

## **Hawthorne Planning Board Minutes of July, 2022 Regular Meeting**

The July 19, 2022 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, Board Secretary Janice Patmos called the roll. All members and alternates were present as well as attorney Darryl Siss, esq. secretary Janice Patmos and Board planner John Szabo. Absent from the meeting were Board engineer Michael J. Kelly, P.E., Board engineer John Yakimik, P.E. appeared in his absence. 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, seconded by Vice Chairman Lucibello the Board approved the minutes of the July work session.

### **RESOLUTIONS-**

1. With regard to the application of SPGM Hawthorne, LLC, a motion was made by Vice Chairman Lucibello, and seconded by Mayor Lane and approved by a vote 7-0 to approve a resolution memorializing the action taken b the Board at the June 7, 2022 meeting.
2. With regard to the application of Hye Tech Mechanical, LLC, a motion was made by Mr. Matthews, and seconded by Mr. DeAugustines and approved by a vote 7-0 to approve a resolution memorializing the action taken by the Board at the July 5, 2022 meeting.

### **BILLS**-None

### **CORRESPONDENCE** – None

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

1. With regard to the application of Apex Motors II DBA Apex Motors of Hawthorne, Mhrdad Manafi, owner, appeared on behalf of the applicant together with Edward A. Easse, R.A., the applicant's architect for the continuation of the hearing on the application. After being sworn, Mr. Easse has submitted and prepared a new plan after some discrepancy of what the lot was used for in the past, what proposed parking could be developed in a safe and orderly manner. What he did was took the original survey placed it on the left side of the sheet, we went out and verified the size of the building, all the lights, enclosures of fencing and transpose it on the proposed parking plan utilizing the ordinance that we have. They wanted to develop a safe and orderly manner to provide for car sales, in addition to having a designated area for ADA, the staff, and proposed customers. After talking to Mr. DeAugustines, in his experience with car dealership no more

than 2 deep is a safe way, number one to show a car or maneuver a car and also if you had to fight a fire. We will be utilizing the existing egress and ingress located at the south west side of the lot, keeping a 35' aisle way and came up with 39 cars. Parking 5 across on Goffle Road, 3 and 3 facing the back of the dinner and the majority of cars parked along Wagaraw Road. They have a designated area for their employees, customers and ADA requirements, they wanted to make sure to have a safe way to back out and get an emergency vehicle in there. We kept an ample distance with parking space # 34 so we can pull in and out safely with out moving it. They also wanted to make sure we have a dumpster location. There is an existing sign on the property which is going to be utilized. They feel 39 cars in the reconfiguration is a safe way, they don't believe any more cars would work. Mr. Siss asked if the applicant was willing to stripe this area, Mr. Easse replied yes. The Mayor asked without any curb there how will you delineate with regard to entrance and exit? Mr. Easse stated there are chains across on the poles they are going to maintain them. The Mayor also asked what kind of repairs will be done in the building.? Mr. Easse replied minor repairs, windshield wiper, flat tire, small remedial changes, a 1/3 of the building will be used for sales. The Mayor asked from that building will they transfer all the debris to the dumpster, Mr. Easse replied yes. Mr. Matthews asked what happens when a Garbage truck comes, Mr. Easse replied they will come on off hours and move the last spaces that's why they left 35'. Mr. Matthews asked are all cars going to be registered, reply yes, and you're not going to be taking any cars from the tow truck company next door, reply no. The Mayor asked if the applicant was going to fix up the building and he answered yes. A motion was then made by Mr. DeAugustines, seconded Ms. DiMattia and approved by a vote 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 following conditions: the parking lot will be striped, all vehicles will be parked in the striped spaces, no vehicles will be parked in the street, all vehicles on site will be owned and registered to the applicant and there will be no left turn out of the site onto Goffle Road.

2. With regard to the application of KCI, Inc., Wayne Duglin, executive vice president appeared on behalf of the applicant. After being sworn, he testified that he has been in business for over 40 years, We are a maintainer of network mainframe, we will be using the space as a warehouse and shipping location for small parts out to field services an administration office for people that work in the area. They only have 7 employees for this office and most of which work out of thier homes. Mr. Siss asked if they were taking the whole building, Mr. Duglin replied, no we are just taking 5000 sq ft. of the lower level. They will be tenant B. Vice Chairman Lucibello asked what type of deliveries do you get at this location, Mr. Duglin replied FX, small packages, very rarely do they get anything from a box truck., equipment these days are a lot smaller they come in what we call a pizza box, that's one of the reasons we are downsizing. Mr. DeAugustines questioned if they need more parking would they park on the street? The applicant replied that on Mondays they have meetings with about 5 people, the rest of the

time there would be 2 or 3 people in the building. They have 5 designated spots numbers 7-11 next to the door they will be using, and that there is plenty of extra parking in the lot if they needed it. A motion was then made by Mr. Matthews, seconded by Vice Chairman Lucibello 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- None**

**NEW BUSINESS-**

1. With regard to the Master Plan Reexamination Report, Mr. John Szabo introduced himself to the Board members and established his credentials. On July 5, 2022 he appeared before the Board and gave a presentation on the document. Tonight, represents the public hearing and the adoption of that document, which not only includes the reexamination report but also the Land Use Plan Element with it. The public has been notified, the notice has been published and the document has been provided online. What he intends to do since he went through it in great detail at the last meeting, is just quickly summarize what's in the document and get some feedback from the Board with any changes before we adopt it. Mr. Szabo proceeded to go over what a Master Plan is, a composite of graphic and policies, discussion and recommendations on how to provide development in the town. Why is it important to do this, the statute on section 89 states that the governing body shall, at least every 10 years, provide for a general reexamination of its master plan and development regulations by the Planning Board, which shall prepare and adopt by resolution a report on the findings. If you don't do a reexamination of the report under 89.1 you are at risk of having our Zoning ordinance presume to be invalid. By adopting this document it keeps our Zoning Ordinance intact and allows it to be valid and not be subject to arbitrary attack. The land use law is very specific on what you need to cover in the reexamination report, you have to look at the major problems and objectives of the prior plan. You need to talk about other significant changes that have occurred in your community in the preceding years that effect our policies and then make changes or recommendations. Basically, in summary its traffic, lack of land, housing, protecting neighbors and fostering economic development and vitalizing commercial area. Then we presented an analysis in the reexamination report as to the extent to which these objectives and issues have been addressed. Some have been and some have not. We have addressed our affordable housing obligation with the settlement with the fair share housing, and has been identified in the plan as an objective that must be satisfied. Traffic still remains an issue, and the need to monitor and address traffic issue in the town, the need to revitalize the town. All of these are expressed in goals, objectives; they fall into categories of economic development, housing residential protection and

environmental issues. We need to take notice of what has changed, this is one of the most important process of the reexamination, what has happened in the past to inform what you want to do in the future. What the reexamination looked at was the demographics, the Hawthorne Gateway District, NPP Planning Area, the significant initiative that has been undertaken that will affect what is going to happen in the future. Mr. Szabo then went on to talk about the demographic tables, everything from population to housing to economic development. Basically, the Borough is a fully developed community and its not going to grow significantly or hasn't over the past years. The only growth you will see is through the affordable housing. The employment situation is stable, our educational values have grown, we are becoming more diversified in terms of our ethnicity in town. Mr. Matthews stated in the wok session that he wanted to encourage senior housing development, which could be added. Vice Chairman Lucibello was particularly happy with regards to the R-1 and R1 A Zone, recognizing the different lot sizes in that Zone. Mr. Szabo then took a look at the maps, you can see how Hawthorne is fully developed. He went on to say that now is the time to make any changes, recommendations before we adopt the document tonight. Mr. Meier introduced the comments from the environmental commission, which needed to be updated: section 3.6 Legalization of Marijuana in New Jersey, page 30 first paragraph is outdated and the resolution re-Pledging support of Sustainable Land Us Practices- 2022 section 4.1. these changes were introduced into record by Mr. Siss. A motion was made by Mr. Matthews, seconded by Mr. Meier and approved by a vote of 7-0 to adopt the Master Plan Reexamination Report.

2. With regard to the application of 89 Ethel Ave. LLC, this application was carried over from the last meeting. Mr .Siss went on record stating that Mr. Engelhart had provided Mr. Siss with the affidavit of service, notified the neighbor's and published in the newspaper. For the record Mr. Siss asked Mr. Englehart if he had received the July 14, 2022 memo and comments from Mr. Kelly, his answer was no, but Mr. Bleeker did. Both Mr. Englehart, attorney for the applicant and Mr. Bleeker, architect for the applicant, were sworn in along with Mr. Berrak Yenenglw, the owner. Mr. Bleeker asked Berrak if he purchased the property on Ethel Avenue, his answer was yes. He also stated that he was a tenant along with 5 others on the property located on Goffle Road. The nature of his business is wholesalers, they sell to designer, architect and contractors. He has been in business for 17 years, 10 have been in Hawthorne. They have a total of 13 employees, 7 located on Goffle Road and only 2 people on Ethel Avenue. They purchased this property to repurpose the building for their product, they handle a lot of imports. The applicant is seeking site plan approval to raise the roof to a normal industry warehouse height, add an office mezzanine, and upgrade the façade of the whole building. His client has acquired a lease agreement with the railroad for 5 years and can be renewed each year. This property will be graded with the proper drainage so they can use it for additional storage of their product behind the building. The other property they own is directly across the street which was a parking area for this building. His client would like to make that an outdoor showroom, construct several Gazabos, and improve the parking. They don't deal

directly with the public, by appointment. They have loading docks on the right side of the building for trucks to load and unload. Berrak said the trucks are able to back into the loading dock. The space behind the building will be for storage, the materials located on the left side will be removed to the back and this would clear up the left side to be able to bring in tractor trailers for loading and unloading. Inside the building they are looking to add a second floor using this primarily for office space. The first floor will remain a showroom. The Mayor questioned what he was doing on the right side of the building with the loading & unloading of the trucks. Mr. Matthews also questioned if the trucks were going to stick out into the street., his answer was no. Mr. Matthew went over all the problems and issues that are still a concern with his location on Goffle Road. He was also told to keep the fence closed. Mr. DeAugustines informed him the gate has been left open. Berrak stated the hours for Ethel Avenue are 8:30 AM to 5:00 PM. The Mayor asked how many deliveries do they get in a day, they can get 3-7. The Mayor asked if they have a time limit, he answered, he had no control over the time. There was additional discussion over the amount of trucks that come, how the material is loaded and unloading, hours and the trucks idling. Chairman Garner asked the Board engineer Mr. Yakimik, if he would like to go over his recommendation and he did. He asked Mr. Bleeker to give testimony on Mr. Kelly's report. Mr. Bleeker then gave testimony on the Variances and Waivers they were seeking, on the deliveries, traffic. They are reducing the impervious coverage in the parking lot. Berrak will be putting some of his tile on the top of the building, and he will use this as his sign. Mr. Bleeker gave testimony on the Gazabo, they will all be constructed the same. There will be 2 handicap parking spaces across the street and a charging station next to the building. Mr. Bleeker also provided testimony on the lighting. The meeting was open to the public. Many of the neighbors were in attendance and voiced their concerns about safety issues, noise, the trucks idling for hours, times of the delivers. A motion was made and seconded, to carry the application to the regular meeting without receiving a new notice.

**PUBLIC**

The meeting was then opened for public comment without response.

The meeting was adjourned at 9:46 PM.

Respectfully submitted,

Janice Patmos  
Secretary