

**MINUTES
WORKSHOP MEETING OF THE BUTLER PLANNING BOARD
MARCH 11, 2021**

Chairman Nargiso brought the regular meeting of the Butler Planning Board to order for January 21, 2021. 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: Roche, Donza, Brown, Finelli, Piccirillo, Martinez, Vath, Veneziano, Fox, Nargiso

Absent: Donnelly (excused)

Also present: Bernard Becchetta, Esq. for John Barbarula
Tom Boorady, P.E.

Board Attorney advising Zoning Officer that an application to the Board for an amended site plan must also go to the Kinnelon Board.

There being no further business for the Workshop, the Board went into the Regular Meeting.

**REGULAR MEETING OF THE BUTLER PLANNING BOARD
MARCH 11, 2021**

Present: Roche, Donza, Brown, Finelli, Piccirillo, Vath, Veneziano, Nargiso

Absent: Donnelly (excused), Martinez (excused), Fox (excused)

Also present: Bernard Becchetta, Esq. for John Barbarula
Tom Boorady, P.E.

APPLICATION: 20-74SD
Wayne Mazda
Block 203 Lots 1, 2, 2.01

Applicant's Attorney Steven Schepsis explained that the application was to make three (3) lots into two (2).

Robert Louis Costa was presented as the Applicant's Engineer/Planner.

Motion to accept Mr. Costa as Engineer/Planner

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

Member Veneziano recused himself because of a conflict of interest pertaining to the Engineer/Planner.

Planning Board Engineer Tom Boorady deemed the Application Complete and that it was a Conditional Use Variance. Mayor Martinez and Councilman Fox stepped down.

Mr. Costa explained that the proposal basically took the previous lease line and used that as a guide to effect a new lot line and combining the two remaining lots into one. The new lot's proposed is Lot 2.02 containing 3.95 acres (42,860 square feet) and being used by Mavis Tire.

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Kevin DiPiano, a principal in the corporate ownership, testified to the history of the site.

Motion to open to the public: Brown Second: Finelli Roll call: All in favor

No one from the public, Motion to Close the public portion: Brown Second: Finelli Roll Call: All in favor

Motion to approve application with the following conditions:

1. Includes a variance for the 4 car display areas within the front yard 25' setback.
2. No parking along the drive aisle parallel to the row of evergreens on the right side of the building.
3. The zoning table for proposed Lot 2.02 be revised to indicate no side yard variance is required.
4. Proposed Lot 2.03 improved with a stormwater detention basin. If approved an Operation & Maintenance Manual be prepared and recorded with the subdivision deed in conformance with the Borough Code and NJAC 7:8. The O&M Manual to be submitted to Borough Engineer for review and approval and to the Borough Attorney.
5. The legal description of a drainage easement crossing from Proposed Lot 2.03 to Proposed Lot 2.02 shall be reviewed and approved by the Borough Surveyor prior to recording.
6. The final revised minor subdivision plans shall be submitted to the Board, Board Engineer and Borough Surveyor for review and approval prior to signing the plans and signing the deeds for recording. There shall be a separate deed for each new lot, including legal descriptions, deed restrictions, required easements for review and approval by the Board Engineer, Attorney and Surveyor. Prior to approving deeds for recording, the Butler Board Secretary must first receive a status report confirming all escrow and fees and property taxes of both properties are current.
7. Minor Subdivisions are required to be file with the Morris County Clerk within 190 days. The Applicant must prepare revised plans, form of deeds and legal descriptions for review and approval as soon as possible to allow time for review and record deeds.
8. No parking or storing of vehicles in the aisles or in violation of the approved site plan and the zoning ordinance.

Motion: Brown Second: Finelli

Roll Call

Yes: Roche, Donza, Brown, Finelli, Vath, Morley, Nargiso

No: None

CORRESPONDENCE: – Memo from Borough Clerk regarding adoption of Ordinance 2021-2 Amending and Supplementing Chapter 143 Land Use amending Certain Provisions Pertaining to Storm Water Management.

RESOLUTIONS: Application 20-187V
 Herjon Shaqiri, 41 Kiel Avenue
 Block 40 Lot 17

Motion to Approve Resolution: Brown Second: Finelli

Roll Call

Yes: Roche, Donza, Brown, Finelli, Vath, Nargiso

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No: None
Abstain: Morley

APPROVAL OF MINUTES: Motion: Brown Second: Finelli Roll Call: All in Favor Abstain: Morley

Chairman Nargiso:

1. Announced that he is appointing Salvatore Veneziano as Board Secretary and Ed Vath as Alternate Secretary.
2. Assigned Britni Morley to the Ordinance Review Committee.
3. Announced that the Regular Meeting scheduled for March 18, 2021 has been cancelled.

VOUCHERS – Approved on the condition that the Applicant pays the balance due.

Motion: Donza Second: Brown Roll Call: All in favor Abstain: Morley

Motion to Adjourn: 8:55 PM

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

Next Meeting: April 8, 2021, 7:30 PM


Chairman

ADOPTED: April _____, 2021