

**HAWTHORNE PLANNING BOARD**  
**Minutes of February, 2022 Work Session**

The February, 2022 work session of the Hawthorne Planning Board was called to order on February 1, 2022 at 7:00 P.M. by Chairman Garner. After recital of the Pledge of Allegiance, Chairman Garner called the roll. All members and alternates were present as well as Board attorney Darryl Siss, secretary Janice Patmos and Borough engineer Mike Kelly. Chairman Garner announced that notice of the meeting had been published and posted in accordance with the Open Public Meetings Act.

**MINUTES**

1. On a motion made by Ms. DiMattia and seconded by Vice Chairman Lucibello the Board approved the minutes of the January regular meeting.

**BILLS-**

2. On a motion made by Mayor Lane and seconded by Vice Chairman Lucibello the Board approved payment of invoice # 0005061512 in the amount of \$ 9.90.

**CORRESPONDENCE- None**

**RESOLUTIONS-None**

**CERTIFICATE OF COMPLIANCE PLAN REVIEW- None**

**NEW BUSINESS –**

1. With regard to the application of MDL Realty, LLC, Mr. Robert Landel, Esq. appeared as attorney for the applicant. Mr. Siss noted proof of service and publication of notice as required. Mr. Landel made a brief opening statement giving an overview of the application. He indicated that the applicant is seeking preliminary and final site plan approval for the construction of a one-story light industrial building on the subject properties. The applicant seeks waivers for survey of utilities with 220' of site, where only on-site utilities are provided and setback dimensions of structures within 200' where none are provided.

Mr. Landel called his first witness Dominick Bruno, owner, appeared on behalf of the applicant. After being sworn, he testified that he is the owner and principal of Garden State Paving. He is presently operating from this location. He proceeded to give an overview of his operation, which consist of asphalt insulation of driveways and parking lots. His trucks will be parked in the spaces provided and his equipment will be stored inside the building. The asphalt is prepared and mixed off site. Some asphalt will be

brought back to the site at the end of the day, but will be gone the next day. Hours of operation are 7:00 AM to 5:00 PM. They will leave the site between 7:30 and 8:00 AM and return around 3:00 or 5:00 PM. There will be a total of 5 employees including the owner. No customers will visit the site. There will be a small one yard container located on site, which will be picked up weekly.

Board engineer Michael Kelly then questioned Mr. Bruno, asked if he was going to keep the trash outside in the back of the property? Mr. Bruno responded yes. Mr. Kelly reminded the applicant of section 540-119 of the Borough Code which states that outdoor storage of materials may not take place, even where incidental to a primary use. There will be no storage of rock on site. Any product brought back to the site will be removed the next day. Mr. Kelly stated that there are 10 parking spaces across the back of the site. He also asked if they did snow plowing and that the snow should not be stock piled in any of the parking spaces. Mr. Kelly asked about the material being used on the building, Mr. Bruno responded that he would like to use split face block.

Mr. Landel called his next witness Mr. Bruce Rigg P.E., the applicant's site engineer. Based on his credentials, professional license and experience, he was offered and accepted as an expert witness. After being sworn, he testified that he prepared the plans submitted in support of the applicant with a revision date of August 16, 2021. The plan was marked as exhibit A1. The site is located at 47 and 57 Goffle Road, block 9, lots 6 and 7, the south east side of Goffle Road. The property runs from Goffle Road to the Passaic River. The property is 116' wide and averages 200' deep. The flood zone on the property is well below the height of the property and does not come up beyond the steep slope in the rear of the property. The proposal is to construct a 50' deep by 56' wide building with a full first floor and a mezzanine above. Approximately 2,300 square feet for the first floor and 1,300 square feet for the mezzanine which will run the full front of the building. The material used on the whole building will be split face block, windows on the front façade and a band running around the building splitting up the block. The driveways on the property are set 10' off the property lines which is a requirement of the Passaic County Planning Board and has a counter clockwise access. You would enter on the side that has a site distance issue and leave on the side with no site issue. Traffic comes in and around the building with 2 overhead doors and 2 man doors located in the rear. There will also be a man door in the center front of the building along with windows on the lower level of the front. There is enough room inside the building to be able to work on the vehicles. The parking area is a minimum depth of 60' which helps with the trucks maneuvering. The driveway is wider on the exit side and the reason for this in the I1 overlay zone there is the possibility of a future common driveway. Mr. Rigg reviewed the landscaping, all the zoning requirements listed on the site plan and the variance for the size of the parking spaces which was determined not to be needed.

Sheet 3 shows the grading, utility plan, proposed retention system, seepage pits which are located in the back of the site. Drains are also located on the southerly driveway which will collect all the storm water along with the roof drainage into the system. The run off will be reduced as a result of this project. The lighting proposed on the site will

be 3 LED down fixtures attached to the building. The Borough Ordinance calls for decorative lighting, but there is not a lot of lighting and it would be beneficial to place one in front. Their intent is to have the parking lot fully lit. There will be a small retaining wall along the southerly side in the rear to level off the parking lot. They will only remove the trees that are necessary. Mr. Rigg also clarify the height of the fence will be 6' not 8'. They will provide a water source to wash off trucks leaving the site during construction. Mr. Rigg provided a written response to Mr. Kelly's letter dated January 3, 2022 and copies were handed out.

The hearing was opened for comments from the Board. Mr. Lucibello asked about signage, Mr. Rigg responded none proposed at this time. Mayor Lane questioned if the area in white on the plans would it be grass, Mr. Rigg responded yes. Mayor Lane asked about the foot candles, Mr. Rigg response .5. Mr. DeAugustines asked if there would be dusk to dawn lighting, Mr. Rigg responded no. With no further question from the Board the hearing was opened for public comment without response. A motion was made by Mr. Matthews, seconded by Mayor Lane and approved by a vote 7-0 to grant the application for site plan review subject to preparation of a memorializing resolution by the Board attorney to include the following conditions: 1) condition in the Borough engineers letter; 2) provide a water source to wash off trucks; 3) no permanent outside storage; 4) knox box; 5) standard lighting letter, evaluation after 6 months; 6) soil movement application; 7) Passaic County Planning approval; 8) decorative lighting along the front of the building; 9) no dusk to dawn utility lights.

2. With regard to the application of Forest Avenue Realty, LLC., Brian Cheweaskie, Esq., appeared as attorney, together with Mr. Groenewal, managing member. After being sworn, Mr. Cheweaskie gave the Board an overview of the applicant's proposal for a minor subdivision of the subject property. He indicated the site is an over sized lot consisting of 3 lots located at 63 Forest Avenue, which the applicant proposes to subdivide into 2 lots. Because the 2 new lots would be conforming in size no variances are required. The property is located in the R2 Zone. Mr. Cheweaskie provided an Affidavit of Service and proof of publication.

Mfr. Cheweaskie called Mr. Groenewal as his first witness. After being sworn, he stated that the site is currently developed with a single family 2 story framed dwelling with several additions in poor condition. Mr. Groenewal proposes 2 side by side duplexes. The plans were marked as exhibit A-1 consisting of 3 sheets dated December 2, 2021. The duplex will have 3 bedrooms, 2 ½ baths, large Garage and a large driveway. The lot size will be 75' wide by 176' deep on the left side and 75' wide by 133' deep on the right side. No variance or waivers were requested for the creation of these lots. A drainage system is provided for both properties. Mr. Cheweaskie then asked Mr. Groenewal if he could address Mr. Kelly's concerns regarding parking, Mr. Groenewal stated based on the design that is being proposed they can accommodate parking.

Mr. Kelly reviewed the drainage report and stated it will satisfactorily address the run off of what is being proposed. Mr. Kelly stated that the applicant will have to provide a

soil movement application for the development of these lots. He also said they will have to file the subdivision with the County and provide the Borough and his office with conformation should this be approved. Mr. Kelly asked Mr. Groenewal to elaborate on the parking, the Borough code requires 2 off street parking spaces for each dwelling unit. Mr. Groenewal stated the overhead doors are 9' wide, height will be 7' or 8' with a depth of 24' or 26', driveway will be 30' deep. He also stated is does not allow storage in the Garage. Mr. Kelly asked if this would be in the lease, Mr. Groenewal answered yes.

Question from the Board seeing none, the hearing was opened for public comment. Mr. Donald Hollander asked if 4 cars would be able to park on the property, Mr. Groenewal responded that there was room for 8 cars, 4 per dwelling unit. He then asked if the property was a rental, Mr. Groenewal responded yes. He also questioned the water run off, Mr. Groenewal response all water will be directed to a tank underground in the back yard. His last question was is there a statue of limitation for the property owner for water run off and damages. Mr. Kelly address this question, he stated that it is the owner responsibility for any damages that might occur during construction to any adjacent properties, he would have to restore it to the way it was. Mr. Kelly also stated the owner has to maintain water run off on the property continuously. Ms. Sara Pinto questioned the hours of operation and if there would be any impact on the economic value of her home. Mr. Siss stated we would not be able to answer her concerns about the economic value. Mr. Groenewal responding stating that he works with the town construction office and the starting time 7:00 AM to 5:00 PM. Mr. James Candela asked if the pool was staying, Mr. Groenewal responded that it is going to be removed. He questioned how many rentals would there be, Mr. Groenewal responded 4. His last question what is the time frame from start to finish, Mr. Groenewal responded approximately 7 to 10 months. A motion was made by Mayor Lane, seconded by Mr. DeAugutines, and approved by a vote of 7-0 to grant the application for minor subdivision subject to the preparation of a memorializing resolution by the Board attorney to include the following condition: 1) no storage in the Garages, parking only.

**OLD BUSINESS-None**

**PUBLIC**

The meeting was then opened for public comment without response.

The meeting was then adjourned at 8:03 P.M.

Respectfully submitted,

Janice Patmos  
Board Secretary

