

**RESOLUTION
BOROUGH OF BUTLER PLANNING BOARD
IN THE MATTER OF 6 Carey Avenue, LLC
6 Carey Avenue
Block 27.01, Lot 11.01 & 12.02
Application No.: 21-209V
Preliminary and Final Site Plan with Variance**

WHEREAS, 6 Carey Avenue, LLC, (hereinafter referred to as the “Applicant”) has made an Application to the Borough of Butler Planning Board (hereinafter referred to as the “Board”), for site plan with variances for the property known as 6 Carey Avenue, Block 27.01, Lots 11.01 and 12.02, located in the CBD Zone; and

WHEREAS, a public hearing was conducted on April 21, 2022 after the Board determined it had jurisdiction;

WHEREAS, the Board has heard testimony from the Applicant’s member Robert Cigol, planner Donna Holmqvist and engineer, Joseph Golden, and with the public having had an opportunity to be heard; and

WHEREAS, a complete Application has been filed, the fees required by Borough Ordinance have been paid, and it otherwise appears that the jurisdiction and powers of the Board have been properly invoked and exercised.

NOW THEREFORE, the Planning Board makes the following findings of fact and conclusions of law based upon the evidence presented at its public hearing, at which a record was made:

1. The Application before the Board involves a request by the Applicant for preliminary and final site plan, with a reduction of nine parking spaces and a use variance for one apartment with two bedrooms;
2. The Application has merged both lots into one and the property was considered as a whole;

3. The Municipal Land Use law provides that the Planning Board has the power to grant this approval when the Applicant satisfies certain criteria, which is enumerated by Statutes and Borough Ordinances;
4. In that the proceedings in this matter were voice recorded, the recital of facts in this Resolution is not intended to be all inclusive, but a summary and highlight of the complete record made before the Board.
5. Upon consideration of exhibits, testimony and evidence, the Board finds that it has been furnished with sufficient information so as to enable it to make an informed decision with regard to approving the preliminary and final site plan and accompanying use variance for one apartment with two bedrooms.

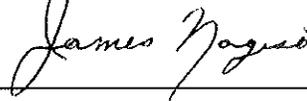
NOW THEREFORE, BE IT RESOLVED, by the Borough of Butler Planning Board that the Application of 6 Carey Avenue, LLC for Lots 11.01 and 12.02 in Block 27.01 for preliminary and final site plan, with a reduction of nine parking spaces and use variance for one apartment with two bedrooms, is approved based upon the following:

1. Compliance with the previous Resolution of Approval, dated October 14, 2021 and October 21, 2021;
2. Compliance with the Board's Engineer's letter dated February 11, 2022; and
3. No occupancy shall be permitted until the entire site plan has been completed and signed off on by the Board's Engineer.
4. The following exhibits were submitted:
 - A1. - Color rendering of the site plan;
 - A2.a – Sign detail of Roberts Street;
 - A2.b – Sign detail of Carey Avenue;
 - A3. – Land use depiction;

A4. – Zoning depiction; and

A5. – Site suitability.

The undersigned certifies that the within action was taken by this Board on April 21, 2022 and memorialized herein pursuant to N.J.S.A.40:55D-10(g) on May 19, 2022.



Chairman

FOR: VATH, FINELLI, DONZA, VENEZIANO

AGAINST:

ABSTAIN: BROWN, NARISO

MOTION: VATH

SECONDS: FINELLI