Chairman Nargiso brought the regular meeting of the Butler Planning Board for March 15, 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, Hauck, Brown, Grygus, Vath, Nargiso

Absent: Roche (excused), Veneziano (excused), Alviene (excused), Finelli (excused), Fox (excused)

**CASES TO BE HEARD**

Letter received from Dana D’Angelo of D’Angelo and D’Angelo with reference to application 17-195V – Samuel Gabbia requesting an adjournment to the April 19, 2018 meeting

**Application 17-195V Samuel Gabbia** – Will be carried by motion to the April 19, 2018 meeting without further notice being required.

18-197V Fernando Echerverria

85 Sunset Ave

Block 103 Lot 6

Mr. Barbarula stated that the notice is in order and the applicant can proceed

Oath Given

Mr. Brown stated that he has an issue with this application stating the front page of the plans arrived 10 minutes ago, not 10 days ago. I got a “little thing this big” of the plan like an 8 ½ x 11 sheet, even with a magnifying glass it was hard to distinguish what was written on that.

The recording secretary stated the application was informed that he could provide the board with the plan at the meeting.

Mr. Brown stated he does not see the list of people that are within 200 feet of this, there is no map of who is within 200 feet, and there is no key map.

Mr. Darmofalski stated he deemed it complete based upon the full set of drawings that he had, he further stated that he was not aware that the list of owners had to be on the set of plans, a key map was provided, and an aerial was also emailed and distributed to try and move this application along.

Mr. Brown stated that this application has been deemed complete even though he did not get the proper paper work, ” me being a member.” Further stated he still does not know which houses are within 200 feet.

Mr. Brown stated that he did receive the areal, even though the house is in the center of this picture that is people within 200 feet? How about the people across the street on Sunset are they within 200 feet of the property and have issues with this application as far as being a member goes.

Mr. Darmofalski stated that his review recommend that it was complete, and advised the application that he would have to provide information at the public hearing on the adjacent structures to the rear of property and an aerial photo should provide approximate setbacks. I also as curtesy to the board made a copy of the photo, if the board feels they do not have adequate information to make an intelligent decision then have him come back with something better.

Recording secretary stated the application was told to provide the board with the plans at this meeting and if you have to blame anyone you can blame her.

Mr. Barbarula stated the certified list of property owners that was provided; there are a number of houses on Sunset.

Mr. Brown stated he does not understand this process, you are doing stuff at this board meeting that should have been distributed 10 days ago.

Chairman Nargiso stated if the board does not have sufficient information and does not feel comfortable to make a decision please make a motion to either proceed with what you have as being adequate or have a motion that should be carried.

Motion to carry the application

Motion: Nargiso

Second: Donnelly

Voted Aye: Donnelly, Brown,

Voted Nay: Hauck, Grygus, Vath, Nargiso

Chairman asked the applicant if he felt comfortable proceeding with the application or would you prefer to be carried to the next meeting.

Mr. Echerverria stated he would like to proceed with the application.

Chairman Nargiso stated that the testimony would proceed and the vote would be at the April 2018 meeting

Mr. Brown stated this application is not right and now we are going to share plans

Chairman Nargiso stated he was trying to move the application forward, but it will be stipulate that there will be no vote until additional information is received.

Mr. Barbarula stated to the applicant that even though the board is going in an unconventional manner within the bounds of our ability, it is not a guarantee of an approval, the board still has the right to ask all the questions.

Mr. Echerverria: Stated “of course”

Mr. Echerverria further stated he is currently living in New Milford with his wife and son. For 17 years his wife and he lived in a small apartment, when they had their son the intention was to get into a house for more space. They plan in to increase their family and that was the decision to purchase a home. They were currently looking for a home to renovate and make the way they wanted, they located a ranch house in Butler, inspectors, construction people were brought in to look it over and give an idea of what they could do.

There was an addition built on the house and the gentleman that owned the house did tell us that the addition was approved for with a variance because of the setback. His contractor stated the best way to go about making an addition for a master bedroom would be to follow the same lines as the house has currently. It was considered instead of going out and making an addition just going up and making a second floor that would have been more costly. About 9 years ago his wife had an accident; she has allot of metal in her leg. They are currently in an upstairs apartment; it is becoming very obvious to them that it is becoming very difficult with the stairs.

Board questioned the witness on various aspects of his testimony.

Board secretary did not locate a copy of the variance/resolution in the files

The board would need proof of prior approvals.

Mr. Barbarula stated the board has to have a clear record.

This application will be carried to the April 19, 2018 meeting in order for the applicant to obtain any and all documents/permits pertaining to this parcel. Notice will be carried to the April 19, 2018 meeting.

Motion to carry to April 19, 2018 without further notice being required

Motion: Brown

Second: Hauck

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

Voted Nay: None

Mr. Darmofalski stated that it has been his policy to make maps and aerials for residents to try and help them along with their application since they do not understand the process, but he will never do it again. He had done this in the past for the applicant and the board, but said he was done and wanted this to be on the record.

**APPROVAL OF MINUTES** - February 2018

Motion: Brown

Second: Donnelly

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

**APPROVAL OF VOUCHERS:**

Motion: Brown

Second: Vath

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

**RESOLUTIONS:**

Judi Carr 27 Manning Ave

Block 23 Lot 23

Motion to approve as presented:

Motion: Hauck

Second: Brown

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

Voted Nay: None

Jeffrey Pincus – 2 Post Court

Block 73.01 Lot 4

Motion to approve as presented:

Motion: Hauck

Second: Vath

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

Voted Nay: None

Chairman Nargiso stated that there will be a workshop in April. At that workshop Storage Units will be discussed in addition to proof of publication procedures.

Motion to adjourn

Motion: Donnelly

Second: Grygus

All Ayes

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Chairman – Planning Board

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

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