

MINUTES
SPECIAL MEETING OF THE BUTLER PLANNING BOARD
MAY 12, 2022

Chairman Nargiso brought the special meeting of the Butler Planning Board to order for May 12, 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, Donza, Veneziano, Brown, Vath, Fox, Morley, Nargiso
Absent: Roche (excused), Finelli (excused-conflict), Martinez (excused)
Also present: John Barbarula, Board Attorney; Tom Boorady, Board Engineer; Gary Anderson, Board Traffic Engineer

CORRESPONDENCE: – None

CASE TO BE HEARD:

SP21-80	Dell-Kinnelon Butler Lots, LLC 1515 Route 23 Block 203.01 Lot 4	Site Plan
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Peter Mac Arthur, Esq. made his opening remarks. He stated that variances are being sought dealing with the following issues:

§143-86E	Parking setbacks
§143-90A	Trash enclosure
§143-175K(2)	Signs
§143-141	Retaining Wall

Status of outside approvals:

Morris County Planning Board sent two letters of exemption for Butler and Kinnelon dealing with Soil Conservation District. Applied for an extension of a permit issued by the Department of Transportation.

Matthew Marzinke, current manager of the Livingston Advanced Auto store, 437 West Mount Pleasant Avenue, Livingston. Mr. Marzinke sworn in.

He presented the general daily procedures and operations, store hours, deliveries, on-site battery changing and wiper blades replacement. No oil changes or other repairs allowed on site. Oil recycling tank on the inside of store.

Open to public. No one came forward.

Motion to Close: Brown Second: Veneziano All in favor

Architect Frank Hall, 27 Chestnut Street, Ridgewood. Mr. Hall sworn in and presented his credentials.

Motion to accept: Brown Second: Donnelly All in favor

The proposed building will be 83' x 83' x 20' high - 6,889 square feet. Building fits within the building envelope. The retail portion is 2,630 square feet - 40% of the total area. Balance is stock, customer service, pick-ups. The signs proposed and the request for a variance.

Exhibit A-1 Color rendering of the proposed store

Open to the public. No one came forward.

Motion to close: Brown Second: Morley All in favor

Engineer Jake Modestow, Stonefield Engineering & Design, 92 Park Avenue, Rutherford

Mr. Modestow was sworn and presented his credentials as a civil engineer.

Motion to accept: Brown Second: Veneziano All in favor

Exhibit A-2 Aerial view of site

1.26 acre parcel. Part of the property is also located in Kinnelon. Highway Commercial Zone.

12% Building coverage with 20% allowed.

43 parking spaces where 35 are required by code.

Exhibit A-3 Site Plan Rendering

Anthony Mondello, 100% owner of the site, was sworn in.

Mr. Mondello spoke to a representative of PSE&G regarding access to the gas pipe line. Will EDT be willing to close its driveway access to allow the connection? He doesn't believe the access will have to be closed down.

Mr. Boorady suggests some coordination between the property owners, the DOT and the utility.

A detailed traffic plan before approval can be given for the project.

Mr. Barbarula states that he isn't comfortable giving preliminary and final approval without an approval from Kinnelon.

He recommends no more than a preliminary approval and wait for Kinnelon's approval before Butler gives its final. The utilities, electric, gas, and electric must provide their plans for making the service connections.

Open to the public. No one came forward

Closed the public portion: Motion: Brown Second: Donnelly All in favor

Traffic Engineer Matthew Seckler, Stonefield Engineering & Design, 92 Park Avenue, Rutherford is sworn in.

Motion to accept as Traffic Engineer and Planner: Brown Second: Veneziano All in favor

Traffic Impact Letter Report, dated 10/11/2021

DOT maintains jurisdiction on Route 23 and Ramp A and the section of Kinnelon Road in between.

All traffic counts were pre-covid - December 2019.

Retail Peak period midday Saturday 12/14/2019 79 trips - 40 coming and 40 going

AM rush hour 7:30 to 8:30 40 trips - 20 coming and 20 going

PM rush hour 4 to 5 less than 40 trips - 20 coming and 20 going

Added the new traffic counts to the Butler Plaza Project

Ramp A is the only allowable access; there is a no access line around the entire frontage of the site. They received a permit from the DOT in January 2020 and they have applied for it to be renewed.

Exhibit A-4 Loading Truck Planning dated 5/11/2022 showing the truck turning template.

Signage. One free-standing sign 25' high, 75 square feet on each side. An attached sign over the front door and the eastern elevation for oncoming traffic.

Gary Anderson of JDA Associates stated that most of the traffic issues he raised had been addressed. He is requesting a Gap Study, which the applicant has agreed to conduct.

Open to the public. No one came forward.

Close the public portion: Brown Second: Vath All in favor

The hearing is to continue at the next regular meeting on June 16, 2022.

PROFESSIONAL RETAINER:

JDA, 28 Newark Pompton Turnpike, Riverdale for the following applicants:

PSI Atlantic Butler NJ, LLC

1414 Route 23

Block: 51

Lot: 9

Motion to approve: Brown

Second: Fox

All in favor

Butler Self-storage

103 Arch Street

Block: 16

Lot: 16.01

Motion to approve: Veneziano

Second: Fox

All in favor

ADJOURNMENT: 10:02 pm

Motion: Vath

Second: Veneziano

All in Favor

Next Meeting: Regular Meeting June 16, 2022, 7:30 PM
Applicant: Dell-Kinnelon Butler Lots, LLC

Approved: June 16, 2022


Chairman