

Hawthorne Planning Board Minutes of April, 2014 Work Session

The April 1, 2014 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. 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.

CORRESPONDENCE – None

CERTIFICATE OF COMPLIANCE PLAN REVIEW

1. With regard to the application of **Fragrance USA Inc.**, Edward A. Easse, the applicant's architect appeared and advised the Board that his client was unable to appear and requested an adjournment. A motion was made, seconded and unanimously approved to carry the application to the May 6, 2014 Board meeting.

2. With regard to the application of **Metropolitan Day Spa**, Ralph E. Faasse, Esq. appeared as attorney for the applicant together with Edward A. Easse, the applicant's architect and planner and Zora Agheli-Kassai, principal of the applicant and the property owner. They testified that the applicant proposes to construct a hair, nail and facial salon within the footprint of the existing building on the site which presently contains a printing business also owned and operated by the same individuals. The salon would consist of approximately 1,182 square feet. Three or four employees would be required to operate the salon. No massage services as defined in the applicable borough ordinance would be offered at the spa. Twenty-nine on-site parking spaces are available. Twelve spaces would be allocated to the existing printing business and the remaining spaces to the spa. Although the building footprint would not change, a new façade and roof line would be added to transform the appearance of the structure. A motion was then made by Mr. Matthews, 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 with the conditions that the applicant submit a revised floor plan to eliminate the designation of "massage room" and that the applicant install or restore a "No Left Turn" sign at the egress from the site.

OLD BUSINESS

1. With regard to the application of **PWC TEC Mobile Marine LLC**, Mr. Monaghan reported the receipt of a letter from Adam J. Adrignolo, Esq., attorney for the applicant, withdrawing the application.

2. With regard to the application of **Nissan of Hawthorne, LLC**, Mr. Monaghan reported the receipt of a letter from David Carmel, Esq., attorney for the applicant, withdrawing the application.
3. With regard to the application of **J. Blanco Associates, Inc.**, no one appeared on behalf of the applicant. Frederick Roughgarden, Esq. appeared as attorney for the owners of Units 5, 6 and 7 at the subject industrial condominium development. Mr. Roughgarden presented as witnesses Christopher Carione and George Stamos, owners of Unit 7. After being sworn, they presented five photographs taken in December, 2013 depicting material stacked in the parking lot by the applicant. They testified that the applicant's products and materials are stored in common areas and that some fabrication activities occur in the parking lot. They advised the Board that the applicant's activities outside of his premises violate the by-laws of the condominium association. They also expressed concern regarding safety and liability issues arising out of the applicant's use of the common areas. After lengthy discussion regarding responsibility for enforcement of certificate of compliance violations, a motion was made by Vice Chairman Lucibello, seconded by Mr. Matthews and approved by a vote of 7-0 to deny the application for amended certificate of compliance approval based on the applicant's failure to appear as well as the general prohibition against outside storage in the Borough ordinance. Mr. Monaghan was also directed to send a letter to the applicant advising of the denial and the possibility of formal enforcement action.

NEW BUSINESS

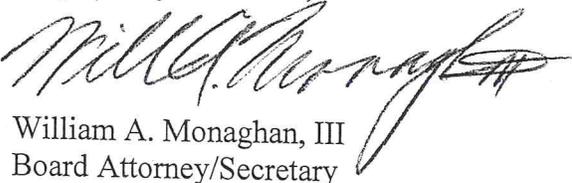
1. Mr. Monaghan distributed copies of Borough Ordinance No. 2112-14 which will be introduced at the Municipal Council meeting on April 2, 2014. Mayor Goldberg gave an overview of the two new zones which would be created by the proposed ordinance. The B-3 and B-3A Zones would be located along Goffle Road from Lafayette Avenue to the Wyckoff border and at the southern end of Goffle Road near the Prospect Park border. The general purpose of the new zones is to discourage residential development and encourage certain types of commercial development in the specified areas. The new ordinance would also repeal the ordinances which are the subject of pending litigation. The ordinance will be reviewed at the April 15, 2014 Board meeting at which time the Borough planner is expected to offer his input on the proposed zone changes.

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
Board Attorney/Secretary