Chairman Nargiso brought the regular meeting of the Butler Planning Board for February 15, 2018 to order followed by a Pledge to the Flag. The Chairman stated this meeting is being held in conformance with the Sunshine Law Requirements having been duly advertised in the local newspaper and posted at Borough Hall.

**ROLL CALL:**

**Present**: Donnelly, Roche, Veneziano, Hauck, Brown, Grygus, Finelli, Vath, Narigso

**Absent:** Alviene, (excused) Fox, (excused)

**CASES TO BE HEARD:**

**NC18-60** Judi Carr & Louis Carr

 27 Manning Ave

 Block 23 Lot 23

Address – 30 Henderson Court

 Pompton Lakes New Jersey 07442

**OATH GIVEN**

Ms. Carr stated she is before the board for a certificate of non-conformity for a 2 family residence

Mr. Brown reported that the subject property was listed upon the borough records as a two family since 1958 and sees no reason why it should not be designated as a two family house

Public portion opened by motion

Public portion closed by motion

Motion to approve application as presented

Motion: Brown

Second: Finelli

Voted Aye: Donnelly, Roche, Veneziano, Brown, Grygus, Finelli, Vath, Nargiso

Voted Nay: None

17-196V Jeffrey Pincus

 2 Post Court

 Block 73.01 Lot 4

Oath Given

Mr. Pincus stated he is looking to build a detached garage; the zoning is in conformance the variance is for the height of the building. He stated he would like to build the building 16 & ½ feet from the ground, zoning in R1 is 14 feet considering the height is measured from the average of all four sides the application is not to exceed height of 20 feet. The height is for a future motor home and would like to be able to park it in the garage and that would require an 11 foot tall garage door.

The board questioned the applicant on various aspects of his testimony.

Paul Darmofalski stated it’s a drainage easement in favor of the Borough of Butler; the catch basin is piped to a system on Kakeout Road. The property cannot be filled in because you’ve got to maintain the existing drainage pattern. Would like it to keep if there is an approval keeps the same drainage pattern. I would be recommended that he tie into the catch basin in lieu of a seepage pit.

Maryanne Iannacone – Kakeout Road – questioned the application regarding drainage

Edward Morrell – Post Court – drainage concerns

Patricia Brown – Hiller Court drainage concerns

Mr. Barbarula stated before the board is an application a two car garage 24 feet by 32 feet at 2 Post Court. The applicant is proposing a structure that complies with rear yard, side yard, front yard, a two car detached garage is seeking a 20 foot height maximum variance. Listed are the conditions

1. All building drainage must be connected to the Borough drainage system and the design must be approved by the Borough Engineer
2. The front plate heights of the garage shall be limited to 12’, thereby lessening the visual impact
3. The roof pitch shall be limited to a 4” x 12” pitch to increase the aesthetic appeal
4. This approval does not expressly affect the other conditions of the Borough of Butler Ordinance 143 which shall apply to the site

Motion to approve application with described conditions

Motion: Donnelly

Second: Hauck

Voted Aye: Donnelly, Roche, Veneziano, Hauck, Brown, Grygus, Finelli, Vath, Nargiso

Voted Nay: none

CORRESPONDENCE

Correspondence regarding the legal advertisement will be tabled for a future meeting

Letter received from Steven Schepis regarding 214 Main Street LLC dated January 19, 2018, the nature of the correspondence was to ask the board to reopen the application of 17-191V for 214 Main Street.

Mr. Barbarula stated there are no such things as “do overs” in use variances, the applicant could change or modify the application in accordance with the municipal land use act, title 40 and if they make a change it would be a new application and they can present anything they want.

 A letter will be sent to Mr. Schepis by our Board Attorney regarding this matter.

**APPROVAL OF MINUTES** – December 15, 2017, January 11 & January 18, 2018 as submitted

Motion: Donnelly

Second: Brown

Voted Aye: Donnelly, Roche, Veneziano, Hauck, Brown, Grygus, Finelli, Vath, Nargiso

Voted Nay: None

**APPROVAL OF VOUCHERS**

Motion: Brown

Second: Vath

Voted Aye: Donnelly, Roche, Veneziano, Hauck, Brown, Grygus, Finelli, Vath, Nargiso

Voted Nay: None

Workshop for March 8, 2018 will be cancelled

Motion to adjourn

Motion: Brown

Second: Donnelly

All Ayes

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 Chairman – Planning Board

ATTEST:

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 Secretary – Planning Board

ADOPTED:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_