

Hawthorne Planning Board Minutes of April, 2010 Work Session

The April 6, 2010 meeting of the Hawthorne Planning Board was called to order at 7:32 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. Kowalski 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 **Vinovative, LLC**, Arthur Wozniak, managing member appeared on behalf of the applicant. After being sworn, he testified that the applicant proposes to lease a portion of the subject premises as a warehouse and office for a wine distribution business. Two employees would be required for the operation of the business. No retail business would be conducted at the premises. Approximately five to seven pallets of wine would be stored inside the premises with no outside storage. Three on-site parking spaces would be allocated to the applicant by lease. No exterior changes to the premises are proposed. 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 certificate of compliance plan review subject to preparation of a memorializing resolution by the Board attorney.

OLD BUSINESS

1. With regard to the application of **Shotmeyer Brothers Inc.**, Mr. Monaghan noted that the applicant had submitted a partial site plan which had been reviewed by the Board engineer, who submitted a report to the Board. Mr. Monaghan distributed to Board members and read into the record a letter dated April 6, 2010 received from the applicant's attorney. The letter indicated that, based on the recent adoption of Ordinance 2007-10, the Planning Board no longer has jurisdiction of the application. The applicant therefore withdraws the application. The letter also represents that all tires will be removed from the premises no later than September 30, 2010. Mayor Goldberg confirmed that the administration will continue to monitor the site for compliance with fire code and other applicable standards and that measures for mosquito control will be undertaken.

NEW BUSINESS

1. Mr. Monaghan requested input from the Board regarding the use of the property located at 218 Wagaraw Road, formerly a used car lot, as a parking lot for a towing company. The consensus of the Board was that the proposal would require a use variance under the recently enacted outside storage ordinance.

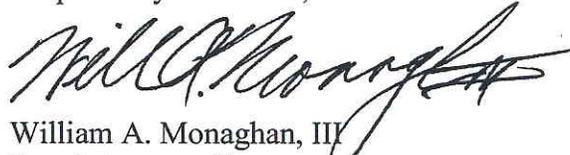
2. Mr. Monaghan reported the receipt of an inquiry regarding retail use incidental to a warehouse/commercial business at the recently approved industrial condominium project developed by Realty Acquisition Group, LLC. The Board expressed opposition based on traffic concerns as well as the nature of the proposed uses described by the applicant during the hearings.

PUBLIC

The meeting was then opened for public comment. James Dusenberry questioned the Board's expressed opposition to retail use at the Realty Acquisitions project in light of the recent approval of retail incidental to a commercial use near his residence. He was advised that the situations were addressed on a case by case basis and that the circumstances of the two sites were not identical and could not be treated identically.

The meeting was then adjourned at 7:55 P.M.

Respectfully submitted,



William A. Monaghan, III
Board Attorney/Secretary