

Hawthorne Planning Board Minutes of October, 2008 Regular Meeting

The October, 2008 regular meeting of the Hawthorne Planning Board was called to order on October 21, 2008 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 Acting Mayor Goldberg and Ms. DiMattia 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. Matthews and seconded by Mr. Ruta, the Board approved the minutes of the September regular meeting.

CORRESPONDENCE – None

BILLS

1. A motion was made by Mr. Lucibello, seconded by Vice Chairman Lane, and approved by a vote of 7-0 to approve payment of a bill of the Hawthorne Press for Invoice No. 985146 in the amount of \$28.86.

RESOLUTIONS

1. With regard to the application of **Metro Wireless Inc.**, a motion was made by Vice Chairman Lane, 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 September 16, 2008 meeting.

CERTIFICATE OF COMPLIANCE PLAN REVIEW

1. With regard to the application of **Rainbow Specialty Colors, Inc.**, Dayana Dill, president and Nahid Chowdhury, vice president appeared on behalf of the applicant. After being sworn, they testified that the applicant proposes to lease the subject premises for the operation of a business engaged in the purchase, re-sale and re-packaging of non-hazardous powdered dyes. Three full time employees would be required for the operation of the business. No retail business would be conducted at the site. Three on-site parking spaces are available and no exterior changes to the premises

are proposed. The applicant's business is currently located in the same complex and the move is necessary to obtain additional space. A motion was then made by Mr. Ruta, seconded by Vice Chairman Lane 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.

OLD BUSINESS

1. With regard to the application of the **Estate of Bernard Czajkowski**, Mr. Monaghan reported the receipt of a letter from Ralph E. Faasse, Esq., the applicant's attorney requesting an adjournment of the hearing to allow the applicant additional time to address issues raised at the work session. After brief discussion, a motion was made, seconded and unanimously approved to grant the adjournment request until the November 25, 2008 Board meeting. Mr. Monaghan announced that no further notice would be published or served on surrounding property owners.

NEW BUSINESS

1. With regard to the application of **Realty Acquisition Group, LLC**, Brian Chewcaskie, Esq. appeared as attorney for the applicant together with Drake Stinson, P.E., the applicant's engineer for work session review of the application. Mr. Chewcaskie gave an overview of the application in which he indicated that the applicant proposes to demolish one of the existing buildings on the industrial site and construct a new building containing 28,650 square feet, to be divided into eight industrial condominium units. He noted that in response to review of the application by the Board engineer, the applicant had submitted reports regarding water supply, sanitary sewer capacity and stormwater management. He advised the Board that an environmental cleanup under the supervision of NJDEP is in progress at the site. Mr. Chewcaskie stated that although the proposed structure would be larger in square footage than the building to be demolished, the proposed uses for the units would be less intense since the probable occupants would be small contractors requiring warehouse space for equipment and vehicles. He acknowledged the receipt of two written reports from Board engineer John Pacholek dated October 6, 2008 and October 14, 2008 respectively.

Mr. Chewcaskie then introduced Drake Stinson, the applicant's site engineer, for an informal description of the applicant's proposal. He indicated that revisions had been made to the plans in response to the Board engineer's reports and that revised plans would be submitted incorporating additional changes. He stated that the landscaping plan had been modified based on suggestions made by Boswell's landscaping department. The parking area would be striped with sixty six 9 foot by 18 foot spaces. The new building would have a fire suppression system and the proposed drainage system would provide for no increase in runoff from the site. Mr. Stinson represented that the applicant could comply with all issues raised in the reports of the Board engineer.

In response to questions from Mr. Monaghan, Mr. Chewcaskie indicated that the application would be amended to reflect the owner of the property as the Estate of John L. Macchi. He also agreed that the two lots which comprised the site would be consolidated. Mr. Chewcaskie advised the Board that the present tenant in the building to remain intends to purchase the building from the applicant as a condominium unit. He also stated that by-laws would be required for the condominium conversion and had no objection to review of the by-laws by the Board as a condition of approval.

After questioning of Mr. Chewcaskie and Mr. Stinson by Board members primarily regarding parking and traffic flow issues, Board engineer John Pacholek advised the Board that he had no comments in addition to those set forth in his written reports.

The hearing was then opened for public comment. Numerous residents from the Ninth Avenue area expressed serious reservations regarding possible significant increases in traffic volume, noting that Ninth Avenue is a dead-end street with several two-family houses and numerous children in a congested residential area. Concerns were also raised regarding the proposed lighting plan and the size of the proposed new building. Based on the configuration and location of the new building, questions were raised regarding fire fighting access and drainage.

Based on the discussion during the public portion, Mr. Chewcaskie indicated that he would advise his client to conduct a traffic study. Mr. Monaghan indicated that the plans would be submitted to the Police Department and Fire Department for review. Mr. Chewcaskie was then advised that the application would be scheduled for formal hearing at the November 25, 2008 Board meeting.

PUBLIC

The meeting was then opened for public comment without response.

The meeting was then adjourned at 9:15 P.M.

Respectfully submitted,



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