

Hawthorne Planning Board Minutes of March, 2010 Regular Meeting

The March, 2010 regular meeting of the Hawthorne Planning Board was called to order on March 16, 2010 at 7:37 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 were present as well as Board engineer Michael J. Kelly, 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. Matthews and seconded by Ms. DiMattia, the Board approved the minutes of the February regular meeting and March work session with a minor modification of the February regular meeting minutes suggested by Mr. Kelly.

CORRESPONDENCE – None

BILLS

1. A motion was made by Vice Chairman Lucibello, seconded by Mr. Matthews, and approved by a vote of 7-0 to approve payment of a bill of the Hawthorne Press for Invoice No. 986413 in the amount of \$22.62.

RESOLUTIONS

1. With regard to the application of **Gimmee Jimmy's Cookies**, a motion was made by Mayor Goldberg, seconded by Mr. DeAugustines and approved by a vote of 6-0 to approve a resolution memorializing the action taken by the Board at its February 1, 2010 meeting.
2. With regard to the application of **Genesis Car Care, LLC**, a motion was made Mayor Goldberg, seconded by Vice Chairman Lucibello and approved by a vote of 5-0 to approve a resolution memorializing the action taken by the Board at its March 2, 2010 meeting.
3. With regard to the application of **Good Earth Landscape**, a motion was made by Mayor Goldberg, seconded by Vice Chairman Lucibello and approved by a vote of 6-0 to approve a resolution memorializing the action taken by the Board at its March 2, 2010 meeting.

4. With regard to the application of **RES Associates**, a motion was made by Mayor Goldberg, seconded by Mr. Matthews and approved by a vote of 7-0 to approve a resolution memorializing the action taken by the Board at its March 2, 2010 meeting.
5. With regard to the application of **The Red Ribbon Pretzel Company, Inc.**, a motion was made by Mr. Matthews, 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 2, 2010 meeting.
6. With regard to the application of **Campos Landscaping**, a motion was made by Mayor Goldberg, seconded by Vice Chairman Lucibello and approved by a vote of 7-0 to approve a resolution memorializing the action taken by the Board at its March 2, 2010 meeting.
7. With regard to the application of **Morlot Distribution Center**, a motion was made by Vice Chairman Lucibello, seconded by Mr. Kowalski and approved by a vote of 7-0 to approve a resolution memorializing the action taken by the Board at its March 2, 2010 meeting.
8. With regard to the application of **PRT Realty, L.P.**, a motion was made by Mr. Matthews, seconded by Vice Chairman Lucibello and approved by a vote of 7-0 to approve a resolution memorializing the action taken by the Board at its February 16, 2010 meeting.

CERTIFICATE OF COMPLIANCE PLAN REVIEW – None

OLD BUSINESS – None

NEW BUSINESS

1. The Board conducted a review of proposed Ordinance 2007-10 which was forwarded to the Board pursuant to the Municipal Land Use Law. Mayor Goldberg indicated that the purpose of the ordinance is to clarify the definition of "warehousing and storage" in Section 225-74 which outlines the permitted uses in the I-1 Industrial Zone. The need for the clarification arose based on the differing interpretations of the provision in question during the initial hearing on the Shotmeyer Brothers application. Mayor Goldberg advised the Board that the governing body intends to adopt the ordinance prior to the next hearing on the Shotmeyer Brothers application. Mr. Monaghan raised a question about the effect of the new ordinance on the Planning Board's jurisdiction over the Shotmeyer Brothers application. After discussion, a motion was made by Mr. Ruta, seconded by Mr. DeAugustines and approved by a vote of 7-0 to recommend the adoption of the proposed ordinance as drafted and to direct the Board attorney to

request clarification from the Borough attorney regarding the jurisdiction of the Planning Board over the pending Shotmeyer Brothers application.

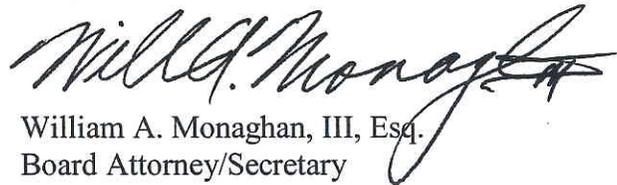
2. Chairman Garner requested that the Construction Official review the status of the ice cream trucks on the vacant property adjacent to the Triangle Diner.

PUBLIC

The meeting was then opened for public comment. James Dusenberry requested that the Board include a condition in the Morlot Distribution Center resolution prohibiting outside storage. He stated his recollection that the applicant had agreed to the condition. Mr. Monaghan will review the recording of the hearing to confirm the applicant's agreement. Mr. Dusenberry also questioned the impact of the proposed new ordinance on existing outside storage uses.

The meeting was then adjourned at 8:25 P.M.

Respectfully submitted,



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