

January 23rd, 2017
Hawthorne, NJ

The Regular Meeting of the Zoning Board of Adjustment of the Borough of Hawthorne was held on the above date at 6:50 p.m. in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

Chair.....	Raymond Hallock
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).....	Eleanor C. Wenzke
Zoning Board Attorney.....	James Delia. Esq.
Zoning Board Secretary.....	Joan Hervé

FLAG SALUTE

Chairman Hallock 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. “

Chairman Hallock welcomes the new Board Member Eleanor C. Wenske

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, with the exception of Hallock who abstained.

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

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

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

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

BILLS:

Chairman Hallock entertained a motion to approve the bill list and forward it to the Treasurer for payment, moved by Chamberlin, seconded by a Schroter. On roll call, all voted yes.

Hawthorne Press for Legal Notices: \$29.64

APPROVAL OF MINUTES

Chairman Hallock entertained a motion to approve the minutes of the Regular Meeting of December 19th, 2016 moved by Gallagher, seconded by De Ritter. On roll call, all voted yes.

New Business

Hearings

Whalen – 144 Washington Avenue (Block 29 Lot 26)

Applicant & Architect/Planner Edward Easse were sworn in, the applicant explained for the record the variances he is requesting is for the construction of a one story rear yard addition. It will consist of a bedroom with a small bathroom and a deck extension. Requesting one new variance for side yard where 10 feet (single) is required and 6.15 feet is provided. (The addition aligns with the present non-conforming dwelling side yard). The following are pre-existing non-conforming conditions also requiring variance waiver relief: minimum front yard setback: 20 feet required - 16.90 feet provided: minimum centerline street to dwelling: 50 feet required – 39.4 feet provided.

Chairman Hallock opened the meeting to the public. He stated if anyone desired to be heard on this application, please raise your hand to be recognized, come forward to the microphone state your name and address.

Seeing none, Chairman Hallock entertained a motion to approve application 144 Washington Avenue. Moved by Gallagher, seconded by Chamberlin, on roll call, all voted yes.

Modugno – 200 Lafayette Avenue (Block 39 Lot 11)

Applicant & Attorney, Mr. Roughgarden, Esq. were sworn in. Board Attorney, Delia questioned why the application shows the property is located O1/R2 district, however it is in the R1 district and asked why the applicant is here. Mr. Roughgarden who represent the applicant, explained the zone got changed this year, he spoke to his engineer who explained to hime, the B1 application requires the same application it would for the O1 application. He looked at the ordinance 255-61 which states first floor is to be business use. Discussion ensued how the ordinance is interpreted section 255-58 vs. 61. It was the Board Attorney recommendations to have the applicant proceed.

Testimony from the applicant who explained his family owned the property since 1997 for an oral surgery. He was there until 2009 at which time he rented to a Dental Lab. The Dental Company moved in June of 2016, since that time it has been on the market for rent as a professional space and has only one inquiry. The one inquiry was a Law Office who thought the space was too small. Therefore, he is requesting to convert the existing mixed use commercial building into a two family home. Variances seeking: existing front yard setback, existing side and rear yard setback, existing lot area and lot area per dwelling, existing lot width, existing impervious lot coverage, existing accessory building set back.

Chairman Hallock opened the meeting to the public. He stated if anyone desired to be heard on this application, please raise your hand to be recognized, come forward to the microphone state your name and address.

Seeing none, Chairman Hallock entertained a motion to approve application for a use variance to convert the mixed use commercial building into a two family home. Moved by De Ritter, seconded by Schroter, on roll call, all voted yes.

ADJOURNMENT

At 7:32p.m. Chairman Hallock 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 27th, 2017 ~
THE WORK SESSION WILL BEGIN AT 6:45P.M. WITH THE REGULAR
MEETING IMMEDIATELY FOLLOWING**

Respectfully Submitted,
Joan Herve, Secretary