

## **Hawthorne Planning Board Minutes of November, 2009 Regular Meeting**

The November, 2009 regular meeting of the Hawthorne Planning Board was called to order on November 24, 2009 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. Ruta and Ms. DiMattia 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 Vice Chairman Lane and seconded by Mr. Lucibello, the Board approved the minutes of the October regular meeting and November work session.

### **CORRESPONDENCE**

1. Mr. Monaghan reported the receipt of a copy of a letter dated November 6, 2009 from COAH indicating that no objections were received to the Borough's petition for substantive certification.
2. Mr. Monaghan reported the receipt of copies of two letters, dated November 10, 2009 and November 17, 2009 respectively, from Board engineer Michael J. Kelly to Realty Acquisition Group, L.L.C. regarding proposed changes to the drainage layout and landscaping plan. The Board requested that in the future, copies of similar letters be provided to Board members on receipt rather than at Board meetings so that members can review any proposed changes and discuss any issues with the Board engineer at the following meeting.

### **BILLS**

1. A motion was made by Mr. Matthews, 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. 986083 in the amount of \$38.22.

### **RESOLUTIONS**

1. With regard to the application of **La Toscana**, a motion was made by Mr. Lucibello, seconded by Mr. DeAugustines and approved by a vote of 5-0 to approve a resolution memorializing the action taken by the Board at its meeting on October 20, 2009.
2. With regard to the application of **Halobright, Inc.**, a motion was made by Mayor Goldberg, seconded by Mr. Lucibello and approved by a vote of 4-0 to approve a

resolution memorializing the action taken by the Board at its meeting on November 10, 2009.

3. With regard to the application of **The Knead-U-Need**, a motion was made by Mayor Goldberg, seconded by Mr. Lucibello and approved by a vote of 5-0 to approve a resolution memorializing the action taken by the Board at its meeting on November 10, 2009.
4. With regard to the application of **The Red Ribbon Pretzel Co., Inc.**, a motion was made by Mayor Goldberg, seconded by Vice Chairman Lane and approved by a vote of 5-0 to approve a resolution memorializing the action taken by the Board at its meeting on November 10, 2009.

### **CERTIFICATE OF COMPLIANCE PLAN REVIEW**

1. With regard to the application of **A.W. Peller & Associates, Inc.**, Allan W. Peller, president, appeared on behalf of the applicant. After being sworn, he testified that the applicant proposes to lease approximately 3,000 square feet at the subject premises as a warehouse/office for the operation of a mail order business engaged in the sale of educational materials to schools and libraries. The business has been operated at other locations in Hawthorne for approximately 32 years. The site would be shared with another office/warehouse business. No retail business would be conducted at the premises. Twelve on-site parking spaces are available. 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.
2. With regard to the application of **Viper Communications**, Jody Gonzales, one of the owners, appeared on behalf of the applicant. After being sworn, she testified that the applicant proposes to lease approximately 2,000 square feet at the subject premises as an office/warehouse for the operation of a business telephone system sales company. The site would be shared with another office/warehouse business. Sales are conducted by telephone and internet with no retail business conducted at the premises. Three employees would be required for the operation of the business. Twelve on-site parking spaces are available. No exterior changes to the premises are proposed. A motion was then made by Vice Chairman Lane, 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 **JTR Family Realty, LLC**, Mr. Monaghan distributed copies of a letter dated November 23, 2009 sent to the applicant regarding the expiration of the applicant's temporary certificate of compliance. The Board directed

Mr. Monaghan to request enforcement action by the Construction Official if no response is received by the Board's December 15, 2009 meeting.

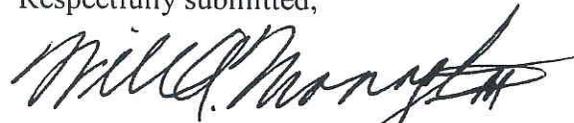
**NEW BUSINESS** – None

**PUBLIC**

The meeting was then opened for public comment without response.

The meeting was then adjourned at 8:20 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William A. Monaghan, III". The signature is written in a cursive, flowing style.

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