

MINUTES
REGULAR MEETING OF THE BUTLER PLANNING BOARD
MARCH 16, 2023

Chairman Nargiso brought the regular meeting of the Butler Planning Board to order for March 16, 2023. The Chairman stated this meeting is being held in conformance with the Sunshine Law Requirements having been duly advertised and posted at Borough Hall.

ROLL CALL:

Present: Donza, Roche, Veneziano, Brown, Finelli, Vath, Hough, Reger, Martinez, Nargiso

Absent: Fox (excused),

Also present: John Barbarula, Board Attorney; Dave Novak, Board Planner

CORRESPONDENCE: – None

CASES TO BE HEARD:

NC23-68	Madeline Paulison 39 Excelsior Place Block 108 Lot 3.01	2-Family Certificate of Non-Conformity
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Carl Mazzie, Esq. appears on behalf of the applicant. Mrs. Paulison was sworn in.

The 1969 Tax Assessor card was presented as evidence that the house is a pre-existing non-conforming two-family.

With no member of the public coming forward a motion to close the public portion was made.

Motion: Brown Second: Finelli All in favor.

Motion to approve: Brown Second: Finelli

Ayes: Donza, Roche, Veneziano, Brown, Finelli, Vath, Nargiso

Mayor Report. Mayor Martinez advised the Board that he along with Councilman Alex Calvi and Administrator Jim Lampman met with the New Jersey Highlands Council. The Borough was advised that there is grant money available to assist with the borough's Master Plan, Economic Development, Open Space and Stormwater Management. He believes that it may be beneficial for the borough to join the Highlands Commission, from which the borough can withdraw at any time with no penalty.

It was determined that the Board could discuss this in depth at the next workshop meeting.

Resolutions:

23-001	Stephen and Kathleen Heuzey 45 Spring Street Block 48 Lot 7	Secondary Living Area for Related Persons
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Motion to approve: Brown Second: Finelli

Ayes: Donza, Veneziano, Brown, Finelli, Vath, Hough, Reger, Nargiso

CASES TO BE HEARD:

Richard Briigliodoro, Esq. replaced Mr. Barbarula, who recused himself

SP22-84	1333 Route 23 LLC 1333 Route 23 Block 83.08 Lot 5	Conditional Use for Cannabis A continuation of hearing
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Mayor Martinez and Member Reger recused themselves for the remainder of the meeting.

Richard Clemack, Esq. summarized the evidence from the previous meeting. Mr. Thomas Ott, engineer was sworn in at the previous meeting. He referenced the newly submitted plans of 3/2023 Sheet C-4. This dealt with the garbage receptacles which will be two 96 gallon plastic containers, one for solid waste and the other for recycling. They were relocated to the north side of the building and will have the appropriate screening blocking view of them from the roadway.

Mr. Blake Costa, 5 Ann Court, Warren, Rhode Island was sworn in and identified as a partner with Mr. Jeff Montemarano, the applicant. Mr. Costa has a number of years dealing with the retail sale of cannabis as well as a security expert after a dozen years in the U.S. Marines.

At 8:03 Chief Finelli left the dais for a fire call. He returned at 8:28.

Mr. Costa described the operations and security to be in place if approved. Among the issues discussed were:

1. Delivery van with 2 totes per delivery two-three times a week.
2. Average transaction takes approximately 4-5 minutes, if pre-ordered on-line the transaction takes about 2 minutes.
3. 20-25 customers estimated during the peak hour.
4. Described the air filtration system preventing the odor from escaping the building.
5. They will be subject to an annual inspection by the State as well as spot checks.

With no member of the public coming forward a motion to close the public portion was made.

Motion: Brown Second: Finelli All in favor

Planner Donna Holmqvist was sworn in as Planner.

Two exhibits were presented:

A-5 Figure 3 Land Use

A-6 Zoning

D-3 Variance Chapter 143-173 Minimum distance to Kidoodle Day Care Center, 1360 Route 23 - 858 feet

C-2

1. Loading space required 300 sq ft, 211 sq ft provided, in the front yard area.
2. Roof Mounted Sign
3. Lighting requirements—0.3 foot candles. Small corner of the parking lot is slightly less than 0.3.

With no member of the public coming forward a motion to close the public portion was made.

Open to the public. Motion: Brown Second: Finelli All in favor

Motion to approve application with the above referenced variances and that the zoning officer shall not issue a CCO until the cannabis licenses from the state and municipality have been issued.

Motion: Brown Second: Finelli

Ayes: Donza, Veneziano, Brown, Finelli, Vath, Hough, Reger, Nargiso

APPROVAL OF MINUTES: February 16, 2023 Regular Meeting

Motion: Brown Second: Finelli

Ayes: Donza, Veneziano, Brown, Finelli, Vath, Hough, Nargiso Abstain: Roche

APPROVAL OF VOUCHERS - Voucher 23-03

Motion: Donza Second: Veneziano

Ayes: Donza, Roche, Veneziano, Brown, Finelli, Vath, Hough, Nargiso

Adjournment 9:25 pm

Motion: Brown Second: Finelli

All in Favor


Chairman

Next Regular Meeting April 20, 2023, 7:30 PM