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June 4, 2020

Ms. Karen Becker  
Borough of Butler Land Use Board Secretary  
1 Ace Road  
Butler, New Jersey 07405

**RE: Butler Plaza Partnership LLC**

Dear Ms. Becker,

As you and the Board are already aware, this office represents the interests of the Applicant Butler Plaza Partnership LLC. Kindly accept this letter in lieu of a more formal application on behalf of this applicant. This application concerns property located at Block 201, Lots 1 and 2.01 on the Official Tax Map of the Borough of Butler and is more commonly known as 1510 and 1516 New Jersey State Highway 23 North, Borough of Butler, County of Morris and State of New Jersey. The property in question lies in the HC zone in the Borough. The Board has previously approved this application for Conditional Use Variance, Preliminary and Final Site Plan and Bulk and Sign Variance relief by virtue of resolution #SP18-75 dated June 20, 2019. The applicant seeks to develop a CVS pharmacy, Panera Bread restaurant and a Wawa Food Store with associated retail gas sales on the property together with the existing strip mall in which Anthony Franco's Pizza and the Sherwin Williams Paint Store are tenants.

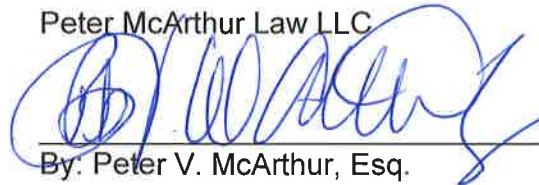
The applicant has received provisional approval from the New Jersey Department of Transportation which will require minor changes to the site plan. Specifically, the provisional approval requires minor geometric changes to the two new approved ingress/egresses and the elimination of the northernmost egress. The purpose of this application is to obtain the Board's approval of these minor changes and whether same are in keeping with Condition of Approval #2 on page 13 of 14 of the aforementioned resolution. Condition #2 requires the applicant to obtain final permits from the Department of Transportation as a condition of the Board's approval.

I will cause to be uploaded to the Townships website portal the single sheet site plan prepared by Thomas Pugsley, P.E., of NorthStar Engineering which sets forth the minor changes. I am attempting to obtain a copy of the provisional approval from DOT as well for uploading. I intend on presenting Mr Pugsley for testimony as to the minor changes to the approved plan and Matthew Seckler P.E, P.P, who will testify as to the minimal vehicular and pedestrian circulation impacts brought about by the required minor changes. Both Messrs. Pugsley and Seckler have testified before the Board at the original hearings wherein this applicant obtained its original approvals.

I would respectfully request that you place this matter on the Board's June 18, 2020 agenda for a public hearing via Zoom. I will be noticing for that meeting and will provide the appropriate affidavit of Notice to your office prior to that hearing. If you should require anything further of this applicant, please advise. I thank you in advance for your anticipated courtesies.

Very Truly Yours,

Peter McArthur Law LLC



By: Peter V. McArthur, Esq.