Chairman Nargiso brought the regular meeting of the Butler Planning Board for February 18, 2016 to order followed by a Pledge to the Flag. Chairman noted that this meeting is being held in conformance with the Sunshine Law having been duly advertised and posted at Borough Hall.

**ROLL CALL:**

Present: Donnelly, Roche, Drexler, Hauck, Alviene, Brown, Grygus, Finelli, Calvi, Fox, Nargiso

Absent: None

**CASES TO BE HEARD:**

SD15-71 Volpe Developers

13 Ward Avenue

Block 7 Lot 17

James LaSala, Esq. representing the applicant

Mr. LaSala stated the following:

* The application is for a two lot minor subdivision
* Located in a residential zone
* Single family neighborhood
* Application will be consistent with the neighborhood
* Two variances required:

1. Front yard for existing house of 16’ to the front porch
2. Side yard from existing house to subdivision line of 8.67’

* The two lots to be created shall be 17.1 assigned to the existing home and 17.2 assigned to the newly created lot.

Mr. Darmofalski report dated December 21, 2015

* The minor subdivision of Block 7 Lot 17 meets the requirements of the R-4 Zone with the exceptions of two non-conforming conditions for the existing residence for front yard and side yard. Both of these variances must be granted if the application is approved
* The proposed new lot 17.02 will require the removal of existing improvements including the dog run, shed, barbeque pit and foundations.
* The application indicates a proposed 7x44 driveway easement for Lot 17.01 located on lot 17.02. This easement is to accommodate the existing paved driveway serving lot 17.01. This will reduce the useable area and frontage for the new lot.
* The zoning table needs to be corrected for the minimum floor area for lot 17.02 to read 1,120.
* The driveway proposed for lot 17.02 is too steep. The slope shown exceeds 11%
* The subdivision requires a permit form MC Soil prior to any construction

Public portion opened by motion for questions and or comments

Public portion closed by motion

Motion to approve application with the following conditions:

* Compliance with the Board’s Engineer’s letter dated December 21, 2015
* Removal of excess driveway encroaching on Lot 17.2 from lot 17.1
* Removal of all outlying structures as per the plans; including the dog run, shed, fire pit, and foundation/patio
* Applicant to obtain all County approvals including Morris County Soil Conservation
* The driveway for lot 17.2 not to exceed a 5% grade
* Impervious front yard coverage for lot 17.02 to be reduced to 35%
* New drawings in conformance with the resolution to be submitted to the Board’s Engineer and approved prior to the execution of the deeds
* The deeds shall be prepared and provided to the Board’s secretary for distribution to the Board Officials, including the Board’s surveyor for his approval

Motion: Brown

Second: Donnelly

Voted Aye: Donnelly, Roche, Hauck, Alviene, Brown, Finelli, Calvi, Fox, Nargiso

Voted Nay: None

**APPROVAL OF VOUCHERS**

Motion: Brown

Second: Alviene

Voted Aye: Donnelly, Roche, Hauck, Alviene, Brown, Finelli, Calvi, Fox, Nargiso

Voted Nay: None

**APPROVAL OF MINUTES** – January 21, 2016

Motion: Brown

Second: Donnelly

Voted Aye: Roche, Hauck, Brown, Finelli, Calvi, Fox, Nargiso

Abstain: Donnelly, Alviene

Mr. Darmofalski stated that whenever deeds are received for a subdivision they will be forward to DMC Associates for their review escrow fees to reflect review from Borough Surveyor.

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: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_