intention to "phase out" the hair styling shop when that operator, now in his 60's, decides to retire.

Three witnesses were offered, Barry Collova, managing member of the applicant was first. He testified confirming Mr. Siss's representations and described the history of the property.

The Board's concerns were the parking situation, ten spaces were needed and only four were provided and how the "phase out", which would eliminate a non-conforming use in the residence zone, could be accomplished. It was

mentioned that Rea Avenue has a 60 foot right-of-way and on-street parking does not cause congestion in the area.

Bruce Rigg, the applicant's Engineer described the details of the subdivision and Edward Easse, Architect and Planner, argued that reducing the size of Lot 22 would not create an increase in density because the uses remained unchanged.

The Board stipulated pre-approval of any "phase out" mechanism before any permits would issue and the applicant must provide parking use of the garage on Lot 22. On retirement of the commercial use the premises are to be renovated to create a residential appearance and the present awning removed.

The house to be built on Lot 21 must be single family with a two car garage. On motion by Gallagher with second by Chamberlin, the application was approved with conditions.

3. The next and final matter to be heard was the continuation of the hearing of the application of **Johanna Simone**, 97 Hawthorne Avenue, lot 6.01, block 28.02. The applicant was represented by William T. Smith, Esq., Hook, Smith & Meyer, Esqs., 851 Franklin Lake Road, Franklin Lakes, NJ. No witnesses were offered. Mr. Smith referred to an Architect's sketch of a proposed parking layout for 93 Hawthorne Avenue consisting of macadam pavement, 18' x 18.66' to allow two stacked vehicles on one side with one space on the other.

Mr. Smith stated that the prospective purchaser of the corner lot may be withdrawing and consequently no architectural drawings for any proposed home on that lot were available. After discussion about the present use of 93 Hawthorne Avenue and the lack of information as to present and proposed use of both lots, the Board directed Mr. Smith to submit a revised site plan combining both lots, proposed on-site parking for four vehicles on 93 Hawthorne, all dimensions and a calculation of impervious coverage.

When the public was asked to comment Eugene Marzorati, 98 Hawthorne and Peter Schmidt, 14 Division Street, testified regarding current on-street parking conditions.

On Motion by Melfi with second by Gallagher, the matter was adjourned to April 21, 2014.

On motion by Agnello with second by Chamberlin, the special public meeting of the Hawthorne Zoning Board of Adjustment for March 10, 2014 was adjourned at 9:22 PM whereupon the Board went into Executive session to discuss a personnel matter.

Respectfully submitted,

*Charles C. Collins, Jr.*

Attorney/Secretary