

# Borough of Butler

**Planning Board Workshop Meeting  
One Ace Road, Butler, New Jersey  
April 14, 2022  
7:30 PM**

Chairman Nargiso brought the workshop meeting of the Butler Planning Board to order for April 14, 2022. 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, Veneziano, Donza, Brown, Finelli, Vath, Martinez, Nargiso  
Absent: Roche (excused), Fox (excused), Morley (excused)

## **Correspondence:**

1. Memo from Borough Clerk Brandi Greco. Financial Disclosure Statements are due on or before April 30. Failure to file on time will result in a penalty.
2. Email from Mr. Peter McArthur, Esq. requesting a special meeting for the Dell Kinnelon Application on May 12, which is the date of the scheduled workshop.

Motion: Brown

Second: Finelli

Roll Call: All in favor

## **DISCUSSION:** Land Use issues

### 1. Various Changes to the Land Use Ordinance

A. §143-150 Added: The amount to be deposited in escrow for one- and two-family properties is not to exceed two billable hours based on the current contractual fee for the Borough Engineer. If circumstances necessitate additional time, the Planning Board must first approve the additional billing. For all other applications the initial escrow deposit shall be \$1,000.

### 2. Review of Municipal Court Procedures

A. Focused on the failure of a defendant to show up in court. The court, in the example provided, failed to show up four times after which the summons are filed in Failure to Appear folder waiting for the defendant to call for a new date. Otherwise there is no other enforcement available to the local officials.

B. Revocation of CCOs for two businesses that are in clear violation of the law and/or site plan approval. To enforce these revocations, the Borough would have to take them to Superior Court in Morristown to get a court order to enforce them.

### 3. Zone Change Recommendation.

A. There is R-1 Zone at the Butler's border with Kinnelon and West Milford. This is the highest level of all residential zones. It is discouraging proper development since the bulk of this zone is located on Route 23. It was suggested to give to the Planner for review and his recommendations.

4. Revise Planning Board Application number system

A. In order to streamline and avoid confusion it is agreed that we would, as part of a trial run, using the numbering system similar to the Governing Body's method of numbering ordinances.

5. Review Single Family Bulk Variance Requirements

A. To shorten the time to get on the agenda and to simplify bulk variance applications, single and two family properties will be using a simplified application and a minimal check list.

B. As in the past a to scale survey on legal size paper will be allowed, along with supporting documentation.

6. Requiring Digital Copies of All Applications

A. Due to the ever decreasing amount of storage space, we are looking for ways to retain bulky applications in a more manageable format. Paper copies will be required, but the need to maintain duplicate copies of all plans would be eliminated.

B. The applicant would have the option of emailing the files, putting them on a CD or a thumb drive as long as it is compatible with the Borough's technology.

Motion to recommend to the Council: Veneziano    Second: Brown    All in favor

Further discussion on the various changes to the Land Use Ordinance, including

A.     Redevelopment of Main Street. Consider creating an overlay district in the CBD zone to encourage redevelopment along the Main Street corridor

B.     Elderly Housing. Review of an ordinance from another municipality providing for tiny houses for elderly parents of the homeowner. Both issues would have to be considered by the governing body.

**Adjournment: 8:33 PM**

Motion: Brown        Second: Martinez        All in favor

**Next Regular Meeting on Thursday, April 21 at 7:30 PM**

**Approved: May 19, 2022**