Chairman Nargiso brought the regular meeting of the Butler Planning Board for February 21, 2019 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, (arrived Late), Brown, Finelli, Grygus, Vath, Nargiso

Absent: None

**CORRESPONDENCE:**

Letter from the Law Office of Steven Schepis requesting a 30 day extension submit a revised plan for property known as 141 Kiel Avenue, Block 51 Lot 6.01

Motion to approve extension March 21, 2019

Motion: Brown

Second: Donnelly

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

Voted Nay: None

Letter received from Darmofalski Engineering regarding NDC Associates located at Block 26 Lot 10.02, Application has been deemed complete and looking for a hearing date.

Motion to deem application complete

Motion: Brown

Second: Finelli

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

Voted Nay: None

NDC Associates, LLC will be placed on the agenda for March 21, 2019

**CASES TO BE HEARD:**

SP18-75 Butler Plaza Partnership

 1510 & 1516 Route 23

 Block 201 Lots 1 & 201

Mr. Grygus stated under oath that he listed to the transcript of the meeting of February 14, 2019

Applicant’s attorney had no questions for Mr. Grygus

Peter McArthur appearing on behalf of the applicant Butler Plaza Partnership LLC

Additional Exhibits

A9 – Drone Image of 3 proposed uses

A10 – Drone view residential neighborhood

A11- Drone view from Kiel & Decker

A12 – Existing areal conditions

A13 – Proposed site

Charles Dietz – Professional Architect

Accepted as an expert witness by motion

Mr. Dietz testified to the following:

* Color scheme and building materials
* Design of free standing sign using similar material
* Size of signage
* Roof top equipment
* Screening for roof top equipment

Board Engineer stated he is questioning some of the signs and whether they are necessary

The applicant has to go back to his people and say why is there this amount of signage which is beyond what the ordinance allows. When that person comes back to testify, someone has to justify the size of the letter of the signs. There are some standards which the board needs to hear technical data on; more information is needed on the signage.

Mr. Dietz stated allot of the board questions have to do with the of the operations which he states he is not qualified to answer

Board questioned the witness on various aspects of his testimony

Public portion:

Mr. Yacovelli – 139 Decker Road

Questions regarding fencing

Bob Norman – 31 Cascade Way

Questions regarding directional signage

Dave Russo Esq – representing Anthony Franco’s Restaurant

Questions regarding façade of building and adjourning lot

Public portion closed by motion

Creigh Rahenkamp – Professional Planner

Accepted as an expert witness by motion

Mr. Rahenkamp testified to Arial Photo (exhibit 12), existing conditions

Mr. McArthur stated he is done for this evening he would like his planner to have a continuous flow. The board is requesting additional information on signage which has to be addressed.

Application will be carried to March 14, 2019 at 7:30 PM without further notice being required

SP18-74 211 Main Street, LLC

211 Main Street

Block 113 Lot 4

James LaSala, Esq representing the applicant

Joseph Golden – Engineer/Planner

Accepted as an expert witness in engineering and planning

Mr. Golden testified to the following:

* Expansion for storage and parking variance
* Conversion to a multifamily building
* Formerly Kochka building
* Renovated by DMC Associates
* Overview of the application
* Objective, existing
* Development pattern
* Need for additional storage
* Parking variance
* Future conversion to multifamily
* Public interest
* LI/CBD zone – full mix of commercial limited industrial and high density residential
* Adverse consequences of granting variance
* Appropriate conditions to mitigate adverse and consequences
* Public good
* Negative criteria

Board questioned the witness on various aspects of his testimony

* 1st part of the application is for additional storage (application is bifurcated) second part of application is for future multifamily use

Variances for pre-existing condition

 Required Existing lot 4 proposed lot 4

Minimum Front Yard 25’/10 FT 0.75 FT 0.75 FT

Minimum Rear Yard 25’/10 FT 0.21 FT 0.21 FT

Mr. Barbarula stated there has been testimony by Mr. Golden and all the submitted documents along with A1 which is the colorized version. It is up to the board to either approve this particular application or deny it.

Motion for the addition of the second floor of the garage area as filing and office space be approved

Motion: Brown

Second: Donnelly

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

Voted Nay: None

Public portion opened by motion

Public portion closed by motion

Application carried to March 21, 2019 without further notice being required.

**APPROVAL OF VOUCHERS**

Motion to approve as presented:

Motion: Brown

Second: Donnelly

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

Voted Nay: None

**APPROVAL OF MINUTES** – December 20, 2019, January 10, 2019 (reorganization), January 10, 2019 (workshop), January 17, 2019, February 14, 2019

Motion to approve as presented:

Motion: Brown

Second: Donnelly

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

Voted Nay: None

Mr. Barbarula stated to board member Mike Hauck that he must listen to what he missed in order to be able to vote on Butler Plaza LLC.

Motion to adjourn – 9:45 PM

Motion: Finelli

Second: Vath

ALL Ayes

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 Chairman – Planning Board

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Secretary – Planning Board ADOPTED:\_\_\_\_\_\_\_\_\_\_\_\_