

Regular meeting of the Haworth Planning Board
on June 18, 2014, at the Municipal Center.

PRESENT: Thomas Ference, Chairman
John DeRienzo, Mayor
Andrew Anderson
Edmond Ezra, Public Official
Joan Landesman
Nancy Minikes
Bernard Troy

Mark Madaio, Board Attorney
David Hals, Board Engineer

ABSENT: Alan Grossberg
Leona Kosmac
Bruce Steintal
Andrew Rosenberg, Council Liaison

Dr. Ference called the meeting to order and upon roll call, the above members were present. Mayor DeRienzo arrived a short time later.

It was noted that Councilman Rosenberg, Mr. Grossberg, and Ms. Kosmac were not able to attend this meeting because other commitments.

ACCEPTANCE OF THE MINUTES

The minutes of the April 2014 meeting were reviewed.

Mr. Troy moved to accept the minutes as presented subject to the rights of absent members for statements directly attributed to them.

Seconded by Mrs. Minikes and unanimously carried.

CORRESPONDENCE

Dr. Ference noted that there was no other correspondence other than that pertaining to the meeting before the Board this evening.

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COUNCIL REPORT

Since Councilman Rosenberg was not in attendance, a Council Report was not available.

ALESSANDRO'S INC. APPLICATION

David Watkins, with an office Closter, New Jersey, appeared on behalf of the applicant. In essence, the following occurred.

Mr. Watkins stated that the applicant was before the Board because he wanted to extend his restaurant and needed a waiver for parking and a handicap ramp.

Mr. Hubschman, with an office in Bergenfield, New Jersey, was presented as an engineer and expert witness.

Dr. Ference stated that since Mr. Hubschman appeared before the Board on many occasions, they were familiar with his background and they felt he was qualified.

The following Exhibits were marked into evidence:

A - 1 - Aerial photo of the subject area

A - 2 - Site Plan

Mr. Hubschman said he was familiar with Lots 7 and 8, which consisted of two one-story buildings. He said the applicant proposed to expand Alessandro's Restaurant into the former real estate office.

Mr. Hubschman stated that the restaurant would have thirty-two seats and would have access from the existing building to the proposed building. There would be two openings with a main entrance in the center front and one in the rear.

Mr. Ference noted that the Plan showed thirty-four seats and Mr. Hubschman responded that there would be only thirty-two.

Mr. Hubschman said that currently, the parking demand was for twenty-five spaces, the realtor required four spaces, and now they required twelve. He said they were requesting a waiver for eight spaces.

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Mr. Hubschman stated that the restaurant's hours would be:

11 a.m. to 9 p.m.	Monday thru Thursday
11 a.m. to 10 p.m.	Saturday
12 noon to 9 p.m.	Sunday

He talked about how most of the other places of business mainly operated during the day. Mr. Hubschman said that from a waiver standpoint, the restaurant's business peaked on Thursdays, Fridays, and Saturdays from 6 p.m. forward. He said that a lot of public parking was available because there were one-hundred-ten spaces available.

Mayor DeRienzo arrived.

Mr. Hubschman said the applicant didn't anticipate increasing his space and the proposal was for only a modest expansion.

The ingress and egress areas for the handicapped were discussed. Mr. Hubschman explained that it could be done two ways. If they had a ramp in the rear, they would need a 36 ft. ramp or there could be a concrete ramp in the front of the restaurant. He said he discussed these options with the applicant and they agreed that the ramp should be in the front on Terrace Street.

Mr. Hals concurred.

Mr. Hubschman stated that from a planning perspective, there wouldn't be any impact on the zoning scheme. He pointed out that a waiver had been granted for a second story but nothing had ever been done.

Mr. Watkins told the Board that they could not deny the application because of a waiver.

Mr. Madaio stated for the record that Mr. Hubschman had only been introduced as an engineer but he was also testifying as a planner.

Mr. Hubschman said that he was also a planner.

Mr. Madaio questioned Mr. Hubschman about his experience as a planner.

Mr. Hubschman said that since this was a restaurant as opposed to an office, it would be a better utilization of the facility; and from a parking standpoint, it would be a better situation. He said that they were requesting a waiver and the situations with the surrounding businesses would be accommodated because it would stagger the use of parking in the evening.

Mr. Hals wished to continue the discussion about handicap accessibility.

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Mr. Hubschman stated that there was a ramp in the interior of the restaurant and also handicap restrooms.

Mr. Hals noted that there were two cellar holes in front of the restaurant which needed to be repaired and he felt that this should be a condition. He also said that the pavers had holes in them and they needed to be restored so there would not be any tripping hazards.

There was discussion about how hard it would be putting in a ramp in the back.

Mr. Hubschman said that they could re-stripe the parking spaces to be on a slant and create a handicap space.

Dr. Ference noted that the area in the rear only allows for eight existing spaces. He asked if there was any requirement that the applicant had to comply with for handicap parking spaces.

Mr. Hals stated that it was an existing building so it was not required. He said that the eight spaces in the back were appropriate.

There was additional discussion relating handicap parking and where it would be located.

Mr. Watkins said he would petition the Mayor and Council to change the curbing in the front.

Dr. Ference asked how handicapped customers would maneuver.

Mr. Hals stated that the spot in the front would not have an area that would be van accessible because there would not be enough space on the street. He felt that the area around the corner would be the best place.

Dr. Ference said he went over the numbers on the parking spaces and found that the existing conditions were for eight spaces between the two buildings so the affect of the waivers would be for seventeen spaces and the others would have to be in the Terrace Street parking area.

There was discussion.

Mr. Anderson stated that the existing deficit was 17% and the proposed expansion would bring it to 26%.

Dr. Ference said that although Mr. Hubschman felt the areas in the back would absorb the parking, he pointed out that those properties were each owned by private land owners - it was not a common area.

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Dr. Ference noted that when the proposed construction was done, they would have an expanded store front.

Mr. Watkins stated that they would be complying with the Zoning Ordinance.

Dr. Ference noted for the record that there are no residential or private homes within the radius of the subject property - it was all commercial.

Mr. Troy asked that someone explain the difference between a variance and a waiver.

Mr. Madaio stated that a waiver was a deviation from the Site Plan Ordinance and the proofs were roughly the same. He said that the downtown mix already produced roughly seventeen spaces. Mr. Madaio said that if the Governing Body did not think a restaurant was a permitted use, they would not allow them.

Mr. Watkins stated that the Board could not deny the application based on parking.

Dr. Ference noted that a waiver could also have conditions.

Mr. Watkins responded that the Board could not deny the application based on a waiver request.

Mrs. Minikes said she was trying to picture the handicap ramp. She said that the entrance to the restaurant was set back a bit and she wanted to know where the entrance ramp would be located and how it would work.

Mr. Watkins replied that it would be subject to approval and they would be working with Mr. Hals.

Mr. Hubschman stated that there would be two entrances into the restaurant and people would be greeted at both.

Mrs. Minikes asked where the deliveries would be made and where the truck parking area would be located.

A gentleman stood up and said that deliveries would be made between lunch and dinner.

Mrs. Minikes asked for the name of the person who spoke.

The gentleman stated that he was the owner.

Dr. Ference went over the procedure.

Mr. Madaio stated that the owner voluntarily answered the question.

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Alessandro Colangelo was sworn in, he said he was the owner of Alessandro's Restaurant.

There were no other questions from the Board.

Dr. Ference opened the meeting to questions from the public.

There being no one to come forward, the meeting was closed to the public.

Dr. Ference entertained a motion from the Board.

Mr. Troy moved that the Board grant the application subject to the construction of the ramps, and to the repair of the holes and pavers, which had been discussed.

Seconded by Mr. Ezra.

Mr. Watkins stated that he would work with Mr. Hals.

Dr. Ference told Mr. Watkins that he would like a list of land owners.

Upon roll call, the vote went as follows: Yes - Mr. Troy, Mr. Ezra, Mr. Anderson, Mrs. Landesman, Mrs. Minikes, and Dr. Ference; No - none; Abstain - Mayor DeRienzo. Motion carried.

Mr. Watkins was told that the Board wanted an acknowledgement of the appropriate Borough Sign Ordinance.

Dr. Ference advised that the Resolution would be Memorialized at the July meeting.

Mr. Watkins said that since the Mayor was in attendance, he would hope that the applicant would be able to start work before that time.

Dr. Ference stated for the record that if the applicant applied for a building permit prior to the Resolution being memorialized, he would be doing so at his own risk.

Mr. Troy asked Mr. Watkins to notice him or Mr. Madaio.

Mr. Watkins stated that he would be at the July meeting.

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MAYOR'S REPORT

Mayor DeRienzo reported on the following:

- The Borough received a \$150,000 grant to work on a plan for the rear downtown area, which started seven years ago.
- The Borough applied for two grants for work on Terrace Street and the crossing area at the school. The amount of money they applied for was what they thought they would need.

Dr. Ference said they would be working with the Downtown Study Group.

Mayor DeRienzo stated that he would like to appoint Mr. Anderson as an alternate.

Dr. Ference said he was concerned that there be a ramp for the handicapped and that the pavers be repaired for public safety on Terrace Street.

There was discussion.

Mayor DeRienzo stated the Police Department would be working on this.

There being no further business, Mr. Troy moved to adjourn.

Seconded by Mrs. Landesman and unanimously carried.

Respectfully submitted,

/s/

Dolores Fazio O'Dowd