

**BOROUGH OF HAWTHORNE  
PLANNING BOARD**

**RESOLUTION GRANTING MINOR SUBDIVISION APPROVAL FOR PREMISES  
KNOWN AS BLOCK 109, LOTS 19, 19.01 and 19.02,  
BOROUGH OF HAWTHORNE  
COUNTY OF PASSAIC, STATE OF NEW JERSEY**

**WHEREAS**, an application has been submitted to the Borough of Hawthorne Planning Board by Forest Avenue Realty, LLC for minor subdivision approval for the premises known as Block 109, Lots 19, 19.01 and 19.02 on the current tax assessment map of the Borough of Hawthorne; and

**WHEREAS**, a public hearing of the Planning Board was held on Tuesday, February 1, 2022 (in which due notice was given) and during which the Planning Board heard testimony by the applicant and its representatives and the Planning Board reviewed and considered all correspondence, maps, plats, reports and public input, if any, on the application, as well as a presentation by the applicant's attorney, Brian Chewcaskie, Esq., together with all exhibits submitted as evidence; and

**WHEREAS**, during the public hearing the following was introduced by the applicant as exhibits:

A-1 Plans prepared by Schwanawede /Hals Engineering, dated December 2, 2021, consisting of three (3) pages, entitled:

- 1 Minor Subdivision
- 2 Area Maps
- 3 Soil Erosion and Sediment Control Development Plan

**WHEREAS**, the exhibit marked as A-1 have been reviewed by the Planning Board engineers, Boswell Engineering, and their comments and recommendations are set forth in their letter to the Planning Board dated January 11, 2022; and

**WHEREAS**, The Planning Board heard testimony from the applicant as follows:

Hank Groenewal testified that he is the managing member of the applicant. The applicant is the owner of the property. The property is currently improved as one lot with a residence and various accessory structures. The application proposes to create two lots, each of which will be fully conforming to the zoning ordinance. As shown on sheet 3 of the Plans, each lot will be improved with a two-family side-by-side duplex residence. Each lot will provide parking spaces for four vehicles as required by the ordinance. Two of the spaces on each lot will be in the garage. In response to a concern expressed by a Board member, he represented that the units would be rental units and the rental agreement would contain a provision that the garages could not be used for storage so a vehicle could be parked in the garage. He confirmed that no variances were required in connection with the subdivision or the proposed structures; and

**WHEREAS**, the matter was open to the public for questions of the witness and comments to the application and the following persons appeared;

Donald Hollander – expressed concern about the number of parking spaces and drainage.

Sarah Pinto – Concerned about the hours of construction.

James Candela – Questioned the height of the buildings and the hours of construction:  
and

**WHEREAS**, the Planning Board makes the following findings of fact/conclusions of law:

1. The property is located in the R-2 zone and the proposed use of the lots for two-family residences is a permitted use.
2. The property is currently improved with one residential structure and several accessory structures, which will all be demolished. The accessory structures appear to violate the set-back requirements of the zoning ordinance, which condition will be remedied by this application.
3. The proposed lots conform to all of the requirements of the zoning ordinance and there are no variances required in connection with either the subdivision or the proposed improvements as shown on the Plans
4. The Board Engineer has determined that the drainage design adequately addresses runoff.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Board that based upon the above findings of fact and conclusions of law that the application of Forest Avenue Realty, LLC for minor subdivision approval for those premises known as Block 109, Lots 19.01, 19.02 and 19.03 is hereby granted; and

**BE IT FURTHER RESOLVED** that the approvals set forth above are subject to the following conditions:

1. The applicant shall obtain and comply with any federal, state, county, and borough government rules, ordinances, or regulations with regard to the granting of the applications hereto, including the payment of all fees and escrows, established by the borough for the review of the subject application.
2. This approval is subject to all of the representations made by the applicant and its' representatives.
3. The garages for the residences to be constructed will provide ample space for parking of vehicles to conform with the parking requirements of the zoning ordinance and no storage will be permitted in the garage to the extent that such storage would prevent vehicle parking. The lease agreement will contain a provision to that effect.

4. A Soil Movement Application must be submitted prior to the development of the lots.
5. Subject to review and approval of a subdivision deed by the Board Attorney, Borough Attorney and Board Engineer.

**BE IT FURTHER RESOLVED** that the Chairman and the Secretary of the Board are hereby authorized to affix their signatures to this resolution granting approval for minor subdivision approval. The Secretary of the Board is hereby authorized to advertise the action taken by way of this resolution in the local newspaper and furthermore send certified copies of this resolution to the Planning Board engineer, Borough tax assessor, construction code enforcement official, building sub-code official, zoning official, the borough attorney, and the applicant's attorney.

Approved:

**Planning Board of the Borough of Hawthorne**

By:

  
WALTER GARNER III, *Chairman*

  
JANICE PATMOS, *Secretary*

Date: *2-15-22*