

Hawthorne Planning Board Minutes of March, 2016 Regular Meeting

The March, 2016 regular meeting of the Hawthorne Planning Board was called to order on March 15, 2016 at 7:30 P.M. by Chairman Garner. After recital of the Pledge of Allegiance, Board Secretary William A. Monaghan, III called the roll. All members and alternates except Vice Chairman Lucibello were present as well as Board attorney/secretary William A. Monaghan, III, Esq. 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 Mr. DeAugustines and seconded by Mr. Matthews, the Board approved the minutes of the February regular meeting.
2. On a motion made by Ms. DiMattia and seconded by Mr. Kowalski, the Board approved the minutes of the March work session.

CORRESPONDENCE – None

BILLS

1. A motion was made by Ms. DiMattia, seconded by Mr. Ruta, and approved by a vote of 7-0 to approve payment of a bill of the Hawthorne Press for Invoice No. 990236 in the amount of \$23.40.

RESOLUTIONS

1. With regard to the application of **Deli Bagel Time**, a motion was made by Mrs. Zakur, seconded by Mr. Ruta and approved by a vote of 6-0 to approve a resolution memorializing the action taken by the Board at its March 1, 2016 meeting.

CERTIFICATE OF COMPLIANCE PLAN REVIEW

1. With regard to the application of **Sun Acupuncture**, Joonil K. Lee, Esq. appeared as attorney for the applicant together with Myung C. Lee, owner of the applicant. Mr. Lee, Esq. was permitted to act as interpreter for his client who was sworn. The applicant testified that he proposes to operate an acupuncture and acupressure treatment facility at the subject premises. Two persons would work at the facility. The applicant is licensed for massage and bodywork therapy and the other person is licensed as an acupuncturist. Board members then questioned whether the proposed facility would require a license under the applicable Borough ordinance as a massage establishment. Lengthy discussion then took place among the applicant's attorney, the Board attorney and Board members regarding the nature of the services to be offered by the applicant's proposed facility. The Board then directed the

Board attorney to research the applicable ordinance and render a legal opinion regarding the Planning Board's jurisdiction to hear the application. A motion was then made, seconded and unanimously approved to adjourn the hearing on the application to the April 5, 2016 Board meeting.

2. With regard to the application of **Top Notch 1 Construction, LLC**, Fatbardh Muja, owner of the applicant, appeared together with Madeline Abbattista and Corrado Abbattista, representatives of the new owner of the subject premises. After being sworn, Mr. Muja testified that the applicant proposes to lease a portion of the subject premises as an office and for parking of vehicles for a construction company specializing in masonry, roofing, siding and chimneys. Two secretaries would work in the office and a maximum of ten additional employees would work from the site. Seven vans and a dump truck would be parked at the premises which includes a garage. No debris would be brought to or stored at the site and work would be done offsite. No dumpster would be located on the premises. No exterior changes to the premises are proposed. A motion was then made by Mayor Goldberg, seconded by Mr. DeAugustines and approved by a vote of 7-0 to grant the application for certificate of compliance plan review subject to preparation of a memorializing resolution by the Board attorney with the conditions that no outside storage of products or equipment is permitted and no dumpster is permitted on the premises.
3. With regard to the application of **Giannella Mechanical LLC**, Massimo Giannella, owner, appeared on behalf of the applicant. After being sworn, he testified that the applicant proposes to lease approximately 1,000 square feet at the subject premises as an office, storage areas and shop for a mechanical contracting business. Two utility trucks would be parked at the premises and two on-site spaces are available. Two employees would work from the site. Some fabrication would be performed on the premises. No exterior changes to the premises are proposed. A motion was then made by Mayor Goldberg, seconded by Mr. Ruta and approved by a vote of 7-0 to grant the application for certificate of compliance plan review subject to preparation of a memorializing resolution by the Board attorney with the condition that no outside storage of products or equipment is permitted.
4. With regard to the application of **Leverage Athletics**, William Darrer, owner, and Glenn McConnell, co-owner, appeared on behalf of the applicant. After being sworn, they testified that the applicant proposes to lease approximately 2,800 square feet at the subject premises as a personal fitness facility. One or two employees would be required to operate the facility which would provide individual and group training. Thirteen on-site parking spaces are available. The maximum class size would be ten persons. The applicant was advised to be conscious of noise during early morning hours in view of the proximity of residences. No exterior changes to the premises are proposed. A motion was then made by Mayor Goldberg, seconded by Ms. DiMattia and approved by a vote of 7-0 to grant the application for certificate of compliance plan review subject to preparation of a memorializing resolution by the Board attorney.

5. With regard to the application of **Enzo Porporino Landscaping**, no one appeared on behalf of the applicant. Mr. Monaghan indicated that he had received no communication from the applicant or his attorney. A motion was made, seconded and unanimously approved to adjourn the hearing to the April 5, 2016 Board meeting.

OLD BUSINESS – None

NEW BUSINESS – None

PUBLIC

The meeting was then opened for public comment without response.

The meeting was then adjourned at 8:45 P.M.

Respectfully submitted,

William A. Monaghan, III, Esq.
Board Attorney/Secretary