

February 22nd, 2016
Hawthorne, NJ

The Regular Meeting of the Zoning Board of Adjustment of the Borough of Hawthorne was held on the above date at 7:00 p.m. in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

Chairman.....	Ray Hallock
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).....	Nancy Agnello
Zoning Board Attorney.....	James Delia. Esq.
Zoning Board Secretary.....	Joan Hervé
<u>Absent:</u>	
Vice Chair.....	John F. Gallagher

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. “

BILLS:

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

Hawthorne Press for Legal Notices: \$60.06

Education Class for AnnaMarie Sasso, curt Leininger: \$308.00

APPROVAL OF MINUTES

Chairman Hallock entertained a motion to approve the minutes of the Regular Meeting of January 25th, 2015 moved by De Ritter, seconded by Duffy. On roll call, all voted yes, with the exception of Chairman Hallock who abstained. Motion carried.

MEMORIALIZE RESOLUTIONS:

Fadi & Gahada Haddad, 71 Mary Street, (Block 87.01, Lot 1)

Chairman Hallock entertained a motion to adopted Memorialize Resolution for approved addition to existing home which will have a rear yard setback off 11 foot 9” where setback of 25 ft. is required. The applicant will demolish part of the existing structure which is setback 21.40 ft. from the rear property line and as such constitutes an existing variance condition. Moved by De Ritter, seconded by Duffy, on roll call, all voted yes, with the exception of Chairman Hallock who abstained. Motion carried.

Chairman Hallock recused himself from application Mattar98, Corporation as he is on the Board of Directors for the bank that holds the mortgage on the property. Vice Chairman Gallagher had an incident and is in the hospital for a procedure therefore, he appointed Board Member Schroter as “Acting Chairman” for this application.

New Business Hearings

Mattar98, Corporation, 161 Rea Ave (Block 165, Lots 1, 2 & 3), (Block 166, Lot 1), Block 131 Lots 31, 32, 34 & 35)

Attorney Siss representing the applicant explained he will be introducing 3 witnesses, the applicant, Engineer & the Architect/Planner. Applicant proposes to construct an addition to the structure, which will consist of a chapel/pre-event area, redesigned and re-located entrance area, an exterior patio, garden area and a parking garage. It’s a non-conforming use which requires a “D Variance”; the new areas of the building are to be used in conjunction with the existing banquet rooms. The improvement we are proposing with the parking facility will off-set any intensity of the use. The main benefit is moving the main entrance down the street, which will provide for a larger queuing area for traffic; we are taking the traffic away from the intersection 4th & Rea Avenue. The parking structure will be right on the front property line because of the topographic condition which slopes back up toward the railroad, there be less soil movement. We are also asking for a number of bulk variances and a variance of the parking space size 9x18 instead of 10x20. Attorney Siss called upon his Client Mr. Joseph Mattar, owner of the facility. After being sworn in Mr. Mattar explained the reasons for the expansion. The market has changed in the last few years, every catering hall has made there facility grander & we saw after doing this for many years where are weakness were. More people want outside ceremonies & to be in the same place where the ceremony is, therefore our outdoor garden which would be connected to the addition of chapel/pre-event area would be a benefit going forward in this business.

Attorney Siss addressed some the comments in Board Engineer’s review letter: location of the new delivery area, what types of trucks do you have & how often do they make deliveries, waste disposal & location of the dumpster.

Mr. Mattar - one or two deliveries a day with small trucks, a big truck once a week and all deliveries made before 1pm and the waste disposal & location of the dumpster will stay the same.

Acting Chairman asked if anyone in the audience had questions/comments regarding Mr. Mattar testimony. Seeing none, Attorney Siss called his next witness.

Mr. Rigg after being sworn in, explained exhibit A-1, the main site plan, dated October 21, 1015, which consist of (Area Map, Exhibits Conditions & Demolition Plan, Site Layout, Grading & Utilities Plan, Landscape & Lighting Plan, Soil Erosion & Sediment control Plan), exhibit A-2, The Topographic Survey final revision April 29, 2014, exhibit A-3 Vehicle Access Plan dated February 22nd, 2016, & exhibit A-4 the Landscaping plans which were prepared by Wilson Horticultural Group dated September 28, 2015. Mr. Riggs explained Mattar98 purchased properties lot 34, 35 which will be part of this project. There is an existing sewer easement & storm drains throughout the site & a there is a sanitary sewer that stops right in front of the building which he believes is where they have their connection now. Any other utilities (if there are any) in the roadways will be removed & part of this application. We will request all the rights for that easement be vacated. We have approximately 150 foot long building by 50 feet wide and there will be an additional piece to the south of the building. The planting area, patio, & gardens will be between the building & Fourth Avenue. The objective is walk out from this addition to the garden area and be isolated from both directions. The parking garage proposes 46 spaces on the upper level, which will be level with the entrance, on the lower level there is additional 52 spaces. Total

spaces 117 without valet & 162 with (this total includes the parking lot across the street). Board Planner asked whether all of the construction was included in the calculation for lot coverage and parking garage. Mr. Riggs stated the parking garage was not included. Planner continued as per the ordinance of a building, does that not qualify as a building. Board Attorney asked the engineer to take another look at these requirements to see if additional variances are needed. Another concern was whether there was adequate turning radius for limousine or buses. Input will be sought from the fire and police department prior to next month's meeting. However, Mr. Riggs explained they took a 40 foot bus & showed the radius and the bus made it around. There is going to be an elaborate landscaping plan, year-round shrubs & trees with seasonal planting. The garden also includes a gazebo, water feature & outdoor seating. The outdoor lighting was designed to match the fixtures selected for Hawthorne's downtown street scape project. A soil movement permit is required as part of the application, Mr. Rigg explained 1500 cubic yards will leave site; 600 yards needs to be brought back. They are exploring the possibility to keeping some of the soil on site or close by. Regarding the new entrance way, vehicles will drive down Fourth Avenue where a cul de sac will be created. The new entrance will have covered area, presently only 13 cars can be queued; with new plan has room for 24 cars. Board Engineer asked in regarding to the relocating sewer easement over a borough pipe, he asked that a condition be put in the resolution, that the borough is not responsible for restoration. Secondly, we have to make sure a tower ladder can make that turning radius, before we can comment, which we will for the next meeting. Lastly, he request paving the RR easement and make it part of the driveway. Board Member Sasso asked if there parking allowed along 4th Avenue on the east end. Attorney Siss responded, Police Chief made a recommendation in his report that area be made a no parking zone and applicant will comply.

Acting Chairman asked if anyone in the audience had questions/comments regarding Mr. Rigg testimony.

Joe Massey, 579/573 Lafayette Avenue

After Mr. Massey was sworn in, he explained he is concern about the water runoff. The sewer system on 4th Avenue is horrendous; on a real heavy rain water starts bubbling out, his question is when this is done and paved where the drainage is going to go. Mr. Riggs explained they are adding storm drains to collect the onsite storm water & we will be adding additional catch basin on 4th Avenue. Borough Engineer will investigate this problem.

Mark Havicht, 146 Rea Avenue

After Mr. Havicht was sworn in, he explained that tractor trailer are always getting stuck making a turn on Rea Avenue onto 4th Avenue. He asked if there can be an ordinance put in place where that can be a no truck zone. Acting Chairman Schroter explained that he needs to go before the Council for that request.

Attorney Siss called his next witness JR Frank Planner/Architect, who was sworn in and testified as the Architect. Mr. Frank who designed the addition reiterated what the applicant has testified early. They are looking for an event establishment. Macaluso's has no place for a ceremony, outdoor courtyard or garden. The expansion will feature a grand lobby with a chapel or ceremonial space, small office & ancillary areas. By creating walls to block the facility from surrounding industrial/commercial uses and the RR tracks, Mr. Frank stated the facility was designed like places in Europe & lower Manhattan "with an in and out idea". Attorney Siss asked JR Frank to discuss the Fire Chief's concern about the ramps support holding weight of an apparatus. Mr. Frank explained he has been in discussion with his engineer

for the past month and half and it will adequately meet their standards. Fire Chief has requested to install fire sprinklers in the new parking area, which is not required, however the applicant will comply. Borough Engineer asked what the height was to the top of the dome. Mr. Frank - 50Ft from the entrance way.

Acting Chairman asked if anyone in the audience had questions/comments regarding Mr. Frank testimony. Seeing none, Acting Chairman Schroter entertained a motion to continue this application until March 21st meeting. Moved by Chamberlin, seconded by De Ritter, on roll call, all voted yes, motion carried.

ADJOURNMENT

At 8:55p.m. Acting Chairman Schroter entertained a motion to adjourn the regular meeting, moved by Chamberlin, seconded by De Ritter. All in favor, "Aye", motion carried.

THE NEXT REGULAR MEETING OF THE ZONING BOARD OF ADJUSTMENT
WILL BE ON
~MONDAY, MARCH 21ST, 2016 ~
THE WORK SESSION WILL BEGIN AT 6:45P.M. WITH THE REGULAR
MEETING IMMEDIATELY FOLLOWING

Respectfully Submitted,
Joan Herve, Secretary