

MINUTES
REGULAR MEETING OF THE BUTLER PLANNING BOARD
JUNE 17, 2021

Chairman Nargiso brought the regular meeting of the Butler Planning Board to order for June 17, 2021. 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: Donnelly, Roche, Brown, Vath, Nargiso

Absent: Veneziano (excused), Morley (excused), Donza (excused), Finelli (excused),
Councilman Fox (excused) Mayor Martinez (excused)

Also present: John Barbarula, Board Attorney; Alexander Petreski, on behalf of the Borough Engineer

CORRESPONDENCE: – None

CASES TO BE HEARD:

21-206V Joshua Kaplan
62 Kakeout Road
Block: 72.03 Lot: 45.01

Joshua Kaplan and his wife, Harlynn Lack-Kaplan were sworn in.

Looking for a second story addition. First floor has 2 Bedrooms and 2 Baths; Second floor proposal would also have 2 Bedrooms and 2 Baths.

Rear yard setback of 1.1 feet where 40 feet is required.

Mr. Petreski recited the conditions required by Mr. Boorady:

1. With one foot overhang the gutter would extend into neighbor's property. Mr. Kaplan will have his architect design the overhand so that no part will encroach on adjoining property. Asking for a variance of zero (0) feet.
2. HVAC pads will conform to side yard setbacks
3. Well is no longer in service
4. Building will not adversely affect other properties with water runoff; storm water will not discharge onto neighbor's.

In addition, Chapter 143-157.1 allows the expansion of the non-conforming structure a maximum of 33%; the proposed addition is 95%.

Motion to open to the public: Brown Second: Donnelly

Roll Call: All in favor

There being no members of the public wishing to speak:

Motion to close the public portion: Brown Second: Donnelly

Roll Call: All in favor

A motion was made for approval with the following variances:

1. Zero (0) rear yard setback
2. Front porch requiring the front yard setback of 26'
3. The 95% expansion over the existing structure

In addition to the following conditions requested by the Borough Engineer:

1. HVAC pads will conform to side yard setbacks.
2. Storm water will not discharge into adjoining properties; the storm water plan to be approved by the Borough Engineer.
3. The well will remain out of service

Motion: Donnelly Second: Vath
Ayes: Roche, Brown, Nargiso, Donnelly, Vath
Nays: None

20-205V Cathy Teeling
12 Western Avenue
Block: 50 Lot: 6

Cathy Teeling, homeowner, was sworn in.

Adam Finkle, Architect, 22 Western Avenue, Butler was sworn in.

Motion to accept Mr. Finkle as the architect: Brown Second: Donnelly Roll Call: All in favor

House is in the R-3 Zone. Single story addition to the right side of the house; and a front porch. The addition will be used as Bedroom, Bathroom and a Laundry. Currently the bedrooms and bathroom are on the second floor and the laundry is in the basement. Mrs. Teeling, for health reasons, needs for these facilities to be on the first floor.

Mr. Petreski read the recommendations of the Borough Engineer:

1. The proposed added construction will result in an additional 460 square feet of impervious coverage. Chapter 143-188 thru 190 of the Butler Municipal Code requires zero runoff. This will have to be designed by an engineer.
2. If an HVAC system is to be installed in cannot go on the right side of the house; it is to be placed where the maximum setback can be achieved.
3. The electrical service will have to be relocated.

Motion to open to the Public: Brown Second: Donnelly Roll Call: All in favor

Mr. Orlando Zayas, 11 Western Avenue, was sworn in.

He had no problem or concerns with the proposed project. His only concern was that the construction vehicles would not block his driveway as this is an ongoing problem for the neighborhood. He was assured that proper arrangements would be made.

There being no further comments a motion was made to close the public portion:

Motion: Brown Second: Donnelly Roll Call: All in favor

A motion for approval is to contain the following items:

1. There are six pre-existing variances:
 - A. Minimum Lot Frontage 60 feet, 65 feet required
 - B. Minimum Lot Width 60 feet, 65 feet required
 - C. Front Yard Setback 34.85 feet, 35 feet required
 - D. Side Yard Setback 8.73 feet, 10 feet required
 - E. Side Yard Setback for Accessory building 0.84 feet, 3 feet required.
 - F. Existing garage zero (0) setback
2. The letter from the Borough Engineer regarding storm water runoff is incorporated into the motion.
3. If the existing garage is ever replaced it must conform to all the zoning requirements.

Motion: Donnelly Second: Roche Roll Call:
Ayes: Brown, Vath, Nargiso, Roche, Donnelly
Nays: None

RESOLUTIONS:

1. SP18-75 Panera

Motion: Donnelly Second: Nargiso

Roll Call: Ayes: Donnelly, Nargiso Nays: None

Abstain: Roche, Vath, Brown

2. 20-204V Lubas, 28 Currie

Motion: Donnelly Second: Nargiso

Roll Call: Ayes: Vath, Brown, Donnelly, Nargiso Nays: None

Abstain: Roche

APPROVAL OF MINUTES

May 13, 2021 Workshop and Regular Meetings

Motion: Donnelly Second: Roche Roll Call: Ayes: Donnelly, Roche, Brown Abstain: Nargiso

May 20, 2021 Regular Meeting

Motion: Donnelly Second: Vath Roll Call: Donnelly, Brown, Vath, Nargiso Abstain: Roche

May 26, 2021 Special Meeting

Motion: Donnelly Second: Roche Roll Call: Donnelly, Roche, Brown, Nargiso Abstain: Vath

CANNABIS ORDINANCE

Resolution to recommend the ordinance introduced by the Mayor and Council amending Chapter 143.

Motion: Brown Second: Donnelly Roll Call: Roche, Donnelly, Brown, Vath, Nargiso

APPROVAL OF VOUCHERS - Resolution PB21-06

Motion: Brown Second: Vath Roll Call: All in Favor

ADJOURNMENT:

Motion: Brown Second: Vath Roll Call: All in Favor

Time: 8:48 PM

Next Meeting: Regular Meeting July 15, 2021, 7:30 PM


Chairman

July _____, 2021