

Regular meeting of the Haworth Planning Board
on July 16, 2014, at the Municipal Center.

PRESENT: Thomas Ference, Chairman
Andrew Rosenberg, Council Liaison
Andrew Anderson
Joan Landesman
Nancy Minikes
Bruce Steinthal
Bernard Troy

ABSENT: John DeRienzo, Mayor
Edmond Ezra, Public Official
Alan Grossberg
Leona Kosmac

Mark Madaio, Board Attorney
David Hals, Board Engineer

Dr. Ference called the meeting to order and upon roll call, the above members were present.

It was noted that Mayor DeRienzo, Ms. Kosmac, and Messrs. Ezra and Grossberg were not able to attend this meeting because of other commitments.

ACCEPTANCE OF THE MINUTES

The minutes of the June 2014 meeting were reviewed.

Mr. Anderson asked that page 32, second paragraph from the bottom, be amended to read, "Mr. Anderson stated that the existing deficit was 17 spaces and the proposed expansion would bring it to 26."

Mrs. Minikes asked that page 30, eighth paragraph should read, "Dr. Ference noted..."

Also, page 32, fourth paragraph from the bottom, should read, "...so the effect of the waivers would be for seventeen spaces..."

Mr. Troy asked that page 29, fourth paragraph read, "...subject to the rights of absent members to correct statements directly attributed to them."

Regular meeting of the Haworth Planning Board
on July 16, 2014, at the Municipal Center.

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

Seconded by Mrs. Landesman and unanimously carried.

There was discussion relating to statements in the minutes.

It was noted that on page 32, Mr. Hubschman made a statement about re-striping the parking spaces and it should be in the Resolution.

It was also noted that on page 33, Alessandro Colangelo stated that deliveries would be made between lunch and dinner.

It was further noted that on page 34, Mr. Watkins stated that he would comply with the Sign Ordinance.

CORRESPONDENCE

Mr. Ference stated that there wasn't any correspondence other than that concerning matters before the Board this evening.

Mr. Ference said that he was now in receipt of Mr. Madaio's signed document.

COUNCIL REPORT

Councilman Rosenberg stated that he didn't have anything to report at this time.

ALESSANDRO'S INC. MEMORIALIZING RESOLUTION

Copies of Alessandro's Inc. Memorializing Resolution were reviewed.

Dr. Ference noted that a majority vote of those who voted for the Resolution was necessary in order to approve it.

Amendments were made to several paragraphs for sentence structure and wording.

Dr. Ference explained that Board could wait and see the Resolution again with the amendments or they could vote to approve it as amended this evening.

There was discussion.

Regular meeting of the Haworth Planning Board
on July 16, 2014, at the Municipal Center.

Mr. Troy moved to approve the Memorial Resolution as amended.

Seconded by Joan Landesman and upon roll call, the vote went as follows: Yes - Mr. Troy, Mrs. Landesman, Mr. Anderson, Mrs. Minikes, and Dr. Ference; No - none. Motion carried.

Dr. Ference would contact Mr. Madaio with the changes. For resolution see
Page 40A.

INFORMAL DISCUSSION WITH PROSPECTIVE APPLICANT

Mr. Jack Zakim, of ZF Haworth Realty, located at 147-149 Terrace Street, stated that he was the owner of the subject property at which his clients wished to open a café. Mr. Zakim said that they would need a parking waver.

Mr. Zakim stated that he was also an attorney and he was before the Board to have an informal discussion and find out what was needed in order for the case to be heard. He said that his architect did not have the plans completed this evening but they would be ready for the hearing in September.

There was a brief discussion about how the number of required parking spaces is calculated.

Dr. Ference confirmed with Mr. Zakim that he was, in fact, the property owner and that the people in attendance were his tenants.

Mr. Zakim confirmed.

Dr. Ference asked Mr. Zakim if he would be representing himself as well as his tenants.

Mr. Zakim stated that he would be representing both himself and his tenants. He also stated that the architect would be at the September meeting.

Mr. Zakim introduced his tenants and prospective applicants, Ondina Ledo, Todd Ledo, and Carlos Hernandez.

Mr. Ference noted that there would be a change of use for the subject property and it needed to be addressed. He asked Mr. Zakim and the applicants to follow that train of logic.

Mr. Ledo said that they wanted to open a café and serve healthy food. He talked about the anticipated line of business, number of staff members, and hours of operation.

Regular meeting of the Haworth Planning Board
on July 16, 2014, at the Municipal Center.

Dr. Ference explained that they should be able to respond to all questions from the Board. He said that they would be reviewing the applicants' "steady state" and they should know what it would be.

Councilman Rosenberg pointed out that the applicants should also put forth such things as whether they are going to seek permission to have tables outside the restaurant. He told them that there was an allowable parameter within the Borough Ordinance.

Dr. Ference told the applicants that the café would need handicap accessibility and they should know if the property would have adequate heat and water.

Mr. Zakim said that the plans would show all that is required.

Dr. Ference asked Mr. and Mrs. Ledo and Mr. Hernandez if they had any concerns that they would have a conflict of interest by using Mr. Zakim as their attorney.

Mr. Zakim responded that this was considered.

Dr. Ference told the applicants that they might want to speak to what they thought the volume of business was going to be; to speak about the traffic going through the café, as well as the possible demand.

Mr. Hernandez asked if they needed to know the business hours.

Dr. Ference responded that they would. He said they should be aware of all the constraints and challenges.

Mr. Zakim stated that they would be prepared to answer all questions.

Dr. Ference emphasized that the applicants would have to have a thorough plan.

Dr. Ference stated that this case would be put on the agenda for the Planning Board's next meeting on September 17th and the Borough Administrator would provide them with the information they need.

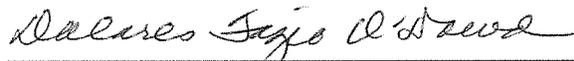
Regular meeting of the Haworth Planning Board
on July 16, 2014, at the Municipal Center.

Dr. Ference noted that all documents needed to be submitted to the Borough Administrator at least ten (10) business days prior to the next meeting in order for the case to be heard.

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

Seconded by Mr. Steinthal and unanimously carried.

Respectfully submitted,



Dolores Fazio O'Dowd