Chairman Nargiso brought Workshop and Special Meeting of the Butler Planning Board for April 13 2017 to order followed by a Pledge to the Flag. Chairman noted that 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, Roche, Veneziano, Hauck, Alviene, Brown, Grygus, Finelli, Vath, Fox, Nargiso

Absent: None

**Workshop:**

Applications to be deemed complete/incomplete

SP16-70 Johan Kafil (Retail Property)

1465 Route 23

Block 54 Lot 1.08 & 1.09

SP16-71 Monica Kafil (C-Store)

1455 Route 23

Block 54 Lot.2.05

Mr. Barbarula stated that Mr. Brown has stepped down from the above referenced applications. SP16-70 and SP16-71

Mr. Darmofalski stated that he recommends to the board that SP16-70 and SP16-71 be deemed complete and scheduled for a public hearing.

Motion to deem both SP16-70 and SP16071 complete and a hearing date as requested by their council for the applicant

Motion: SP16-70 be deemed complete

Motion: Finelli

Second: Fox

Voted Aye: Donnelly, Roche, Veneziano, Hauck, Alviene, Grygus, Finelli, Vath, Fox, Nargiso

Voted Nay: None

Motion: SP16-71 be deemed complete

Motion: Finelli

Second: Hauck

Voted Aye: Donnelly, Roche, Veneziano, Hauck, Grygus, Finelli, Vath, Nargiso

Voted Nay: None

The applications will be placed on the agenda for May 18, 2017

Mr. Barbarula stated there was a resident that requested an executive session to determine how to proceed with an application, for the record the request was for sensitive issue that would be involved with the application, that aspect of that application has been resolved by the applicant and their professional and therefore we do not need to address it based on the correspondence received by that applicant.

Motion to close the workshop portion of the meeting

Motion: Donnelly

Second: Finelli

All Ayes

**SPECIAL MEETING**

Meeting is being held in conformance with the Sunshine Law Requirements having been advertised and posted at borough hall

ROLL CALL:

Present: Donnelly, Roche, Veneziano, Hauck, Alviene, Brown, Grygus, Finelli, Vath, Fox, Nargiso

Absent: None

**CASES TO BE HEARD:**

SP15-69A Quick Chek

1441 Route 23

Block 58 Lot 1 & 3

Mayor Alviene has stepped down from Application SP15-69A – Quick Chek

Mr. Barbarula stated the notices have been reviewed and are in order, appropriate and deemed complete. Application can proceed.

Peter McArthur, Esq. appearing on behalf of the Applicant

Mr. McArthur stated they are before for an amendment to the previously approved site plan. It is located in the HC Zone and the size of the property is approximately 5.85 acres.

Mr. McArthur stated the previous application has two driveways, one the northern most driveway and the other one the southernmost. The northern most was access only; it was 15 feet wide and gave access to either lots A or B. The southernmost driveway was access and all the egress from the property, 24 feet wide and provided access to lot A which is Quick Chek and B which is the specialty retail lot. The DOT would not approve of the northern most driveway the application is now back before the board with a site plan which eliminates that northernmost drive leaving the southernmost to remain.

The only thing that has changed since the last application is the elimination of the driveway. Everything is the same with the exception of that driveway.

Oath Given

Tungto Lam – Bohler Engineering – 35 Technology Drive, Warren New Jersey

Accepted as an expert witness by motion

Mr. Lam testified to

* changes in the driveway
* Circulations of vehicles
* Signage
* Exhibits A1, A2

Mr. Barbarula stated for the members that were not present prior this surgically removed ingress only driveway that was to the north and in place more impervious surface was replaced.

Board questioned the witness on various aspects of his testimony

Public portion opened by motion for questions

Bob Norman – 31 Cascade Way - questioned the witness on circulation and signage

Bob Bieber - 83 Ridge Road – questioned the witness on drainage and irrigation

Public portion closed by motion

Oath Given

Frank Filiciotto – Licensed Professional Engineer

92 Park Avenue

Rutherford, New Jersey

Stonefield Engineering

Accepted as an expert witness by motion

Board Member Chris Finelli stepped down from the application due to prior business with a member of Stonefield Engineering

Mr. Filiciotto testified to the following:

* Existing conditions
* Site circulations/parking
* Existing roadway
* Existing traffic volumes

Board questioned the witness on various aspects of his testimony

Public portion opened by motion for questions

Bob Norman – 31 Cascade Way questioned the witness regarding on weather deceleration and acceleration lanes will be built.

Public portion closed by motion

Public portion opened by motion for comments

Public portion closed by motion

Mr. Barbarula stated that this approval and resolution previously granted in this matter is adopted, that the application is solely to amend the ingress and egress as depicted on this application and therefore all of the conditions and requirements of the prior application would be subsumed and incarnated in any resolution.

Motion to approve application as presented

Motion: Brown

Second: Fox

Voted Aye: Donnelly, Hauck, Brown, Grygus, Vath, Fox, Nargiso

Voted Nay: Roche

APPROVAL OF VOUCHERS

Motion to approve as submitted

Motion: Brown

Second: Fox

Voted Aye: Donnelly, Roche, Hauck, Brown, Grygus, Finelli, Vath, Fox, Nargiso

Voted Nay: None

The regular planning board meeting scheduled for April 20, 2017 has been cancelled

Motion to Adjourn:

Motion: Brown

Second: Donnelly

All Ayes

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CHAIRMAN – PLANNING BOARD

ATTEST:

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SECRETARY – PLANNING BOARD

ADOPTED:\_\_\_\_\_\_\_\_\_\_\_\_\_\_