

## **Hawthorne Planning Board Minutes of January, 2009 Regular Meeting**

The January, 2009 regular meeting of the Hawthorne Planning Board was called to order on January 20, 2009 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 Mayor Goldberg and Mr. DeAugustines were present as well as 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 December regular meeting.

### **CORRESPONDENCE** – None

### **BILLS**

1. A motion was made by Mr. Matthews, seconded by Mr. Lucibello, and approved by a vote of 7-0 to approve payment of bills of the Hawthorne Press for Invoice No. 985383 in the amount of \$23.40 and for Invoice No. 985443 in the amount of \$47.58.

### **RESOLUTIONS**

1. With regard to the appointment of the Board engineer/planner, a motion was made by Vice Chairman Lane, seconded by Mr. Ruta and approved by a vote of 5-0 to approve a resolution memorializing the action taken by the Board at its January 6, 2009 meeting.
2. With regard to the appointment of the Board attorney/secretary, a motion was made by Vice Chairman Lane, seconded by Mr. Ruta and approved by a vote of 5-0 to approve a resolution memorializing the action taken by the Board at its January 6, 2009 meeting.
3. With regard to the application of **TICO Collection, Inc.**, a motion was made by Mr. Lucibello, 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 January 6, 2009 meeting.

## CERTIFICATE OF COMPLIANCE PLAN REVIEW

1. With regard to the application of **Eagle Tile Contractors, Inc.**, Robert Scharf, owner, 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 warehouse and office for a tile contracting business. No retail business would be conducted at the site. Four employees would be required for the operation of the business but the tile installers would generally report directly to job sites. Two 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 Vice Chairman Lane, seconded by Mr. Matthews 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 with the conditions that no overnight vehicle parking on the premises is permitted, no outside storage of materials or equipment is permitted and no dumpster shall be permitted in the exterior front of the premises.
2. With regard to the application of **Sasha's Hair Alternatives**, Vito Pecoraro, manager, 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 wig salon for patients who have suffered hair loss as a result of medical conditions, primarily cancer patients. Two 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 Mr. Matthews, 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 **Groenewal/Ramsey Door**, Thomas Eodice, general manager, 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 warehouse for a garage door distribution business. The applicant's business is currently located on the same street but the subject premises provide a loading dock which is safer for deliveries. Eight employees would be required for the operation of the business. Thirty seven on-site parking spaces are available. No exterior changes to the premises are proposed. A motion was then made by Vice Chairman Lane, seconded by Mr. Lucibello 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 with the conditions that no exterior storage of products or equipment is permitted and a dumpster shall be located in the rear left corner of the property with appropriate screening.
4. With regard to the application of **Kozlowski Masonry**, Leon Kozlowski, owner, appeared on behalf of the applicant. After being sworn, he testified that the applicant proposes to lease a portion of the subject premises as an office and for storage of equipment for a masonry contracting business. Two trucks would be stored behind a fence on the premises and a dumpster would be located in the rear corner of the property. Four 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 Mr. Ruta, seconded by Mr. Matthews 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 with the conditions that the applicant's construction vehicles will be parked in the screened area and all equipment will be stored either inside the building or in the screened exterior area.

5. With regard to the application of **Rice Creams, Inc.**, Wendy Christoffel, owner, and Drew Christoffel, president, appeared on behalf of the applicant. After being sworn, they testified that the applicant proposes to lease a portion of the subject premises for the operation of an ice cream sandwich manufacturing business. The premises would be utilized for manufacturing the product and storing push carts used to sell the product. No retail business would be conducted at the premises. Six on-site parking spaces would be allocated to the applicant. No exterior changes to the premises are proposed. A motion was then made by Mr. Lucibello, 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 **Estate of Bernard Czajkowski**, Mr. Monaghan reported the receipt of a letter dated January 12, 2009 from Ralph E. Faasse, Esq., the applicant's attorney, requesting an adjournment of the hearing until the Board's February regular meeting. As a result of other pending applications on the Board's agenda, a motion was made, seconded and unanimously approved to grant the applicant's adjournment request but continue the hearing until the Board's regular meeting on March 17, 2009. Mr. Monaghan announced to the public that no further publication or notice by the applicant would be required.
2. With regard to the application of **M&P Foreign Used Cars II, Inc.**, Mr. Monaghan reported the receipt of a letter from Board engineer John Pacholek indicating his approval of the applicant's revised lighting plan. Vice Chairman Lane requested the opportunity to review the revised plan and Mr. Monaghan will request that Mr. Pacholek provide a copy of the plan.
3. With regard to the application of **JTR Family Realty**, Board members noted that the number of vehicles on the premises appears to have increased and the landscape trailer remains immediately adjacent to Goffle Road. The Board directed Mr. Monaghan to forward a letter to Construction Official John Pallotta requesting review for compliance with the terms of Board approval and appropriate enforcement action.
4. With regard to the application of **Realty Acquisition Group LLC**, Mr. Ruta, as liaison to the Board from the Environmental Commission, requested that the Board obtain documentation from the applicant regarding the status of the environmental cleanup at

the site. Mr. Monaghan will forward a letter to the applicant's attorney requesting the information sought by the Environmental Commission.

**NEW BUSINESS** – None

**PUBLIC**

The meeting was then opened for public comment without response.

The meeting was then adjourned at 8:50 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 large, sweeping initial "W".

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

WHEREAS, application has been made to the Hawthorne Planning Board by **Kozlowski Masonry** for certificate of compliance plan review for property designated as Block 34, Lot 5, commonly known as 7A Lincoln Street, located in the O-1 Zone; and

WHEREAS, the applicant submitted various plans and documents for consideration by the Board; and

WHEREAS, the applicant offered lay testimony in support of the application; and

WHEREAS, the application was heard by the Board at its meeting on January 20, 2009; and

WHEREAS, the Board has made the following findings of fact with regard to the application:

1. The applicant proposes to lease a portion of the subject premises as an office and for storage of equipment for a masonry contracting business. Two trucks would be stored behind a fence on the premises and a dumpster would be located in the rear corner of the property. Four on-site parking spaces would be allocated to the applicant by lease. No exterior changes to the premises are proposed.

WHEREAS, at its meeting held on January 20, 2009, the Board approved a motion to grant the application for certificate of compliance plan review subject to preparation of a memorializing resolution by the Board attorney;

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Hawthorne, that the application of **Kozlowski Masonry** for certificate of compliance plan review be and is hereby granted subject to the following conditions:

1. Applicant's construction vehicles will be parked in the screened area.
2. All equipment will be stored either inside the building or in the screened exterior area.

The undersigned, Chairman of the Planning Board of the Borough of Hawthorne, hereby certifies that the above is a true copy of a resolution adopted by said Board on the 17<sup>th</sup> day of February, 2009.

  
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WALTER GARNER, III, Chairman

WHEREAS, application has been made to the Hawthorne Planning Board by **Groenewal/Ramsey Door** for certificate of compliance plan review for property designated as Block 127, Lot 11, commonly known as 265 Royal Avenue, located in the I-1 Zone; and

WHEREAS, the applicant submitted various plans and documents for consideration by the Board; and

WHEREAS, the applicant offered lay testimony in support of the application; and

WHEREAS, the application was heard by the Board at its meeting on January 20, 2009; and

WHEREAS, the Board has made the following findings of fact with regard to the application:

1. The applicant proposes to lease a portion of the subject premises as a warehouse for a garage door distribution business. The applicant's business is currently located on the same street but the subject premises provide a loading dock which is safer for deliveries. Eight employees would be required for the operation of the business. Thirty seven on-site parking spaces are available. No exterior changes to the premises are proposed.

WHEREAS, at its meeting held on January 20, 2009, the Board approved a motion to grant the application for certificate of compliance plan review subject to preparation of a memorializing resolution by the Board attorney;

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Hawthorne, that the application of **Groenewal/Ramsey Door** for certificate of compliance plan review be and is hereby granted subject to the following conditions:

1. No exterior storage of products or equipment is permitted.
2. A dumpster shall be located in the rear left corner of the property with appropriate screening.

The undersigned, Chairman of the Planning Board of the Borough of Hawthorne, hereby certifies that the above is a true copy of a resolution adopted by said Board on the 17<sup>th</sup> day of February, 2009.

  
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WALTER GARNER, III, Chairman

WHEREAS, application has been made to the Hawthorne Planning Board by **Eagle Tile Contractors, Inc.** for certificate of compliance plan review for property designated as Block 10, Lot 6, commonly known as 128 Goffle Road, located in the I-1 Zone; and

WHEREAS, the applicant submitted various plans and documents for consideration by the Board; and

WHEREAS, the applicant offered lay testimony in support of the application; and

WHEREAS, the application was heard by the Board at its meeting on January 20, 2009; and

WHEREAS, the Board has made the following findings of fact with regard to the application:

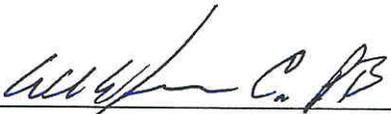
1. The applicant proposes to lease a portion of the subject premises as a warehouse and office for a tile contracting business. No retail business would be conducted at the site. Four employees would be required for the operation of the business but the tile installers would generally report directly to job sites. Two on-site parking spaces would be allocated to the applicant by lease. No exterior changes to the premises are proposed.

WHEREAS, at its meeting held on January 20, 2009, the Board approved a motion to grant the application for certificate of compliance plan review subject to preparation of a memorializing resolution by the Board attorney;

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Hawthorne, that the application of **Eagle Tile Contractors, Inc.** for certificate of compliance plan review be and is hereby granted subject to the following conditions:

1. No overnight vehicle parking on the premises is permitted.
2. No outside storage of materials or equipment is permitted.
3. No dumpster shall be permitted in the exterior front of the premises.

The undersigned, Chairman of the Planning Board of the Borough of Hawthorne, hereby certifies that the above is a true copy of a resolution adopted by said Board on the 17<sup>th</sup> day of February, 2009.

  
WALTER GARNER, III, Chairman

WHEREAS, application has been made to the Hawthorne Planning Board by **Rice Creams, Inc.** for certificate of compliance plan review for property designated as Block 167, Lot 6, commonly known as 27C Utter Avenue, located in the I-1 Zone; and

WHEREAS, the applicant submitted various plans and documents for consideration by the Board; and

WHEREAS, the applicant offered lay testimony in support of the application; and

WHEREAS, the application was heard by the Board at its meeting on January 20, 2009; and

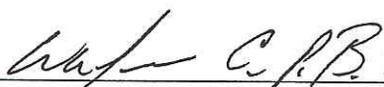
WHEREAS, the Board has made the following findings of fact with regard to the application:

1. The applicant proposes to lease a portion of the subject premises for the operation of an ice cream sandwich manufacturing business. The premises would be utilized for manufacturing the product and storing push carts used to sell the product. No retail business would be conducted at the premises. Six on-site parking spaces would be allocated to the applicant. No exterior changes to the premises are proposed.

WHEREAS, at its meeting held on January 20, 2009, the Board approved a motion to grant the application for certificate of compliance plan review subject to preparation of a memorializing resolution by the Board attorney;

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Hawthorne, that the application of **Rice Creams, Inc.** for certificate of compliance plan review be and hereby is granted.

The undersigned, Chairman of the Planning Board of the Borough of Hawthorne, hereby certifies that the above is a true copy of a resolution adopted by said Board on the 17<sup>th</sup> day of February, 2009.

  
WALTER GARNER, III, Chairman

WHEREAS, application has been made to the Hawthorne Planning Board by **Sasha's Hair Alternatives** for certificate of compliance plan review for property designated as Block 41, Lot 14, commonly known as 236 Lafayette Avenue, located in the O-1 Zone; and

WHEREAS, the applicant submitted various plans and documents for consideration by the Board; and

WHEREAS, the applicant offered lay testimony in support of the application; and

WHEREAS, the application was heard by the Board at its meeting on January 20, 2009; and

WHEREAS, the Board has made the following findings of fact with regard to the application:

1. The applicant proposes to lease a portion of the subject premises as a wig salon for patients who have suffered hair loss as a result of medical conditions, primarily cancer patients. Two on-site parking spaces would be allocated to the applicant by lease. No exterior changes to the premises are proposed.

WHEREAS, at its meeting held on January 20, 2009, the Board approved a motion to grant the application for certificate of compliance plan review subject to preparation of a memorializing resolution by the Board attorney;

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Hawthorne, that the application of **Sasha's Hair Alternatives** for certificate of compliance plan review be and hereby is granted.

The undersigned, Chairman of the Planning Board of the Borough of Hawthorne, hereby certifies that the above is a true copy of a resolution adopted by said Board on the 17<sup>th</sup> day of February, 2009.

  
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WALTER GARNER, III, Chairman

WHEREAS, the Planning Board of Hawthorne requires the assistance of a licensed professional engineer and professional planner to provide engineering and planning expertise in connection with the review of subdivision, site plan and other applications made to the Board; and

WHEREAS, the Board is authorized, pursuant to N.J.S. 40:55D-24, to employ such experts as are required to perform its statutory functions; and

WHEREAS, the Board wishes to retain Boswell McClave Engineering with offices located at 330 Phillips Avenue, P.O. Box 3152, South Hackensack, New Jersey, as engineers and planners for the Board,

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Hawthorne, that Boswell McClave Engineering is hereby appointed engineer and planner for the Board for the calendar year 2009 at compensation to be determined by the governing body of the Borough of Hawthorne pursuant to its agreement with Boswell McClave Engineering.

The undersigned, Chairman of the Planning Board of the Borough of Hawthorne, hereby certifies that the above is a true copy of a resolution adopted by said Board on the 20<sup>th</sup> day of January, 2009.

  
WALTER GARNER, III, Chairman

WHEREAS, the Planning Board of the Borough of Hawthorne requires the assistance of counsel to render legal advice and services to the Board as well as to act as secretary to the Board, and

WHEREAS, the Board is authorized, pursuant to N.J.S. 40:55D-24, to employ legal counsel and a secretary, and

WHEREAS, the Board wishes to retain William A. Monaghan, III, Esq., with offices located at 344 Lafayette Avenue, Hawthorne, New Jersey, as secretary and attorney for the Board,

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Hawthorne that William A. Monaghan, III, Esq. is hereby appointed attorney and secretary for the Board for the calendar year 2009 at compensation to be determined by the governing body of the Borough of Hawthorne pursuant to its salary ordinance.

The undersigned, Chairman of the Planning Board of the Borough of Hawthorne, hereby certifies that the above is a true copy of a resolution adopted by said Board on the 20<sup>th</sup> day of January, 2009.

  
WALTER GARNER, III, Chairman