

## **Hawthorne Planning Board Minutes of February, 2012 Regular Meeting**

The February, 2012 regular meeting of the Hawthorne Planning Board was called to order on February 21, 2012 at 7:32 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 and Mr. DeAugustines 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.

### **MINUTES**

1. On a motion made by Mr. Matthews and seconded by Mr. Kowalski, the Board approved the minutes of the January regular meeting and February work session.

### **CORRESPONDENCE** – None

### **BILLS**

1. A motion was made by Mr. Ruta, seconded by Ms. DiMattia, and approved by a vote of 6-0 to approve payment of a bill of the Hawthorne Press for Invoice No. 987725 in the amount of \$83.46.

### **RESOLUTIONS**

1. With regard to the application of **Corrado's Pet Market & Flower Shop**, a motion was made by Mr. Matthews, seconded by Mr. Kowalski and approved by a vote of 4-0 to approve a resolution memorializing the action taken by the Board at its February 7, 2012 meeting.
2. With regard to the application of **Pizza & Bagel Shop**, a motion was made by Mayor Goldberg, seconded by Mr. Matthews and approved by a vote of 5-0 to approve a resolution memorializing the action taken by the Board at its February 7, 2012 meeting.
3. With regard to the applications of **JS Printing & Envelopes** and **Flo's Market**, a motion was made by Mr. Kowalski, seconded by Mayor Goldberg and approved by a vote of 5-0 to approve resolutions memorializing the actions taken by the Board at its February 7, 2012 meeting.

### **CERTIFICATE OF COMPLIANCE PLAN REVIEW** - None

## OLD BUSINESS

1. With regard to the application of **Little Giants Learning Center**, Edward A. Easse, R.A. appeared on behalf of the applicant. He advised the Board that he had been contacted by the applicant regarding possible preparation of plans for the proposed conversion of the premises to a daycare center for children. He indicated that he required additional time to consult with the applicant and evaluate the applicant's proposal. A motion was then made, seconded and unanimously approved to adjourn the hearing until the March 6, 2012 Board meeting.
2. With regard to the application of **102 Braen Avenue LLC**, Ralph E. Faasse, Esq. appeared as attorney for the applicant. He made an opening statement in which he indicated that the owner/applicant is 102 Braen Avenue LLC. The present tenant is D.S. Meyer Enterprises L.L.C. which received certificate of compliance approval in July, 2011. He reminded the Board that the property had been recently subdivided. He stated that the applicant proposes to erect an addition to the existing building on the site. Approval of the application also requires approval of bulk variances for existing conditions.

Mr. Monaghan requested confirmation that the subject property is in the I-1 Zone. He noted that the tenant's certificate of compliance application and memorializing resolution listed the property in the I-2 Zone. It was determined that the I-2 listing was incorrect and the D.S. Meyer Enterprises resolution will be amended accordingly.

Mr. Faasse called as his first witness Edward A. Easse, R.A., P.P. Based on his credentials and numerous previous appearances before the Board, he was offered and accepted as an expert witness in architecture and planning. After being sworn, he testified that he prepared the architectural plans submitted in support of the application. He reminded the Board that the property had been subdivided so that the existing structure on the site is also divided between the two newly created lots. The present application concerns the easterly portion of a one story masonry building previously used as an auto body shop. The applicant proposes a second story addition forty feet wide by sixty-three feet long. The first floor of the building would contain a conference room and work shops. The second floor addition would be used as a reception area and offices for employees of D.S. Meyer Enterprises.

With regard to the required bulk variances, Mr. Easse testified that the front yard setback and side yard variance represent existing conditions which will not be exacerbated by the proposed addition. The building footprint would not change and the existing non-conformity would not increase. He indicated that the height of the building with the addition would be thirty-four feet. The addition was placed toward the front of the existing building to be more aesthetically pleasing. The addition would not create any increase in impervious surface at the site and would not require any changes in drainage. Based on comments from Board members, Mr.

Easse agreed to add a window for the second floor bathroom and continue the cornice to wrap around the west and south elevations.

Mr. Faasse called as his next witness Edward W. Miller. After being sworn, he testified that he is employed as vice president of operations for D.S. Meyer Enterprises, L.L.C., the present tenant in the building. Mr. Faasse submitted a letter dated February 21, 2012 signed by Doug Meyer, owner of D.S. Meyer Enterprises, L.L.C. as well as owner of the subject property, authorizing Mr. Miller to appear and testify on his behalf. Mr. Miller indicated that D.S. Meyer Enterprises, L.L.C. is a paving contractor and also engages in sewer and water main repair. The company intends to pave the parking lot and move its offices from another location to this site where it will also use the first floor work shops to repair and maintain its equipment. He stated that the company presently has eighteen total employees. Five employees go directly to job sites and would not park at this location. Four full-time and three part-time office staff, together with one mechanic, three foremen and two truck drivers would park on site. Based on work schedules, a maximum of thirteen employees would be at the building two days per week, with ten employees at the building three days per week. The site plan provides sixteen 10' x 20' spaces. The applicant intends to park two or three trucks inside the building. The conference room on the first floor would be used for OSHA training for employees and for meetings with customers. The proposed seepage pits would have oil/water separator systems.

Mr. Faasse called as his next witness Bruce D. Rigg, P.E., L.S., P.P., the applicant's site engineer. Based on his credentials and numerous previous appearances before the Board, he was offered and accepted as an expert witness. After being sworn, he testified that he prepared the site plan, survey and drainage report submitted in support of the application. He indicated that the proposed addition would not result in any changes to the site since the footprint of the existing building would not be altered. The stormwater management system would be underground. Two seepage pits would be located on the site and the roof drains would be connected to the seepage pits. Mr. Rigg advised the Board that the applicant may locate a refuse dumpster in the parking area. He described the pre-existing variance conditions which would not be altered as a result of the proposed addition. He listed the waivers sought by the applicant from the Board's check list requirements and the Board confirmed that the waivers could be granted. With regard to landscaping, Mr. Rigg stated that the plan provides for screening of the adjoining residence. With regard to lighting, he advised the Board that dusk to dawn lighting is necessary. The plan proposes pole lights on the property line facing toward the building with shields on the fixtures to protect the adjoining residence. Mr. Rigg will update the lighting plan to show the lighting detail. Board members requested as a condition of approval that the Board reserve the right to review the lighting for a period of one year from approval of the application.

Mr. Faasse then concluded his presentation on behalf of the applicant. Mr. Faasse made a brief closing statement in which he urged Board members to approve the

application based on the testimony of the witnesses and the plans submitted in support of the application. He further argued that the proposed addition would represent an improvement of the property and a benefit to the community.

Board engineer Michael Kelly, also sworn, advised the Board that he had no additional comments or concerns other than as set forth in his written report. The hearing was then opened for public comment without response.

After brief discussion among Board members, a motion was made by Mr. Ruta, seconded by Mr. Kowalski and approved by a vote of 7-0 to approve the application for site plan review and bulk variances subject to preparation of a memorializing resolution by the Board attorney.

**NEW BUSINESS** – None

**PUBLIC**

The meeting was then opened for public comment without response.

The meeting was then adjourned at 9:00 P.M.

Respectfully submitted,

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