

## **Hawthorne Planning Board Minutes of October, 2011 Work Session**

The October 4, 2011 meeting of the Hawthorne Planning Board was called to order at 7:30 P.M. by Vice Chairman Lucibello. After recital of the Pledge of Allegiance, Board Secretary William A. Monaghan, III called the roll. All members and alternates except Chairman Garner were present as well as Board engineer Michael J. Kelly, P.E. and Board attorney/secretary William A. Monaghan, III, Esq. Vice Chairman Lucibello announced that notice of the meeting had been published and posted in accordance with the Open Public Meetings Act.

### **CORRESPONDENCE**

1. With regard to the application of **Fulvio Grosso**, Mr. Monaghan reported the receipt of a letter dated September 21, 2011 from the Passaic County Planning Department indicating that the subdivision has received final approval.

### **CERTIFICATE OF COMPLIANCE PLAN REVIEW**

1. With regard to the application of **Downes Tree Service, Inc.**, Kevin Downes, one of the owners, appeared on behalf of the applicant. After being sworn, he testified that the applicant recently purchased the subject property. The applicant proposes to rent the existing house and garage on the site and retain the present tenants who utilize a portion of the property on the east side of the brook. At the present time, the applicant does not propose to use the property for its business. The applicant is in the process of installing a new sanitary sewer line and a new water line. Since the applicant does not have a prospective tenant for the premises, a motion was made by Mr. Matthews, seconded by Mayor Goldberg and approved by a vote of 7-0 to grant the application for a temporary certificate of compliance for a period of six months.
2. With regard to the application of **J. Blanco Associates, Inc.**, Victor M. Ramos, president of the applicant appeared, together with Robert McNerney, principal of the property owner. After being sworn, they testified that the applicant proposes to purchase Units 1 and 2 at the subject premises as an office and fabrication shop for a miscellaneous metal design and fabrication contracting business. The applicant would combine the two units by removing the demising wall and adding a second floor mezzanine consisting of 1775 square feet. Nine office and three shop employees would work at the premises. One twenty-four foot truck would be parked at the site. Twelve on-site parking spaces would be allocated to the applicant by lease. 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.
3. With regard to the application of **Acoustical Services Inc.**, Jay Berea, owner, appeared together with Robert McNerney, principal of the property owner. After

being sworn, they testified that the applicant proposes to purchase Unit #6 at the subject premises as an office and storage facility for a commercial office interior construction company. No fabrication would take place at the site. Three trucks would be parked at the site. Five on-site parking spaces would be allocated to the applicant by lease. A maximum of two employees would work on the premises. No exterior changes to the premises are proposed. A motion was then made by Mr. DeAugustines, seconded by Mr. Kowalski 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.

4. With regard to the application of **T.R.S. Landscaping**, Todd Schlenker, owner, appeared on behalf of the applicant together with Robert McNerney, principal of the property owner. Mr. Monaghan indicated that the applicant had previously received temporary certificate of compliance approval at the time of construction of the new building on the site. The applicant requested an extension of his approval since he continues to provide landscaping services at the subject premises. He indicated that he stores his vehicles and equipment between the buildings on the site. A motion was then made by Mr. DeAugustines, seconded by Ms. DiMattia and approved by a vote of 6-0 with one abstention to grant a six-month extension of the temporary certificate of compliance subject to the condition that no outside storage of materials is permitted.

### **OLD BUSINESS**

1. With regard to the application of **D.S. Meyer Enterprises, L.L.C.**, Edward W. Miller, vice president, appeared on behalf of the applicant. After being sworn, he testified that the parking lot at the premises has been cleaned up and will be paved. He advised the Board that employees of the applicant are now required to park on the premises rather than on the street. A motion was then made by Mr. Matthews, seconded by Mayor Goldberg and approved by a vote of 5-0 to approve a resolution memorializing the action taken by the Board at its meeting on July 19, 2011.
2. With regard to the application of **Lakeview Farms Inc.**, Randy Hoogerhyde, owner, appeared on behalf of the applicant. After being sworn, he advised the Board that he had contacted the borough administrator regarding the drainage problem in the parking lot at the premises located at 153 Central Avenue. Board engineer Michael Kelly suggested that the applicant hire a professional engineer to design a drainage solution and submit plans to the Board engineer for review. Board members then questioned Mr. Hoogerhyde regarding his efforts to address the unresolved site plan compliance issues raised during the applicant's previous appearance before the Board. Mr. Hoogerhyde was not able to supply satisfactory answers and indicated that he required more time. Mr. Monaghan suggested that Mr. Hoogerhyde and/or his engineer submit specific answers to the items listed in the prior correspondence from the office of the construction official. The Board requested that the applicant return at the December 20, 2011 Board meeting to

report on his progress regarding the site plan issues with a target date for completion of all required work by April 30, 2012.

Mr. Hoogerhyde then requested that the Board reconsider and act on his application for certificate of compliance approval for his dairy store located at 1020 Goffle Road. Discussion took place during which some members opposed approving the new application until the applicant complies with the conditions imposed for the Central Avenue facility. After further discussion, a motion was made by Mr. Matthews, seconded by Mayor Goldberg and approved by a vote of 4-3 to grant the application for certificate of compliance plan review for 1020 Goffle Road and to approve the memorializing resolution previously drafted by the Board attorney.

### **NEW BUSINESS**

1. The Board conducted a review of proposed Ordinance No. 2054-11, introduced by the Municipal Council at its meeting on September 21, 2011. The proposed ordinance would amend certain regulations applicable to conditional uses in the I-1 Industrial Zone. Mr. Matthews reviewed the five proposed changes: reduction of front yard set-back, increase of size of freestanding sign, deletion of requirement of orientation of buildings to street, deletion of pitched roof requirement and modification of permitted hours of operation. Mr. Matthews explained that the reason for the proposed changes is to provide less restrictive design and architectural standards and to encourage applications which do not require variances from conditional use requirements. A motion was then made by Mr. DeAugustines, seconded by Mr. Ruta and approved by a vote of 6-1 to recommend the adoption of the proposed ordinance as drafted and to direct the Board secretary to notify the Municipal Council of the Board's action.

The meeting was then opened for public comment without response.

The meeting was then adjourned at 9:35 P.M.

Respectfully submitted,

William A. Monaghan, III  
Board Attorney/Secretary