

Hawthorne Planning Board Minutes of September Regular Meeting

The September 20, 2022 regular meeting of the Hawthorne Planning Board was called to order at 7:00 P.M. by Chairman Garner. After recital of the Pledge of Allegiance, Chairman Garner called the roll. All members and alternates were present as well as attorney Darryl Siss, Esq. and secretary Janice Patmos. Absent from the meeting were Vice Chairman Lucibello and Board engineer Michael J. Kelly. Mr. John Yakimik replaced Mr. Kelly as Board engineer. Chairman Garner announced that the 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 Mr. DeAugustines the Board approves the minutes of the September work session.

CORRESPONDENCE-None

BILLS-

1. A motion made by Mayor Lane and second by Ms. DiMattia, and approved by a vote 7-0 to approve payment of the bills of the North Jersey Media Group for invoice No. 0005392482 in the amount of \$10.80 and invoice number 000540309 in the amount of \$13.95.

RESOLUTION-None

CERTIFICATE OF COMPLIANCE PLAN REVIEW

1. With regard to the application of D'Carbon Restaurant, Ana Ayme owner appeared together with Edward A Easse, R.A. the applicant's architect and planner. After being sworn, Mr. Easse then gave an overview of the application. His client proposes to renovate the interior only of the existing restaurant located at 142 Goffle Road. His client plans on modernizing the kitchen with state-of-the-art equipment. They will be removing 2 nonbearing walls for a better flow and an area to sit while you are waiting to be seated. The occupancy will stay the same. The restaurant had an extensive renovation after a fire 7 years ago. There will be no changes to the outside of the building or to the parking lot, which will be for their employees and customers only.

Ms. Ayme then gave testimony; she has 12 years' experience as an owner in the restaurant business 22 years as a manager. She has 2 other very successful restaurants one in Paterson and the other in Woodland Park. Hours of operation will be Monday through Thursday 11:30 AM to 12:00 PM, Friday, Saturday and Sunday 12:00 PM to 1:00 AM. Mr. Matthews and Mayor Lane questioned the closing time on Sunday, Mr. DeAugustines stated that they are governed by the liquor license, which allows a 3:00 AM closing time, our ordinance under the liquor license states the same. She will have 9 employees. Deliveries are made by small trucks before the restaurant is open. The restaurant has 2 levels, the upper level is the main dining area with an occupancy of 120 people in the dining area and 38 people at the bar area. The lower level has an occupancy of 70 people and is primarily used for reservations and events. With the new hood system there will be no noise or odor. Mr. DeAugustines asked about the status of the liquor license, Ms. Ayme replied that she is in the process of purchasing it. Mr. Matthews asked Mr. Easse if this was the same hood filtration system as the one in Paterson, Mr. Easse replied it is an improvement over the one in Paterson. A motion was then made by Mr. Matthews seconded by Mayor 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.

NEW BUSINESS-None
OLD BUSINESS-

1. With regard to the application of 89 Ethel Ave., LLC, Edward Englehart, Esq. appeared as attorney for the applicant for the continuation of the hearing on the application for site plan approval. He made an opening statement that after last meeting they tried to satisfy all the requirements, all the items the Board had addressed. Mr. Englehart introduced a letter from the railroad indicating a 5-year lease which is renewable every year. This was marked as exhibit A1.

Mr. Englehart called his next witness Mr. John Bleeker, the applicant's architect and planner. Mr. Bleeker made the necessary revisions and redirected the lighting along the driveway area. The lighting is adjustable and will be contained on their property with no spillage onto the neighboring properties. They did add wall pack fixtures along the driveway and onto the back of the building. They redirected the driveway from Roosevelt Avenue to Ethel Avenue opposite their own driveway so the tractor trailers could pull in and then back into the yard. Mr. Yakimik said it almost creates a cul-de-sac. This eliminates the tractor trailers going to the corner of Roosevelt Avenue. They have pulled the parking lot curb an additional 4' to make it 9 ½' from the property line and that allows all that vegetation to remain. They will not be adding any new vegetation in that area, they will use the natural vegetation along the rear property as the neighbor's suggested. When they reconfigured the driveway access, they reduced one of the Gazabos from 3 to 2. Mr. Englehart went over the comments on Boswell report in regards to the water run off and will comply. A discussion then took place among their professionals, the owner and the members of the Board over the truck traffic, loading and unloading of materials and hours of operations. Mayor Lane introduced pictures

with the date stamped on them that were taken by the neighbors. Mr. Siss marked them into evidence as B1. After reviewing the pictures, Mr. Englehardt stated one of the reasons for renting the back of the building is to remove all that storage on the side so trucks will have a better access to the driveway for loading and unloading. Mr. Bleeker commented by raising the roof on the building, it will allow more storage inside the building. This is the purpose of the application is to eliminate all that and to put trucks on site to deliver materials, loading and unloading which they are being restricted from doing now. Mr. Meier asked what is going to happen with all that material during construction? Mr. Yeneroglu replied, they are only doing one section at a time.

Mr. Yakimik thought it was appropriate to yield to the public at this time, his comments are limited to items that are not being discussed right now. Mr. Garner open it to the public and several neighbors came forward to discuss their concerns and safety issues.

Mr. Yakimik had a question for Mr. Bleeker in regards to the size of the vehicle he used for the maneuverability on the site plan. Mr. Yakimik wanted it on the record that it scales only to 50' rather than 55' as shown on your plan. He questioned why they did not use a 65' vehicle. Mr. Bleeker responded that it was his understanding the trailers were 55' not including the cab. Mr. Yakimik then proceeded to go over certain items from Boswell's report dated 9/14/22.

After a brief discussion among the board members, a motion was made by Mayor Lane, seconded by Mr. Matthews that the application before the board be denied; all were in favor.

PUBLIC

The meeting was then opened for public comment without response.
The meeting was then adjourned at 9:06.

Respectfully submitted,

Janice Patmos
Board Secretary

