

**RESOLUTION  
BOROUGH OF BUTLER  
PLANNING BOARD  
IN THE MATTER OF  
WADE MONTENA AND CYNTHIA MONTENA  
APPLICATION NO.: 24-002 B.O.A.  
PROPOSED BUILDING ADDITION WITH VARIANCES**

**WHEREAS**, Wade Montena and Cynthia Montena, (hereinafter referred to as the “Applicant”) have made an Application to the Borough of Butler Planning Board (hereinafter referred to as the “Board”), for the addition to a single-family home, for the property known as 14 Gormley Lane; and

**WHEREAS**, the subject property is known as Block 74, Lot 10, as shown on the Tax Map of the Borough of Butler, and is located at 14 Gormley Lane, in the R-1 Residential Zone; and

**WHEREAS**, a public hearing was conducted on March 21, 2024; and

**WHEREAS**, the Board has heard comments and testimony from the Applicants’ Architect, Stephen V. Carrozza and with the public having had the full 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 is for an addition to a single-family home.
2. The subject property is located in the R-1 Residential Zone in which this use is permitted.
3. Variances were requested for lot coverage of 24.71% where 20% maximum is permitted.
4. The following exhibits were submitted: Application, Plans and Renderings.

**NOW, THEREFORE**, the Planning Board hereby makes the following conclusions of law, based upon the foregoing findings of fact:

1. The Application before the Board is a request for Variance relief for the lot coverage of 24.7% where 20% is required.

2. The Municipal Land Use Law, provides the Board with the power to grant these variances, when the Applicant satisfies certain criteria which are enunciated in the Statute and Ordinances.
3. Upon consideration of the plans, 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 these variances. Based upon the foregoing, the Board concludes that the variances are appropriate based upon the evidence presented.

**NOW THEREFORE, BE IT RESOLVED**, by the Borough of Butler Planning Board that the Application of Wade Montena and Cynthia Montena, is granted and the request for variances are granted pursuant to N.J.S.A. 40:55D-70c, with the following conditions:

1. Pre-Existing Variances:
  - a. Lot area 17,250' required, 13,397' existing;
  - b. Pool set back violation of 9.6' and 7.53' where 10' is required;
  - c. AC pad encroaching right side yard 10.20';
  - d. Generator pad encroaching right side yard 8.53';
2. Additional Conditions:
  - a. The installation of a seepage pit to facilitate collection of one-half of the roof capacity and located toward the north adjoining property;
  - b. The Applicants to submit the proposed drainage system, no later than 30 days after the memorialization of the within Resolution.

The undersigned certifies that the within action was taken by this Board on March 21, 2024 and memorialized herein pursuant to N.J.S.A.40:55D-10(g) on April \_\_\_\_\_, 2024.

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FOR:

AGAINST:

ABSTAIN: