

## **Hawthorne Planning Board Minutes of April, 2010 Regular Meeting**

The April, 2010 regular meeting of the Hawthorne Planning Board was called to order on April 20, 2010 at 7:31 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 Vice Chairman Lucibello 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 Ms. DiMattia, the Board approved the minutes of the March regular meeting and April work session.

### **CORRESPONDENCE**

1. Mr. Monaghan reported the receipt of a letter dated April 7, 2010 from the Board engineer notifying the Board of the filing of an application with NJDEP for the replacement of sanitary sewer mains along Goffle Hill Road and Sicomac Road.

### **BILLS**

1. A motion was made by Mr. Matthews, seconded by Mr. Kowalski, and approved by a vote of 7-0 to approve payment of a bill of the Hawthorne Press for Invoice No. 986453 in the amount of \$57.72.

### **RESOLUTIONS**

1. With regard to the application of **Vinovative, LLC**, a motion was made by Mayor Goldberg, 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 April 6, 2010 meeting.

### **CERTIFICATE OF COMPLIANCE PLAN REVIEW**

1. With regard to the application of **Napoli Pizza**, Tea Gambino, owner, appeared on behalf of the applicant. After being sworn, she testified that the applicant proposes to lease the subject premises as a pizzeria for delivery and takeout with four tables on the premises. Six on-site parking spaces are available. The site previously received approval for a pizzeria. No exterior changes to the premises are proposed. A motion

was then made by Mayor Goldberg, 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.

2. With regard to the application of **Inserra Pizza**, Charles Inserra, owner, appeared on behalf of the applicant. After being sworn, he testified that he proposes to lease the premises formerly occupied by a massage therapist as a pizzeria for takeout and delivery. No tables would be located on the premises. Three employees would be required for the operation of the business. Four on-site parking spaces would be allocated to the applicant by lease and no exterior changes to the premises are proposed. Mr. Monaghan advised the board that his research of the initial use variance approval for the site did not reveal any prohibition against food service establishments. A motion was then made by Mr. Ruta, seconded by Mr. Kowalski 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 **New Beginnings Wellness Center**, Nancy L. Pianfetti, owner, appeared on behalf of the applicant. After being sworn, she testified that the applicant proposes to lease a portion of the subject premises for the operation of a therapy center including massage therapy, stress therapy, New Age and holistic therapies with a medical doctor on staff. The doctor would also see her own patients at the center. Ms. Pianfetti indicated that she will be the office manager as well as a therapist and will rent space to other therapists. Her lease, which is contingent on approval of this application, would allocate eight on-site parking spaces. The hearing was opened for public comment. Ralph E. Faasse, Esq. appeared as attorney for Hawthorne Family Practice, one of the present tenants in the building. He questioned Ms. Pianfetti regarding the physician who apparently intends to move her practice into the subject premises as well as the number of parking spaces at the site. He called as a witness, Anne Capirossi, practice manager for Hawthorne Family Practice. After being sworn, she testified that twenty-four parking spaces are allocated to Hawthorne Family Practice by lease. She stated that a card had been received at the office from Dr. Lisa Cannon announcing the opening of her office at the premises. She indicated that two boats and two trailers were parked on the premises and that a total of 40 parking spaces were available at the site. After further discussion regarding parking at the site, a motion was made, seconded and unanimously approved to adjourn the hearing until the May 18, 2010 Board meeting to allow the applicant to contact the landlord to attempt to clarify the parking issues.

**OLD BUSINESS** – None

**NEW BUSINESS**

1. The Board conducted a review of proposed Ordinance 2013-10 which was forwarded to the Board pursuant to the Municipal Land Use Law. Mayor Goldberg indicated that the

purpose of the proposed ordinance is to control the hours of operation of businesses located in residential zones. In response to a question regarding the effect of the proposed ordinance on existing businesses, Mayor Goldberg noted the inclusion of a "grandfather clause" in the ordinance restricting its application against established businesses. A motion was then made by Mr. Ruta, seconded by Mr. DeAugustines and approved by a vote of 6-0 with one abstention to recommend the adoption of proposed Ordinance 2013-10 as drafted and to direct the Board secretary to forward a letter to the governing body accordingly.

**PUBLIC**

The meeting was then opened for public comment without response.

The meeting was then adjourned at 8:35 P.M.

Respectfully submitted,



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