

Hawthorne Planning Board Minutes of November, 2007 Regular Meeting

The November, 2007 regular meeting of the Hawthorne Planning Board was called to order on November 20, 2007 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 Botbyl 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. DeAugustines, the Board approved the minutes of the October regular meeting and November work session.

CORRESPONDENCE – None

BILLS

1. A motion was made by Vice Chairman Lane, seconded by Mr. Ruta, and approved by a vote of 7-0 to approve payment of a bill of the Hawthorne Press for Invoice No. 984319 in the amount of \$42.90.

RESOLUTIONS

1. With regard to the applications of **Best Consignment LLC, Friends of Bukowski's Animals and Kitchen Elegance Inc.**, a motion was made by Mr. DeAugustines, seconded by Mr. Ruta and approved by a vote of 6-0 to approve resolutions memorializing the actions taken by the Board at its October 30, 2007 meeting.
2. With regard to the application of **DeSena & Petro Attorneys at Law**, a motion was made by Mr. Ruta, seconded by Mr. DeAugustines and approved by a vote of 5-0 to approve a resolution memorializing the action taken by the Board at its October 30, 2007 meeting.
3. With regard to the application of **Romance Florist**, a motion was made by Mr. Matthews, seconded by Mr. Lucibello and approved by a vote of 6-0 to approve a resolution memorializing the action taken by the Board at its October 16, 2007 meeting.

CERTIFICATE OF COMPLIANCE PLAN REVIEW

1. With regard to the application of **Beaks and Feathers, LLC**, Ralph E. Faasse, Esq. appeared as attorney together with Rachel Riccardi, owner of the applicant and Frank Muscara, representative of the property owner. Chairman Garner and Mr. DeAugustines recused themselves with regard to this application. After being sworn, Ms. Riccardi and Mr. Muscara testified that the applicant proposes to lease approximately 340 square feet in the subject premises for the operation of a retail store selling food, cages and toys for pet birds. No live birds would be sold at the premises. One employee would be required for the operation of the business. Two on-site parking spaces would be allocated to the applicant and 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 6-0 to grant the application for certificate of compliance plan review subject to preparation of a memorializing resolution by the Board attorney.
2. With regard to the application of **Vilardi Kitchen Designs, LLC**, Pietro Vilardi, owner, and Anthony Giammanco, general manager, 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 a kitchen cabinet manufacturing business. No showroom would be located at the site. Three employees would work at the premises. No products or equipment would be stored on the outside of the premises. Five on-site parking spaces would be allocated to the applicant by lease and 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.
3. With regard to the application of **Leggio's Gourmet LLC**, Nilufer O. DeScherer, Esq. appeared as attorney together with Joseph Leggio, owner of the applicant. After being sworn, Mr. Leggio testified that the applicant proposes to lease approximately 3600 square feet in the subject premises for the operation of an olive oil bottling business. Olive oil would be processed by the infusion of herbs and bottled for wholesale distribution. Two employees would be required for the operation of the business. No retail sales would be conducted at the site and no products or equipment would be stored on the outside of the premises. Four on-site parking spaces would be allocated to the applicant by lease and 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.
4. With regard to the application of **Empire Video Plus, LLC**, no one appeared on behalf of the applicant.

OLD BUSINESS – None

NEW BUSINESS

1. With regard to the application of **William J. Sikkema**, James T. Bryce, Esq. appeared as attorney for the applicant for work session review of the application. He advised the Board that his client is seeking approval of a minor subdivision consisting of a lot line adjustment between contiguous parcels owned by the applicant. The purpose of the lot line adjustment is to make proposed Lot 14 on the subdivision map submitted by the applicant a conforming lot with regard to the lot area requirement in the I-1 Zone. No development is proposed by the applicant as part of the subdivision application. Approval of the subdivision would not require the granting of any new variance relief. Board engineer John Pacholek's report dated October 5, 2007 deemed the application complete as to engineering review. The hearing was opened for public comment. James Dusenberry, 81 Roosevelt Avenue, advised the Board that he had no objection to the subdivision but questioned the impact of a possible sale of proposed Lot 13 on the parking arrangements for the present tenant in proposed Lot 14. The hearing was adjourned to the Board's December 18, 2007 meeting for the applicant's formal hearing and presentation of testimony.
2. With regard to the application of **PRT Realty, L.P.**, Ralph E. Faasse, Esq. appeared on behalf of the applicant together with Bruce D. Rigg, P.E., the applicant's engineer and Edward Easse, RA, the applicant's architect, for work session review of the application. Mr. Faasse advised the Board that his client is seeking site plan review and variances for a proposed renovation of the applicant's existing building to include removal of half of the existing structure and the addition of a second story to the remaining portion of the building. The renovated premises would be occupied by a warehouse and storage for a plumbing/heating/air conditioning contractor on the first floor and offices on the second floor. Mr. Faasse indicated that variances would be required for 9' x 18' parking spaces and parking spaces in front of the building setback line. Discussion also took place regarding the possible need for a variance for building coverage based on interpretation of different provisions of the borough zoning ordinance. Mr. Monaghan will research the issue and report his opinion to the Board. Mr. Faasse noted that the application included plans submitted by Mr. Rigg as the applicant's engineer and Mr. Easse as the applicant's architect. Board engineer John Pacholek submitted a report dated November 14, 2007. The Board indicated that it had no objection to the waivers requested by the applicant from the checklist items noted in Paragraph 11a and 11b of Mr. Pacholek's report. Discussion took place regarding the need for a Traffic Impact Study as recommended by Mr. Pacholek. The Board directed Mr. Monaghan to request the review of the application by the Police and Fire Departments particularly with regard to the necessity for a traffic study. Further clarification will also be required with regard to parking requirement calculations since the applicant proposes to include off-site parking spaces. The hearing was opened for public comment without response. The application was then continued to the December 18, 2007 Board meeting.
3. With regard to the application of **M & P Foreign Used Cars II, Inc.**, Ralph E. Faasse, Esq. appeared as attorney for the applicant together with Edward A. Easse, the

applicant's architect. Mr. Faasse indicated that the applicant is the contract purchaser of the subject property and is seeking site plan approval for the continuation of the existing use of the site as a used car dealership. The applicant proposes to demolish an existing garage, re-pave and re-stripe the parking lot and install new lighting. Mr. Faasse stated that County Planning Board approval is not required because no new curb cuts are proposed. After questions by Board members, Mr. Easse agreed to submit a revised lighting plan. After brief discussion, the Board agreed to continue the application to the December 4, 2007 Board meeting.

PUBLIC

The meeting was then opened for public comment without response.

The meeting was then adjourned at 9:30 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 flourish at the end.

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