

Hawthorne Planning Board Minutes of July, 2010 Regular Meeting

The July, 2010 regular meeting of the Hawthorne Planning Board was called to order on July 20, 2010 at 7:35 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, Mr. DeAugustines, Mr. Kowalski and Mrs. Forshay 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 Ms. DiMattia and seconded by Mayor Goldberg, the Board approved the minutes of the June regular meeting and July work session.

CORRESPONDENCE – None

BILLS

1. A motion was made by Mr. Matthews, seconded by Mr. Ruta and approved by a vote of 5-0 to approve payment of a bill of the Hawthorne Press for Invoice No. 986627 in the amount of \$33.54.

RESOLUTIONS

1. With regard to the application of **Goffle & Hawthorne LLC**, a motion was made by Ms. DiMattia, seconded by Mr. Ruta and approved by a vote of 3-0 to approve a resolution memorializing the action taken by the Board at its June 15, 2010 meeting.
2. With regard to the application of **Well Read L,L,C**, a motion was made by Mr. Matthews, seconded by Ms. DiMattia and approved by a vote of 5-0 to approve a resolution memorializing the action taken by the Board at its July 6, 2010 meeting.

CERTIFICATE OF COMPLIANCE PLAN REVIEW

1. With regard to the application of **Masse Marketing Corp.**, Kris Rangachari, owner, appeared on behalf of the applicant. After being sworn, he testified that the applicant is seeking an amendment to the present certificate of compliance to add a delicatessen for take-out cold cut sandwiches to be known as C & C Deli. The applicant has received

approval from the Board of Health and the deli use is permitted in the zone. No additional employees would be required for the operation of the deli and no exterior changes to the premises are proposed. A motion was then made by Mr. Ruta, seconded by Mayor Goldberg and approved by a vote of 5-0 to grant the application for an amended certificate of compliance plan subject to preparation of a memorializing resolution by the Board attorney.

OLD BUSINESS

1. With regard to **JTR Family Realty LLC**, Mr. Monaghan reported the receipt of a letter dated July 15, 2010 from the property owner requesting an extension of the temporary certificate of compliance previously granted to the property owner for use by specific tenants. The letter indicated that the owner is continuing to market the property for sale. After brief discussion, a motion was made by Mayor Goldberg, seconded by Mr. Ruta and approved by a vote of 5-0 to grant a six-month extension of the temporary certificate of compliance commencing July 1, 2010 with the condition that no new or additional tenants are permitted to utilize the premises unless approved by the Board.
2. With regard to **Realty Acquisition Group, L.L.C.**, Mr. Kelly distributed copies of a letter dated July 19, 2010 in response to the Board's questions regarding the submission of a revised lighting plan by the applicant. The Board requested that Mr. Kelly provide copies of the revised plans to Board members and that the applicant be requested to appear at a future Board meeting for review of the plans by the Board.

NEW BUSINESS

1. With regard to the application of **Churchill Furniture, LLC**, Ralph E. Faasse, Esq. appeared as attorney for the applicant. He made an opening statement in which he indicated that the applicant is seeking site plan approval for the construction of two additions to the applicant's existing commercial building. Mr. Monaghan noted the receipt of a report from Board engineer Michael J. Kelly dated July 12, 2010.

Mr. Faasse called as his first witness Martin Rosen, general manager of the applicant. After being sworn, he testified that he is also the project manager for the proposed additions. He stated that he has been employed by the applicant for ten years. The applicant is the sole occupant of the subject building which is used as a retail store, warehouse and office for the applicant's furniture business. He stated that the existing use of the site will be continued with no increase in the number of employees anticipated. He advised the Board that the retail business at the site is minimal. In response to an issue raised by the Board engineer in his report, Mr. Rosen indicated that the need for outdoor storage of products would be eliminated if the application is approved, and that the applicant would agree to a prohibition against outdoor storage as a condition of approval.

Mr. Faasse called as his next witness Bruce D. Rigg, PE, LS, PP, the applicant's engineer. After being sworn, he was permitted to testify as an expert witness. He indicated that he prepared the site plan documents submitted in support of the application. He stated that the applicant's proposal would add approximately 16,000 square feet to the footprint of the existing building. He advised the Board that although two pre-existing non-conformities, namely side yard setback and parking space size, were present on the site, no new variances were created by the applicant's proposal. The site plan provides for 80 parking spaces where 72 spaces are required based on the number of employees. Mr. Rigg reviewed the waivers requested from the requirements of the site plan checklist. He stated that the site plan did not provide for any increase in impervious coverage or any change to the existing lighting at the site. With regard to Mr. Kelly's report, he agreed to comply with paragraphs 9, 11, 12 and 13. With regard to paragraph 10, he indicated that the applicant is the owner of an L-shaped parcel shown as Lot 29.01 on the Tax Map.

Mr. Faasse called as his next witness Edward A. Easse, the applicant's architect. After being sworn, he was permitted to testify as an expert witness. He indicated that he prepared the architectural plans submitted in support of the application. He described the plans for each of the two proposed additions. The façade would be split faced concrete block to match the existing building. The rear addition would create additional permanent storage space. Three loading docks would be added to the building. The second floor of the front addition would be utilized as a large showroom.

Mr. Kelly advised the Board that he had no objection to granting the waivers requested by the applicant.

The hearing was opened for public comment without response.

After brief discussion, a motion was made by Mr. Matthews, seconded by Mayor Goldberg and approved by a vote of 5-0 to approve the application for site plan approval subject to preparation of a memorializing resolution by the Board attorney.

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