

**MINUTES OF THE REGULAR MEETING OF THE
HAWTHORNE ZONING BOARD OF ADJUSTMENT
MAY 17, 2010**

The May 17, 2010 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. Joustra, Silvestri and Schroter. In addition, Charles C. Collins, Jr., Attorney/Secretary, was 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 Terraglia, with second by Gallagher, the bill of the Hawthorne Press for legal publications in the amount of \$46.46 was approved for payment.

Minutes On motion by Gallagher with second by DeRitter, the minutes of April 19, 2010, work and regular, were approved.

Old Business
Resolutions

1. **Walder, Ken & Leydi**, 11 Rockledge Road, Lot 9.01, Block 292. On motion by Gallagher with second by Terraglia the Board adopted a memorializing resolution granting an application for front yard and centerline setback variances for new house construction.

2. **Lauren Enterprises, LLC**, 104 (80) Mohawk Avenue, Block 53, Lot 8. On motion by DeRitter with second by Chamberlin, Terraglia and Hallock abstaining, the Board adopted a memorializing resolution granting, on condition, an application to expand a two family home in the R-2 Residence zone requiring a side yard variance.

3. **116 Washington Avenue, LLC**, 116, 122 Washington Avenue, Lots 32 and 31, Block 29. On motion by Gallagher with second by DeRitter, the Board adopted a memorializing resolution granting application for use and bulk variances and site plan and subdivision approvals for multi-family residential development in the R-2 Residence Zone.

4. **Patriot Development Corporation**. Lots 1, 2, 2.01, 2.02, 11, 12, and 13 in Block 90 and lot 6 in Block 89. On motion by Terraglia with second by DeRitter the Board continued to June 21 the hearing of an application to develop 20 town homes and 7 single family homes requiring “d” and “c” variances in the R-5 Planned Unit Development zone.

5. **Puddingstone Goffle Holdings, LLC**. 896 Goffle Road, Lots 10 & 11, Block 267. On motion by Gallagher with second by DeRitter, Terraglia and Hallock abstaining, the Board continued to June 21 the hearing of an application for interpretation/variance to erect a 7-11 Convenience Store on the site of a former Shell Oil Service Station requiring a use variance and an impervious coverage variance in the R-1 Residence Zone.

New Business

Hearings

1. The Chairman then called for the hearing of the application of **Robert and Rebecca Colussi**. 51 Buena Vista Avenue, Lot 9, Block 99. Robert Colussi appeared and was sworn. He testified that his application asks to replace an existing patio with a 10' by 10' rear yard deck requiring side yard, 16 feet provided/37.5 feet required, combined side yards, 36 feet provided/ 45 feet required, lot coverage, 25 % permitted/29.31% provided and rear yard, 38 feet provided/50 feet required. It was noted that his lot size is 4,628 sq. ft. or approximately 25% of the required minimum lot size in the R-1 Residence Zone.

The applicant testified that there were similar lots in the neighborhood and the deficiencies of the proposed deck did not aggravate present deficiencies on the property. No member of the public wished to speak on the application, which, on motion by Gallagher with second by DeRitter was granted.

2. The next application to be heard was that of **Peter Terrizzi**, 176 Buena Vista Avenue, Lot 26, Block 141. The applicant appeared and was sworn. He testified that he proposed to replace an existing patio with a 14' by 17' rear yard deck which required a rear yard variance of 36 feet where 50 feet is required. His lot size in the R-1 Residence zone is 6,401 sq. ft. or 34% of the required minimum lot size. The proposal did not exceed the existing setback deficiencies on the property. No member of the public wished to speak on the matter and, on motion by DeRitter with second by Chamberlin it was granted.

3. The final application to be heard was **Daniel and Suzanne Scheidegger**, 60 Summer Street, Lot 3, Block 279. Daniel Scheidegger appeared and was sworn. He testified that he is seeking to erect a rear yard deck requiring rear yard, side yard, single and combined, and coverage variances in the R-1 Single Family residence zone. Because the lot is undersized, 6,000 sq. ft. or 32% of the required minimum lot size, variances for single side yard, 6.5 feet/ where 15 feet is required, combined side yards, 26.69 feet provided/ 40 feet required, rear yard, 45 feet provided/50 feet required and lot coverage, 27.5% requested/25% maximum permitted. The proposed deficiencies are less than those presently caused by the location of the house on the undersized lot. No member of the audience offered to speak on the matter and, on motion by Gallagher with second by Terraglia, the application was granted.

There being no further business to come before the Board on motion by Gallagher with second by Terraglia on voice vote the regular public meeting of the

Hawthorne Zoning Board of Adjustment for May 17, 2010 was adjourned at 7:50 PM.

Respectfully Submitted,

Charles C. Collins,

Jr.

Attorney/Secretary