



# ZONING BOARD OF ADJUSTMENT

BOROUGH OF HAWTHORNE

Municipal Building

445 Lafayette Avenue

Hawthorne, New Jersey 07506

John F. Gallagher- Chairman  
Victor Cuttitta – Board Member  
Jodi DeMarco– Board Member  
Lyle Hatch– Board Member  
Danilo Ramirez – Alternate 2

David Schroter -Vice Chairman  
Eleanor Conley Wenzke – Board Member  
Marco A. Totaro– Board Member  
Brian J. Lind– Alternate 1

Joan Hervé, Secretary

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## PROCEDURAL INSTRUCTIONS/CHECKLIST FOR ZONING BOARD APPLICATIONS

- 1. Apply to Zoning Officer for a permit. If appropriate, a letter of denial will be issued and signed by the Zoning Officer citing the reasons for the denial.
- 2. Secure a copy of the Zoning Board application form from the Board Secretary or Borough Website. If appealing from the Zoning Officer’s decision, applications must be filed within twenty (20) days of the issuance of denial from the Zoning Officer.
- 3. Plans and Survey must be prepared and certified by a licensed land surveyor, architect, and/or engineer, as applicable.
  - Survey plan submitted with the application must be to-scale and correctly and completely reflect current conditions on the site and be less than five (5) years old.
  - Plans must be drawn to scale indicating the relation of existing and/or the proposed structure with structures on all adjoining properties and a scale drawing of existing and/or proposed structures indicating changes or alterations contemplated. Please specify the location of all wells, septic systems, or sewer lines on plans. Submitted plans must show floor plan (footprint) of all levels and elevations. All submitted plans shall include the date prepared and all revision dates, be signed by the plan preparer and include a name on the plan(s)
- 4. Submit completed application package which includes:
  - 18 copies of the completed, fully executed, notarized Zoning Board Application
  - 18 copies of folded (not rolled) Engineering/Architect Plans
  - 18 copies of Property Survey
  - 18 copies of Zoning Officer’s denial letter
  - 1 copy of Certification of Taxes
  - 1 copy of request for list of Property Owners with 200’
  - 1 copy of proposed Legal Notice of Hearing (fill in date once assigned)
  - Submit 1 PDF of entire packet & send electronically joanherve@yahoo.com. All copies mentioned must be in packet form **collated** and submitted to the Board Secretary.
- 5. Three (3) separate checks made payable to the Borough of Hawthorne for:
  - 1) application fee, 2) professional escrow fee, and 3) property owners’ list.
- 6. A hearing date will be assigned upon the receipt of a completed application packet, receipt of appropriate fees, and completion of review process. The Board of Adjustment regularly meets on the third Monday of each month (unless otherwise posted) at 6:45 pm in the Hawthorne Council Chambers, 445 Lafayette Ave., Hawthorne, New Jersey.
- 7. When notice must be sent. Once your application has been deemed complete, you have

obtained a list of all property owners within 200-feet of the subject property, and a hearing date has been assigned, you must execute Legal Notice. **Notice of the hearing must be mailed via certified mail AND published in the newspaper, at least 10 calendar days PRIOR to the date of the hearing.** The date of the hearing does not count as one of the 10 days. Failure to comply with this deadline will result in your hearing being rescheduled to a later date. A Sample Notice form is part of the application package given by the Board Secretary and on the Borough website.

**8. Who must be served notice.**

Notice must be published in the official newspaper of the Borough (Herald News or The Record).

- Link to portal where you can submit your notice online for publication in newspaper:  
<https://legals.gannettclassifieds.com/legals/nys/index.html>

Notice must be sent by certified mail to the following:

- The owners, as shown on the certified property owners' list, of all real property located within 200 feet in all directions of the property which is the subject of the hearing.
- Appropriate utilities, if applicable.
- If the property is located within 200 feet of an adjoining municipality, the clerk of such municipality.
- If the property is located adjacent to an existing County Road, proposed County Road shown on the official County map or on the County master plan, adjoining other County land or situated within 200 feet of a municipal boundary, the Passaic County Planning Board.
- If the property is adjacent to a State highway, the Commissioner of the New Jersey Department of Transportation.

**9. Submit proof to the Board Secretary that notice has been served. **This must be provided at least 5 business days before the hearing date.**** Proof of notice must include all of the following:

- Completed Affidavit of Proof of Service (A sample Affidavit of Proof of Service is a part of the application package given by the Board Secretary and on the Borough website)
- The actual Notice executed and the Property Owners' List provided to you by the Borough
- The newspaper affidavit confirming that the notice was published and done in a timely manner (this is provided by the newspaper).
- For hearing notice mailed (must be certified mail) to property owners and governmental agencies, utilities, etc., the white postal receipts with date of mailing stamped by the post office for each address that was sent notice.

**10. Appear at public hearing in person, by agent or attorney. All corporations/LLCs **must** be represented by an attorney at all Board hearings.**



**BOROUGH OF HAWTHORNE  
PASSAIC COUNTY, NEW JERSEY**

**ZONING BOARD APPLICATION**  
*Revised 02/13/2025*

Date \_\_\_\_\_

**NOTE: APPLICATION SETS MUST BE COLLATED AND  
SUBMITTED IN PACKET FORM FOR PROCESSESSING.**

Date Received: \_\_\_\_\_

Fee Submitted: \_\_\_\_\_

Complete Date: \_\_\_\_\_

**FOR OFFICIAL USE ONLY**

The undersigned, as Applicant/Owner of the subject property identified herein hereby makes application to the Borough of Hawthorne for (check all that apply):

\_\_\_ Appeal from the decision of the Zoning Officer [N.J.S.A. 40:55D-70a]

\_\_\_ Request for interpretation of Zoning Ordinance [N.J.S.A. 40:55D-70b]

\_\_\_ Bulk Variance(s) [N.J.S.A. 40:55D-70c]

\_\_\_ Use Variance / Expansion of Non-conforming Use / Conditional Use Variance [N.J.S.A. 40:55D-70d(1)(2)(3)]

\_\_\_ Floor Area Ratio / Density [N.J.S.A. 40:55D-70d(4)(5)]

\_\_\_ Site Plan approval ancillary to an application for a "d" variance [N.J.S.A. 40:55D-76b]

\_\_\_ Subdivision approval ancillary to an application for a "d" variance [N.J.S.A. 40:55D-76b]

**1. APPLICANT INFORMATION**

a. Name: \_\_\_\_\_

b. Address: \_\_\_\_\_

c. Telephone \_\_\_\_\_ Email: \_\_\_\_\_

d. Applicant is a: (check applicable status)

\_\_\_ Corporation      \_\_\_ Partnership      \_\_\_ Individual(s)      \_\_\_ LLC

**If applicant is a corporation, partnership, or LLC, please list the names and addresses of persons having a 10 % interest or more in the corporation/partnership/LLC on a separate sheet and attach to this application.**

e. Relationship of applicant to property (check applicable status):  
\_\_\_\_ Owner    \_\_\_\_ Contract Purchaser    \_\_\_\_ Lessee    \_\_\_\_ Other (specify \_\_\_\_\_)

f. If applicant is represented by an attorney:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

g. (Architect) Preparation of Plans by:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel: \_\_\_\_\_ Email: \_\_\_\_\_

h. (Engineer) Preparation of Plans by:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel: \_\_\_\_\_ Email: \_\_\_\_\_

2. PROPERTY INFORMATION

a. Street address \_\_\_\_\_

b. Tax Map Block(s) \_\_\_\_\_ Lot (s) \_\_\_\_\_

c. Zone District \_\_\_\_\_

d. Existing Use of Property \_\_\_\_\_

e. Proposed Use of Property: \_\_\_\_\_

f. Residential applications:

Current number of bedrooms \_\_\_\_\_ Proposed number of bedrooms \_\_\_\_\_

Current number of bathrooms \_\_\_\_\_ Proposed number of bathrooms \_\_\_\_\_

g. Property is sewered \_\_\_\_\_ Septic system \_\_\_\_\_

h. Are there any existing Deed Restrictions/Easements? \_\_\_\_No\_\_\_\_ Yes (attach copy of restriction) Are there any proposed Deed Restrictions/Easements? \_\_\_\_\_No\_\_\_\_ Yes (attach copy of restriction)

i. Does the applicant/owner own any property which adjoins/is adjacent to this property? \_\_\_\_Yes\_\_\_\_ No

j. Please list prior applications or municipal actions regarding this property and attach Resolutions related to same;

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k. Property is located (check applicable status):

Within 200 feet of another municipality

Adjacent to a State Highway

Adjacent to an Existing or proposed County road

Adjacent to other County land

**Note: If any category is checked, notification concerning this application to the appropriate agency is required.**

3. NATURE OF APPLICATION: (clearly detail proposal- attach additional sheets if necessary)

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4. JUSTIFICATION FOR RELIEF: (statement setting forth reasons justifying granting of this application- attach additional sheets if necessary)

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5. BULK VARIANCE RELIEF IS SOUGHT BECAUSE OF: (check applicable)

Exceptional narrowness of property

Exceptional shallowness of property

Shape of property

Exceptional topographic/physical features of the site

Other extraordinary/exceptional situation

One or more listed purpose(s) of MLUL advanced

6. Indicate if this is a bifurcated use variance application: \_\_\_\_ Yes \_\_\_\_ No

**Note: If yes, any approval, if granted by the Board of Adjustment, shall be conditioned upon submittal of a completed site plan application being submitted to the Board of Adjustment for approval (N.J.S.A. 40:55D- 76).**

7. VARIANCE(S) REQUESTED: (List all Sections of Borough Code for which relief is sought- attach additional sheets if necessary)

<u>Borough Code Section</u>	<u>Required</u>	<u>Proposed</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

8. ZONING TABLE: (This MUST be completely filled out in order for your application to be deemed complete)

	REQUIRED	EXISTING	PROPOSED
Lot Area	_____ sf min	_____ sf	_____ sf
Lot Width	_____ ft min	_____ ft	_____ ft
Lot Depth	_____ ft min	_____ ft	_____ ft
Building Coverage* (calculated: total building footprint square footage divided by lot area x 100%)	_____ % max	_____ %	_____ %
Impervious Coverage** (calculated: total impervious footprint square footage divided by lot area x 100%)	_____ % max	_____ %	_____ %
Front Setback	_____ ft min	_____ ft	_____ ft
Side Setback	_____ ft min	_____ ft (Left) _____ ft (Right)	_____ ft (Left) _____ ft (Right)
Rear Setback	_____ ft min	_____ ft	_____ ft
Building Height	_____ ft max _____ stories max	_____ ft _____ stories	_____ ft _____ stories

\*Building Coverage: that percentage of a lot covered by the roof(s) of all principal and accessory building(s), including roofed over porches and similar extensions of a building such as roofed decks.

\*\*Impervious Surfaces: surfaces covered by roofs, pavement, walks, patios, and other materials so that underlying soils are highly resistant to infiltration of water. This includes all buildings, porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structures, and other similar structures, surfaces, or improvements.

9. ADDITIONAL REQUIREMENT OF SUBMISSION:

- a. Attach Zoning Officer's decision if applicable
- b. Attach certification of payment of taxes from Borough Tax Collector
- c. Attach Property Survey
- d. Attach Site Plan & Architectural Drawings, if applicable
- e. Attach any other agency and/or government approvals if received in connection with this application such as NJDEP permits, NJDOT permits, County Approvals etc.

10. VERIFICATION AND AUTHORIZATION

- a. **Applicant's Statement:** I hereby certify that the above statements made by me and the statements and information contained in the papers submitted in connection with this application are, to the best of my knowledge, true and accurate.

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Applicant's Signature Date

- b. **Owner's Statement:** I, the undersigned, being the owner of the property described in this application, hereby consent to the making of this application and the approval of the plans submitted. I further consent to the inspection of this property in connection with this application as deemed necessary by the municipal agency.

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Owner's Signature Date

Sworn and Subscribed to before me this

\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (Year)

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(Notary)

**NOTICE OF HEARING**  
**ZONING BOARD OF ADJUSTMENT**  
**BOROUGH OF HAWTHORNE**

Pursuant to the provisions of the Municipal Code of the Borough of Hawthorne and the provisions of N.J.S.A. 40:55D-12, notice is hereby given that the following applicant has filed an application with the Zoning Board of Adjustment of the Borough of Hawthorne seeking variances/relief from the provisions of the Borough Code, more fully described below:

- Applicant name: \_\_\_\_\_
- Relationship to property: \_\_\_\_\_ (i.e. owner/contract purchaser/lessee)
- Address of property: \_\_\_\_\_
- Lot: \_\_\_\_\_ Block: \_\_\_\_\_ on the tax assessment map of the Borough of Hawthorne
- Zone: \_\_\_\_\_
- Description of proposed project: \_\_\_\_\_
- Section(s) of Code from which relief is sought:  
    Chapter \_\_\_\_\_ Section \_\_\_\_\_ Schedule \_\_\_\_\_  
    Chapter \_\_\_\_\_ Section \_\_\_\_\_ Schedule \_\_\_\_\_  
    Chapter \_\_\_\_\_ Section \_\_\_\_\_ Schedule \_\_\_\_\_
- Requirement(s) pursuant to relevant Code: (for example: required 20 ft. rear yard setback, or, for use variances: uses that are permitted in Zone)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Proposed deviation from relevant Code: (for example: proposed 5ft rear yard setback, or, for use variances: type of impermissible use proposed)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In addition to the foregoing, the applicants will also seek any and all other variances, waivers, deviations or exceptions the Board deems to be required.

Notice is hereby given that the Borough of Hawthorne Board of Adjustment has scheduled a public hearing at the Hawthorne Council Chambers, 445 Lafayette Ave., Hawthorne, New Jersey, Monday, \_\_\_\_\_ at 6:45 P.M. This hearing is open to all interested parties and those desiring to be heard.

Copies of the application are available for review between the hours of 9:00 AM and 4:00 PM at the Borough of Hawthorne Building Department, Suite 202, 445 Lafayette Ave., Hawthorne, New Jersey. Members of the public may participate in the public meeting according to the customary practice and procedures of the Zoning Board of Adjustment of the Borough of Hawthorne.

\_\_\_\_\_  
(Applicant Name & Address)

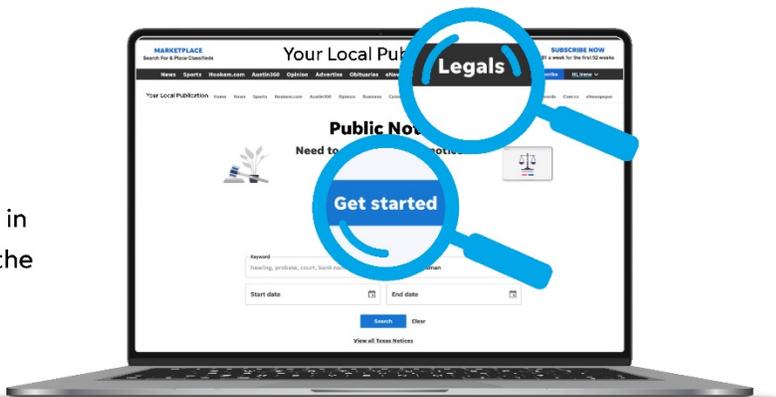




# How to submit a Legal Public Notice online.

Our **NEW** and convenient **Self-Service Platform** is now available on your local publication's website.

**1** On your site's home page, select '**LEGALS**' in the menu bar to visit the Public Notices page.



**2** On the Public Notices page, select '**Get Started**', to visit the self-service platform.



**3** In the platform, sign in or create an account and select '**Get Started**'.

**4** Follow the prompts to place your Public Notice

1. Select your newspaper(s).
2. Choose your category, classification and package.
3. Select your Notice Template: 1 column or 2.
4. Create your notice title and text.
5. Proof your notice.

6. Schedule your notice and select number of affidavits.
7. Check out and make your payment to complete your public notice placement.

Effortlessly submit your notice today!



Borough of Hawthorne  
Zoning Board of Adjustment

**Request for Property Owners List**

Pursuant to the provisions of N.J.S.A. 40:55D-12c, the Building Department of the Borough shall, within seven days after receipt of a request therefore and upon receipt of payment of a fee as provided in Chapter **220**, Fees, make and certify a list from the current tax duplicate of names and addresses of owners to whom the applicant is required to give notice pursuant to § 540 of this article. In the event that more than 40 owners are named on said list, an additional fee as provided in Chapter **220**, Fees, per name in excess of 40 shall be require

\_\_\_\_\_  
Name of Property Owner

\_\_\_\_\_  
Address

Block: \_\_\_\_\_ Lot: \_\_\_\_\_

Phone#: \_\_\_\_\_

Please allow 7 days (Excluding holidays for the property owners list to be processed.

\$10.00 fee  
(1<sup>st</sup> 40 Addresses)

Paid Initial \_\_\_\_\_ Check # \_\_\_\_\_ Cash \_\_\_\_\_

**Borough of Hawthorne**  
**Zoning Board of Adjustment**  
**Certification of Current Property Tax Payment**

To:

From: Zoning Department

Date: \_\_\_\_\_

RE: Property Address: \_\_\_\_\_

Block: \_\_\_\_\_ Lot: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

An application has been received for:

- Variance
- Permit
- C.C.O.

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For Tax Office Use Only

Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Qual. \_\_\_\_\_

( ) Taxes Paid thru \_\_\_\_\_ quarter 20 \_\_\_\_\_

( ) Delinquent as follows: \_\_\_\_\_ quarter 20 \_\_\_\_\_ \$ \_\_\_\_\_

PLUS INTEREST TO DATE OF PAYMENT

Date: \_\_\_\_\_