

Hawthorne Planning Board Minutes of September, 2010 Regular Meeting

The September, 2010 regular meeting of the Hawthorne Planning Board was called to order on September 21, 2010 at 7:33 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. Ruta 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. Matthews and seconded by Vice Chairman Lucibello, the Board approved the minutes of the August regular meeting and September work session.

CORRESPONDENCE – None

BILLS

1. A motion was made by Mr. DeAugustines, 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. 986740 in the amount of \$23.40.

RESOLUTIONS

1. With regard to the application of **D.S. Meyer Enterprises, L.L.C.**, a motion was made by Mr. DeAugustines, seconded by Ms. DiMattia and approved by a vote of 7-0 to approve a resolution memorializing the action taken by the Board at its August 17, 2010 meeting.
2. With regard to the application of **Total Acupuncture, LLC**, a motion was made by Mayor Goldberg, seconded by Mr. Kowalski and approved by a vote of 7-0 to approve a resolution memorializing the action taken by the Board at its August 17, 2010 meeting.
3. With regard to the application of the **Law Offices of Peter J. Lamont**, a motion was made by Ms. DiMattia, seconded by Mr. Matthews and approved by a vote of 6-0 to approve a resolution memorializing the action taken by the Board at its September 7, 2010 meeting.

4. With regard to the application of **MVS USA, Inc.**, a motion was made by Vice Chairman Lucibello, seconded by Mr. Matthews and approved by a vote of 6-0 to approve a resolution memorializing the action taken by the Board at its September 7, 2010 meeting.
5. With regard to the application of **Gelateria Vivi**, a motion was made by Vice Chairman Lucibello, seconded by Mr. DeAugustines and approved by a vote of 6-0 to approve a resolution memorializing the action taken by the Board at its September 7, 2010 meeting.
6. With regard to the application of **Hawthorne Mower**, a motion was made by Mr. Matthews, seconded by Mr. DeAugustines and approved by a vote of 6-0 to approve a resolution memorializing the action taken by the Board at its September 7, 2010 meeting.
7. With regard to the application of **Hawthorne Farmer's Marketown LLC**, a motion was made by Mr. Matthews, seconded by Vice Chairman Lucibello and approved by a vote of 5-0 to approve a resolution memorializing the action taken by the Board at its September 7, 2010 meeting.
8. With regard to the application of **All Seasons Dining & Catering**, 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 September 7, 2010 meeting.

CERTIFICATE OF COMPLIANCE PLAN REVIEW

1. With regard to the application of **Eric's Auto Sales**, Eric Gensinger, owner of the applicant appeared together with Rosemarie Spinelli-Drenth, representative of the property owner. After being sworn, Mr. Gensinger testified that he proposes to lease the subject premises for the operation of a retail used car dealership. Mr. Gensinger and his sister would operate the business. No mechanical or repair work would be performed on the site. The applicant would remodel the interior and exterior of the existing trailer on the site to make it appear to be a permanent structure and would make sanitary sewer and water connections to the property. No streamers, banners or LED signs would be displayed on the property. After discussion, the applicant agreed that a maximum of thirty cars would be parked on the premises.

Mr. Monaghan noted the receipt of a letter from Ms. Spinelli-Drenth indicating her failure to reach an agreement on lease terms with the prior applicant who received approval from the Board for a substantially identical use at the August 17, 2010 Board meeting. Mayor Goldberg confirmed that he had spoken to the prior applicant who advised that he wished to withdraw his application.

A motion was then made by Mayor Goldberg, seconded by Mr. DeAugustines and approved by a vote of 7-0 to grant the application for temporary certificate of compliance subject to preparation of a memorializing resolution by the Board attorney with the following conditions: the applicant must obtain a used car dealer's license from the governing body; a maximum of thirty cars are permitted to be parked on the premises; no streamers, banners or LED signs are permitted on the premises; no mechanical or repair work is permitted on the premises; no outside storage is permitted with the exception of the vehicles offered for sale; no access from the premises directly onto Wagaraw Road other than from the existing driveway is permitted; the temporary certificate of compliance will expire on December 31, 2010 unless the applicant requests the issuance of a permanent certificate of compliance based on receipt of a license from the governing body and completion of improvements to the existing trailer, including sanitary sewer and water connections to the site.

OLD BUSINESS

1. With regard to **Warehouse 18**, Mr. Monaghan reported the receipt of a letter from the property owner regarding possible use of additional space in the premises. The Board directed Mr. Monaghan to advise the property owner that a certificate of compliance application with an appearance before the Board would be required.

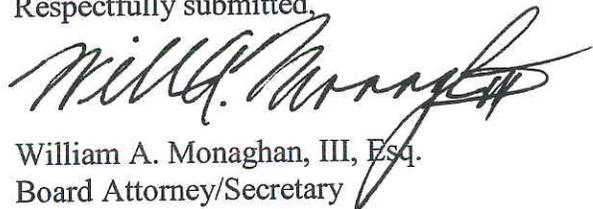
NEW BUSINESS – None

PUBLIC

The meeting was then opened for public comment. James Dusenberry questioned the basis for the restrictions on the morning business hours of Gimmee Jimmy's Cookies.

The meeting was then adjourned at 8:40 P.M.

Respectfully submitted,



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