

## **Hawthorne Planning Board Minutes of May, 2009 Work Session**

The May 5, 2009 meeting of the Hawthorne Planning Board was called to order at 7:35 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 Mr. DeAugustines were present as well as Board engineer Michael J. Kelly, 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.

1. With regard to the application of **Caring Solutions Home Care, LLC**, Pamela Del Colle, RN, and Mario Galdi, building owner, appeared on behalf of the applicant. After being sworn, they testified that the applicant proposes to lease a portion of the subject premises as an office for a health care service firm engaged in the placement of certified home health aides. One employee would work at the office which is located within the offices of Galdi Mechanicals Corp., the major tenant in the building. Fourteen on-site parking spaces are available at the premises and 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 **Stadium Roar**, Ted Galdi, co-owner and Mario Galdi, building owner, appeared on behalf of the applicant. After being sworn, they testified that the applicant proposes to lease a portion of the subject premises as an office for a website business which uses computers for the booking of athletic facilities. Two employees would operate the business which is located within the offices of Galdi Mechanicals Corp., the major tenant in the building. Fourteen on-site parking spaces are available at the premises and 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.
3. With regard to the application of **JDC Motorwerkz**, Christopher Cruz, Jonathan Barnes and Dennis Elguera, partners, 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 automotive maintenance business specializing in emissions repair and electrical diagnostics. The existing Getty gasoline station would remain and the applicant would utilize the two-bay garage. Three employees would be required for the operation of the business. A motion was then made by Vice Chairman Lane, 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 with the conditions that the parking lot will be cleaned

up and repaired including grading and filling of potholes, the building will be cleaned up including interior painting and no outside storage of vehicles, products or equipment is permitted.

4. With regard to the application of **Wilpage Inc.** (29B Ethel Avenue), Sylvester Abruzzo, corporate secretary and co-owner appeared on behalf of the applicant. After being sworn, he testified that the applicant proposes to lease the subject premises as a warehouse for the receipt, storage and shipment of durable medical equipment including power wheelchairs. One employee would work at the site. No retail sales would be conducted at the site and the applicant's business does not include rentals. Three on-site parking spaces are available and no exterior changes to the premises are proposed. A motion was then made by Vice Chairman Lane, seconded by Mayor Goldberg 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 condition that no outside storage of products or equipment is permitted.
5. With regard to the application of **Wilpage Inc.** (146 Genevieve Avenue), Sylvester Abruzzo, corporate secretary and co-owner appeared on behalf of the applicant. After being sworn, he testified that the applicant proposes to lease the subject premises as an office and repair shop in connection with its business as a provider of durable medical equipment including power wheelchairs. Two employees would work at the premises. One on-site parking space is available at the premises. The applicant proposes to erect a portable wheelchair ramp at the site. A motion was then made by Mayor Goldberg, 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 with the conditions that no outside storage of products or equipment is permitted and the portable wheelchair ramp to be erected by the applicant shall be ADA compliant and shall be removed upon the vacation of the premises by the applicant.
6. With regard to the application of **Warehouse 18 Inc.**, Jack Scaba, president, appeared on behalf of the applicant. After being sworn, he testified that the applicant proposes to expand its business into space previously occupied by the American Canine Academy. The space would be used for re-packaging products for shipping. No additional employees would be required for the expansion. No exterior changes to the premises are proposed. A motion was then made by Mr. Lucibello, 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.
7. With regard to the application of **Citywide Towing Inc.**, Frank Thissen, owner and Jack Scaba, property owner, appeared on behalf of the applicant for the continuation of the hearing commenced at the Board's March work session. Mr. Monaghan noted that the applicant had submitted copies of a survey of the subject property but Board

members indicated that the proposed location for the storage of vehicles was not shown on the survey. Board engineer Michael Kelly advised the Board that if the applicant proposes to store vehicles in a flood hazard area, NJDEP approval is required. A motion was then made, seconded and unanimously approved to adjourn the hearing to the July 7, 2009 Board meeting for the applicant to submit a scaled drawing showing the proposed location of the vehicles to be stored on the property.

8. With regard to the application of **Empire Video Plus LLC**, Janet Nadeau, owner, appeared on behalf of the applicant. Mayor Goldberg noted that the application appears to violate the Borough's general prohibition against outdoor dining. A motion was then made, seconded and unanimously approved to adjourn the hearing until the June work session for a determination as to the proper jurisdiction for the application.
9. With regard to the application of **Hawthorne Auto Mart**, Fawaz Kurdi, owner and Thomas Gould, representative of U-Haul, appeared on behalf of the applicant. After being sworn, they testified that the applicant proposes to provide U-Haul truck rentals in addition to the gasoline service station, mini-mart and garages on the premises. Based on review of the sketch plan submitted by the applicant, Board members questioned the condition of the parking area and raised a concern as to whether the rental trucks would be parked in an orderly fashion. A motion was then made, seconded and unanimously approved to adjourn the application until the June work session for submission by the applicant of a detailed parking plan including the surface to be used and a diagram of the proposed arrangement of the vehicles.

### **OLD BUSINESS**

1. With regard to the application of J.F.W. Homes, Inc., Mr. Monaghan reported the receipt of a letter from the Passaic County Planning Board granting final approval to the applicant's subdivision plan.

### **NEW BUSINESS**

1. At the request of the Board, Borough Attorney Michael J. Pasquale gave the Board an overview of the Housing Element/Fair Share Plan to be considered at the May 19, 2009 meeting for adoption as an amendment to the Master Plan. Mr. Pasquale reviewed the Borough's history with Rounds 1 and 2 of COAH approval. With regard to Round 3, he indicated that COAH has assigned a "growth share" of 117 units of affordable housing to Hawthorne based on its assumptions of growth. The plan to be considered by the Board, prepared by Borough planner Joseph Burgis, proposes a growth share of 12 units, but based on credits for group homes identified in the Borough, Mr. Burgis concludes that Hawthorne has a net credit of 13 units. The formal presentation of the proposed amendment will be made at the May regular meeting.

**PUBLIC**

The meeting was then opened for public comment. James Dusenberry suggested that a representative of the Building Department should attend Planning Board meetings.

The meeting was then adjourned at 9:37 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  
Board Attorney/Secretary