

MINUTES
WORKSHOP MEETING OF THE BUTLER PLANNING BOARD
JUNE 8, 2023

Chairman Nargiso brought the workshop meeting of the Butler Planning Board to order for June 8, 2023. 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: Donza, Veneziano, Brown, Hough, Reger, Roche, Fox, Finelli, Martinez, Nargiso

Absent: Vath (excused)

Also present: John Barbarula, Board Attorney, Tom Boorady, Board Engineer

CORRESPONDENCE: – None

Motion to approve a retainer agreement with Gary Dean of Dolan&Dean for traffic engineering due to conflict of the board engineer: Brown Second: Finelli All in favor

PROPOSED AMENDMENTS TO THE LAND USE ORDINANCE - DISCUSSION

1. Decide to remove the word “Apartments” from the definition of CBD Zone; or reinstate the second-floor apartments provision. The disposal of solid waste by the apartment tenants is a major problem and should be addressed.
2. Should the borough consider an overlay zone in the CBD to allow for redevelopment much like the River Place project. This should be presented to the Planner and the Governing Body.
3. §143-86F change “Garden Apartments” to just “Apartments” to avoid any restrictions as to the type of multi-family units that would be allowed.
4. §143-118 Schedule B Off-Street Parking Requirements. Amend the requirements for Hair/Nail Salons and Barber Shops to One Space for every 150 gross square feet.
5. §143-157.1 Replace the existing section with the following: *In all existing residences which encroach upon minimum setback requirements for side and rear yards, second story additions shall be allowed if those setback requirements are not more than 30% of the required setback requirements as provided for in Schedule D. In addition, such expansions shall not exceed the square feet of the first floor.*
6. §143-118 Schedule D for R-5 Two Family Zone the Minimum Floor Area shall read 900/600/1500 square feet. A side by side duplex would require the same square footage for each unit.
7. §143-130 Yards. The entire section shall read: *Every lot must provide front, rear and side yards as required by its zone district. All front yards must face upon a dedicated public street or a private street approved by the Planning Board.*
8. §143-139 B. Private Storage Sheds. Entire section to read: *Storage sheds shall meet the maximum lot coverage for accessory buildings as specified for each particular zoning district in Schedule D and no individual shed shall exceed an area of 200 square feet. Storage sheds must meet the design criteria of the principal use and may not be constructed of cloth, canvas or any non-rigid material.* §143-139 C. In its entirety: *Storage sheds shall be firmly anchored to the ground to insure stability.*
9. §143-135.1 Decks and Patios. Houses with side door with stairs and a landing, the landing shall be limited to 4’ x 4’. Decks permitted in the side yard if meets the side yard setbacks.
10. §143-141 A. Fences and Walls. Dog runs shall be located in rear yard areas only and shall be set back from any lot line at least 10 feet. Dog houses must first be approved by the Animal Control Officer to assure that it is in compliance with the State Code. A dog run shall not exceed 200 square feet. A roof over the dog run, either totally or partially, must be approved by the Animal Control Officer.

11. The following definition of survey will be used when accepting Planning Board applications: A survey of the subject property shall be submitted with every application. If the survey was prepared not more than seven years from the date of submittal of the application, it shall be accompanied by an "affidavit of no change" signed by the applicant or owner.

Except with regard to accessory structures of 200 square feet or less, as set forth below, if the survey was prepared more than seven years from the date of submittal of the application, it shall contain the signature and seal of a certified surveyor attesting that it is an accurate representation of the current conditions on the subject property.

If the application involves an accessory structure of 200 square feet or less, the Planning Board shall accept a survey, with or without a seal, of any age, provided the survey is accompanied by an affidavit of no change signed by the applicant or owner. If the affidavit of no change denotes changed conditions which are determined by the Planning Board to not substantively impact or affect the proposed accessory structure of 200 square feet or less, the Planning Board may accept such survey and proceed to process the application.

12. Planning Board Instruction Sheet shall include:

H. You must provide to the Board Secretary at the time of filing:

- **3 copies of the completed application. Additional 12 copies to be submitted upon being deemed complete.**
- **3 copies of all prints and maps. Additional 12 copies to be submitted upon being deemed complete.**
- **3 copies of all other documents. Additional 12 copies to be submitted upon being deemed complete.**
- **1 copy of the checklist completed by the applicant.**
- **15 copies of all additional reports, documents, plans, etc.**
- **1 electronic PDF file containing all the above documents on a thumb drive, email or whatever technology the Borough has available.**

13. Fee changes recommended by board engineer: §143-42 (3) ~~Residential yard and bulk variances~~ to be replaced with (5) All other use, yard and bulk variances:

(a) One- and tow-family dwellings: \$250

Escrow Fees: §§143-43 (3) Variances:

(a) Variances pursuant to N.J.S.A. 40:55D-70C: ~~\$500~~ \$1,500

(b) Variances pursuant to N.J.S.A. 40:55D-70D: ~~\$1,000~~ \$2,000

14. §143-150 Lot Grading. Existing wording to be replaced with:

Prior to the alteration of any site elevations in excess of one foot a lot grading plan shall be submitted to the Construction Official and approved by the Borough Engineer. The requirement for a lot grading plan may be waived by the Borough Engineer if, in his opinion, the proposed land disturbance will not present any risks or problems of soil erosion, drainage or other hazards..

15. Send to the Mayor and Council to consider changing the following lots from R-1 to HC Block 205 Lots 2, 3, 4, 5, 7 and Block 102 Lots 2, 2.01, 2.02, 2.05.

16. §143-160.1 Limited service stations with convenience center

§143-5. Definitions. SERVICE STATION, LIMITED WITH CONVENIENCE CENTER. Land and buildings providing for the sale of automotive fuel, lubricant and accessories and electric charging stations. The convenience center is allowed to sell sandwiches, milk, coffee, soft drinks, bread, snacks, ice cream, candy, gum, cigarettes, magazines, newspapers, paper products, ATM, lottery tickets, and similar type items. Among items strictly prohibited from being sold are alcohol, cannabis, vapes, firearms, ammunition, and cannabis-related paraphernalia.

17. Board discussed the static and digital electronic signs in the HC zone. More information is needed.

18. Walls and Bin Blocks. Restraining walls as compared to fences. More information is needed.

19. This is to be continued at the regular meeting on July 20, 2023.

ADJOURNMENT: 10:05 pm

Motion: Veneziano

Second: Brown

All in Favor

Next Regular Meeting June 15, 2023, 7:30 PM

Approved: June 15, 2023


Chairman