

MINUTES OF THE WORK SESSION MEETING
OF THE HAWTHORNE ZONING BOARD OF ADJUSTMENT
SEPTEMBER 19, 2011

The September 19, 2011, work session meeting of the Hawthorne Zoning Board of Adjustment was called to order at 7:00 p.m. by Chairman Hallock. All members except Terraglia were present. In addition, Charles C. Collins, Jr., Attorney/Secretary, and William Monaghan III, Esq. were present.

The Board indicated approval of the bill of the Hawthorne Press and the minutes of the meeting of August 15, 2011.

William Monaghan, III, Esq. was present to represent the Board in connection with the application of Mr. Collins's son for 568 Lafayette Avenue. It was explained that although two family uses are permitted in the B-1 Neighborhood Commercial Zone, they have to comply with the R-2 Residence Zone requirements and the proposal before the Board failed to meet the density requirements.

The Board then discussed the status of the Patriot Development Corp. amended application and agreed to defer any scheduling for hearings until Mr. Kelly reported all technical issues had been resolved.

The work session concluded at 7:30 PM.

Respectfully submitted,

Charles C. Collins, Jr.,
Attorney/Secretary

MINUTES OF THE REGULAR MEETING
OF THE HAWTHORNE ZONING BOARD OF ADJUSTMENT
SEPTEMBER 19, 2011

The September 19, 2011, Regular meeting of the Hawthorne Zoning Board of Adjustment was called to order at 7:30 p.m. by Chairman Hallock. All members except Terraglia were present. In addition, Charles C. Collins, Jr., Attorney/Secretary, and William Monaghan III, Esq., were present.

Following the flag salute, the Chairman announced that the application of Patriot Development Corp. was still under review and on motion by Gallagher with second by DeRitter hearing was postponed to October 17, 2011.

BILLS

On motion by Gallagher with second by DeRitter, the Board approved the bill of the Hawthorne Press (\$41.34).

MINUTES

On motion by DeRitter with second by Gallagher, Hallock abstaining as to Puddingstone Goffle Holdings, LLC segment, the Board approved the minutes of the August 15, 2011 meetings, Work and Regular.

RESOLUTIONS

1. **Vandenberg Realty Co., LLC**. Fourth & Utter Avenue, Lot 1, Block 167. On Motion by Schroter with second by Joustra, the Board granted an application to extend for one additional year the time within which to implement variances previously granted on October 18, 2010.

2. **Puddingstone Goffle Holdings, LLC**. 896 Goffle Road, Lots 10 & 11, Block 267. At this point Chairman Hallock recused himself from further proceedings and Mr. Gallagher assumed the chair. On motion by Duffy with second by Chamberlin, the Board adopted a memorializing resolution denying an application for interpretation or use variance to erect a Seven-11 Convenience Store on the site of a former Shell Oil Service Station in the R-1 Residence Zone.

HEARINGS

1. My Hallock resumed the chair and called for the hearing of the application of Charles Collins, 568 Lafayette Avenue, Lot 25, Block 160. The Board Secretary/Attorney recused himself from participation in the matter as the applicant is his son and William Monaghan III, Esq., assumed that role. The applicant appeared and was sworn. He testified that he was seeking the Board's approval of a two family use in the B-1 Neighborhood Commercial Zone. No improvements, interior or exterior, were planned. The property had originally been a single family residence. When the applicant took title he converted the use to a mix, residence above and his personal business below with the approval of the Borough Planning Board. In 2008 when business conditions required him to relocate his office and after failed attempts to find another business tenant it was suggested he convert the first floor to a residence. Under the mistaken assumption such a use was permitted he obtained permits for a shower and tub for the first floor unit and rented it as a residence which use has persisted for over two years. He stressed the availability of on-site parking and testified to current single and two family use in the neighborhood. His problem is the zone regulations call for a minimum 3,250 sq. ft. per unit and his property provided only 2,180 sq. ft. After much discussion the Board concluded the applicant had failed to provide it with the necessary "special reasons" to support a "d", density, variance and on motion by Duffy with second by Chamberlin, the application was denied.

There being no further business to come before the Board, on motion by Chamberlin with second by Gallagher, the regular public meeting of the Hawthorne Zoning Board of Adjustment for September 19, 2011 was adjourned at 8:15 PM.

Respectfully submitted,

Charles C. Collins, Jr.,

Attorney/Secretary