

RESOLUTION

**BOROUGH OF BUTLER
PLANNING BOARD
IN THE MATTER OF ETD DISCOUNT TIRE CENTER
1511 Route 23 South
Application No.: SP11-64
FINAL SITE PLAN APPROVAL**

WHEREAS, ETD DISCOUNT TIRE CENTER 1511 Route 23 South, (hereinafter referred to as the "Applicant") has made an Application to the Borough of Butler, Planning Board (hereinafter referred to as the "Board"), for preliminary and final site plan approval; and

WHEREAS, the subject property is situated at 1511 Route 23 South, Block 202, Lot 2 (hereinafter referred to as the "Property"); and

WHEREAS, a public hearing was conducted on July 12, 2012; and

WHEREAS, the Board heard comments and testimony from the Applicant's Engineer Mark Palus and the Applicant's Architect Steven Carrozza; and

WHEREAS, members of the public had the full opportunity to be heard; and

WHEREAS, a complete Application has been filed and all required fees by the Borough Ordinance have been paid, and it otherwise appears that the jurisdiction and powers of the Board have been properly invoked and exercised; and

2. The Applicant shall secure any and all other required development approvals for the proposed development including, but not limited to, approval from the Morris County Planning Board, the New Jersey Department of Environmental Protection, and the Morris County Soil Conservation District, NJDOT access and drainage permit and Butler Fire Department;
3. The Applicant shall comply with the recommendations set forth in the reports from the Board's Engineer dated February 9, 2012, except to the extent that such recommendations are inconsistent with the terms of this Resolution;
4. The Applicant shall be permitted to use an outdoor temporary sales display, that must be placed between the bay doors and must be stored inside the premises upon the daily close of business;
5. The Applicant shall be expressly permitted the use of outside storage of used tires, the final design to be reviewed and approved by the Board Engineer;
6. The Applicant shall obtain a letter of no objection to the parking as depicted on the plans prior to the issuance of any building permits;

7. The Applicant to install a Knox-Box on the tire corral gate;
8. The variances for the building coverage of 21.14% where 20% is permitted;
9. Variance from section 143.90 Paragraph A. 10.5 feet from the Property line for accessory structure (tire corral) where 15 feet is permitted; and
10. Subject to final lighting calculations and storm water calculations being reviewed by the Board's Engineer.

The undersigned certifies that the within Resolution was adopted and memorialized by this Board on August 16, 2012.



Chairman

For:

Against:

Abstain: