

**Hawthorne Planning Board
Minutes of December, 2007 Regular Meeting**

The December, 2007 regular meeting of the Hawthorne Planning Board was called to order on December 18, 2007 at 7:35 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 Lane were present as well as Board engineer John M. Pacholek, P.E. and 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. Ruta and seconded by Mr. Lucibello, the Board approved the minutes of the November regular meeting.

CORRESPONDENCE – None

BILLS

1. A motion was made by Mr. Lucibello, seconded by Mr. DeAugustines, and approved by a vote of 7-0 to approve payment of a bill of the Hawthorne Press for Invoice No. 984344 in the amount of \$36.66.

RESOLUTIONS

1. With regard to the application of **Beaks and Feathers, LLC**, a motion was made by Ms. DiMattia, seconded by Mr. Ruta and approved by a vote of 4-0 to approve a resolution memorializing the action taken by the Board at its November 20, 2007 meeting.
2. With regard to the applications of **Leggio's Gourmet LLC** and **Vilardi Kitchen Designs, LLC**, a motion was made by Mr. DeAugustines, seconded by Mr. Ruta and approved by a vote of 5-0 to approve resolutions memorializing the actions taken by the Board at its November 20, 2007 meeting.
3. With regard to the applications of **Empire Video Plus LLC**, and **Forever & Always Boutique**, a motion was made by Mr. Ruta, seconded by Mr. Lucibello and approved by

a vote of 5-0 to approve resolutions memorializing the actions taken by the Board at its December 4, 2007 meeting.

CERTIFICATE OF COMPLIANCE PLAN REVIEW

1. With regard to the application of **Warehouse 18 Inc.**, Jack Scaba, president, appeared on behalf of the applicant. After being sworn, he testified that the applicant proposes to lease a portion of the subject premises as a third party shipping warehouse. Ten to fifteen employees would be required for the operation of the business. No retail business would be conducted by the applicant and no products or equipment would be stored on the outside of the premises. Discussion took place regarding the floor layout proposed by the applicant for the second and third floors of the subject premises as well as parking spaces allocated to the applicant. As a result of questions raised regarding fire safety and load bearing capacity based on the floor plan, and issues regarding the parking area designated for the applicant, a motion was made, seconded and unanimously approved to adjourn the hearing until the January 8, 2008 Board meeting for submission of additional information by the applicant.
2. With regard to the application of **Value Village**, David Kloeber, president and CEO of Apogee Retail, LLC, owner of the applicant, and Gerry Bedrin, principal of the property owner appeared on behalf of the applicant. After being sworn, they testified that the applicant proposes to lease the space formerly occupied by the Rag Shop retail store. The applicant would operate a retail clothing store selling men's, women's and children's apparel as well as small appliances. Fifty full-time employees working in two shifts would be required for the operation of the business. By the terms of its lease, the applicant's employees would be required to park in a designated employee parking lot. As a result of a recent re-striping of the parking lot, the property owner was able to increase the total number of on-site parking spaces. The applicant also proposes to install a trash compactor in the parking lot in front of the store. The compactor unit would be custom built for the proposed location, would be fenced and operates only by a key. A motion was then made by Mr. DeAugustines, seconded by Mr. Lucibello and approved by a vote of 7-0 to grant the application for certificate of compliance plan review as well as the trash compactor installation subject to preparation of a memorializing resolution by the Board attorney.

OLD BUSINESS

1. With regard to the application of **PRT Realty, L.P.**, Mr. Monaghan reported the receipt of a letter dated December 12, 2007 requesting an adjournment of the hearing to allow the applicant additional time to prepare revised plans. A motion was then made, seconded and unanimously approved to grant the adjournment request and re-schedule the hearing for the Board's January 22, 2008 meeting. No further notice or publication is required.

2. With regard to the application of **William J. Sikkema**, James T. Bryce, Esq. appeared as attorney for the applicant. He indicated that the applicant seeks approval for a subdivision which would make Lot 14 on the applicant's subdivision plan a conforming lot with regard to lot size. No new variance relief is required for approval of the subdivision. He called as his witness Brian P. Schilling, P.L.S. After being sworn, Mr. Schilling testified that he is a licensed land surveyor in the State of New Jersey. He was offered and permitted to testify as an expert with regard to land surveying. He indicated that he prepared the minor subdivision plan submitted in support of the application. He stated that the applicant's proposal would move the existing lot line between Lots 13 and 14 twenty-five feet in a northeasterly direction thereby bringing Lot 14 into conformance with regard to minimum lot area in the I-1 zone. Approval of the subdivision would also decrease the percentage of lot coverage for the existing structure on Lot 14. No development is proposed as part of this application.

Mr. Monaghan read into the record a letter received from the applicant indicating that approval of the subdivision would not result in any changes in the parking arrangement currently in effect at the site.

The hearing was then opened for public comment. James W. Dusenberry, 81 Ethel Avenue, raised a question as to the effect of a possible change of ownership of the property on the parking arrangement. The Board indicated that any future development proposal would require site plan review by the Board which would include examination of parking requirements. Mr. Dusenberry also requested that the applicant replace a missing section of the existing stockade fence. After brief discussion, a motion was made by Mr. Ruta, seconded by Mr. Lucibello and approved by a vote of 7-0 to grant the application for minor subdivision approval subject to preparation of a memorializing resolution by the Board attorney with the condition that the applicant replace the missing section of stockade fence.

NEW BUSINESS

1. With regard to proposed Ordinance Nos. 1919/07, 1920/07 and 1921/07 which were forwarded to the Planning Board for review pursuant to the Municipal Land Use Law, Mr. Monaghan offered his comments to the Board and Mr. Matthews presented the perspective of the governing body. After discussion, a motion was made, seconded and unanimously approved to direct Mr. Monaghan to draft a letter to the Mayor and Council recommending the adoption of the ordinances with suggestions for minor changes to two of the ordinances for clarification purposes.
2. After brief discussion, the Board unanimously approved a motion to adopt a schedule of meetings for the calendar year 2008. Mr. Monaghan will provide a copy to the Borough Clerk for posting on the Borough bulletin board and will make arrangements for publication of the schedule in the Hawthorne Press.

PUBLIC

The meeting was then opened for public comment without response.

The meeting was then adjourned at 9:20 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William A. Monaghan, III". The signature is written in a cursive style with a prominent flourish at the end.

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