

Hawthorne Planning Board Minutes of March, 2017 Regular Meeting

The March, 2017 regular meeting of the Hawthorne Planning Board was called to order on March 21, 2017 at 7:35 P.M. by Chairman Garner. After recital of the Pledge of Allegiance, Chairman Garner called the roll. All members and alternates except Mr. Ruta 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.

MINUTES

1. On a motion made by Mr. Matthews and seconded by Ms. DiMattia, the Board approved the minutes of the February regular meeting.
2. On a motion made by Vice Chairman Lucibello and seconded by Ms. DiMattia, the Board approved the minutes of the March work session.

CORRESPONDENCE – None

BILLS

1. A motion was made by Mr. DeAugustines, seconded by Ms. DiMattia, and approved by a vote of 7-0 to approve payment of a bill of the Hawthorne Press for Invoice No. 990620 in the amount of \$22.62.

RESOLUTIONS

1. With regard to the application of **Farm Fresh Foodservice Co., LLC**, a motion was made by Mr. Matthews, seconded by Vice Chairman Lucibello and approved by a vote of 6-0 to approve a resolution memorializing the action taken by the Board at its March 7, 2017 meeting.
2. With regard to the application of **Robert Puchkoff**, a motion was made by Vice Chairman Lucibello, seconded by Mr. Matthews and approved by a vote of 6-0 to approve a resolution memorializing the action taken by the Board at its March 7, 2017 meeting.
3. With regard to the application of **Hawthorne Board of Education**, a motion was made by Mr. Matthews, seconded by Vice Chairman Lucibello and approved by a vote of 4-0 to approve a resolution memorializing the action taken by the Board at its March 7, 2017 meeting.

CERTIFICATE OF COMPLIANCE PLAN REVIEW

1. With regard to the application of **Life Building Fitness**, Tom Hutton, partner and Kemil Gell, fitness coach, appeared on behalf of the applicant. After being sworn, they testified that the applicant proposes to lease the front portion of the first floor of the existing building, consisting of approximately 1,250 square feet, as a one on one personal fitness training facility. Sessions of 45 minutes would be scheduled by appointment. A maximum of four clients per session would be trained. Ten on-site parking spaces are available. No exterior changes to the premises are proposed. A motion was then made by Mayor Goldberg, 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 with the condition that class size is limited to a maximum of four persons.
2. With regard to the application of **A&M Petroleum LLC**, Amir Alzubi and Mohammed Alzubi, owners, appeared on behalf of the applicant. After being sworn, they testified that the applicant proposes to continue the present use of the premises as a gasoline service station, with automobile repair bay and mini-mart. Although the applicant also requested permission to operate a smoke shop, the Board indicated that the requested expansion would constitute two principal uses on the same premises which would require use variance approval. The Board also expressed concern regarding the sale of products associated with drug paraphernalia. The applicant then withdrew the request for the smoke shop. After further discussion, a motion was made by Mayor Goldberg, seconded by Mr. Matthews and approved by a vote of 6-1 to grant the application for a certificate of compliance as a “like for like” continuation of the previous use as a gasoline service station with repair bay and mini-mart subject to the following conditions: no products constituting potential drug paraphernalia will be sold and the applicant will also remove those products from its other Hawthorne location; the applicant may sell cigarettes, chewing tobacco and electronic cigarette products at the premises; no sub-leasing of the parking lot is permitted; no outside storage of products or equipment is permitted.

OLD BUSINESS

1. With regard to the application of **Royal Realty, LLC**, Mr. Monaghan reported the receipt of a letter dated March 20, 2017 from the applicant’s attorney indicating that an amended application with revised plans had been filed and requesting that the hearing on the application be re-scheduled pending review of the revised plans by the Board engineer. After discussion, the Board directed Mr. Monaghan to advise the applicant’s attorney that re-service of notice on surrounding property owners and re-publication in accordance with the provisions of the MLUL will be required. The Board also directed that copies of the revised plans be forwarded to the Police Department, Fire Department, Environmental Commission and the Board planner

for review and comment. Copies of the revised plans were distributed to Board members. A motion was then made, seconded and unanimously approved to schedule the application for work session review on May 2, 2017 and hearing on May 16, 2017.

2. With regard to **Bassam's Auto Repair**, Khalid Barouk and Bassam Barouk appeared. Mr. DeAugustines distributed copies of his memo in which he reported that thirty vehicles are currently on the site and that approximately fifty vehicles could be accommodated in the available space. He also indicated that vehicles are moved in and out of the site as repair work is completed. After further discussion, the Board advised the applicant that the present situation is satisfactory provided that the vehicles are parked in an orderly fashion and no abandoned vehicles are kept on the premises.

NEW BUSINESS – None

PUBLIC

The meeting was then opened for public comment without response.

The meeting was then adjourned at 8:40 P.M.

Respectfully submitted,

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