Chairman Nargiso brought the regular meeting of the Butler Planning Board for September 18, 2018 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, Grygus, Vath, Fox, Nargiso

Absent: Brown (excused), Finelli (excused)

**CASES TO BE HEARD:**

SD18-72 Edward Litchfield

 20 Tintle Road

 Block 73 Lot 3.01

James LaSala representing the applicant

Mr. LaSala stated the applicant comes before the board to request re-approval of a final site plan and subdivision previously granted in Application SD12-45. Application was made by Eric Isenhour, owner of 18 Tintle Road, Block 73 Lot 3.03. The subdivision was never perfected.

Applicant is the owner of 20 Tintle Road and there is currently a contract for the sale of that property. Applicant became aware that the subdivision was never perfected and seeks to do so now.

Building Code Official has confirmed permits are open for the addition constructed by the Isenhours, which is nearing completion. Applicant will reply on the original plans and application submitted under SD12-45 in their entirety.

Upon approval, applicant will undertake all steps to perfect the subdivision.

Mr. Barbarula stated that somehow the deed was never recorded. The board granted this approval, and the people did go for valid permits. The law allows the board to go back to as if it was in the beginning. This is clearly an area where the board is almost out of necessity needs to say what they originally approved and should be reapproved now because parties innocently went ahead and did it and unfortunately the deeds were never recorded.

What the board is being asked to do here is to say what the board action did originally was correct and that you want to reaffirm it because they can’t record it unless the board grants a new approval. All board members are eligible to vote and ask questions regarding this application

Chairman Nargiso stated this application is as if we are hearing it this evening for the first time so if the board has any questions now is the time to ask. And if you agree that it was approved in 2012 and done properly your vote can be based on that.

Public portion opened by motion for questions and or comments

Public portion closed by motion

Motion to approve application as presented to the Board

Motion: Fox

Second: Donnelly

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

Voted Nay: None

**APPROVAL OF MINUTES:**

Motion: Donnelly

Second: Grygus

Voted Aye: Donnelly, Roche, Veneziano, Hauck, Alviene, Grygus, Nargiso

Abstain: Vath, Fox

Voted Nay: None

 **APPROVAL OF VOUCHERS**

Motion to approve as submitted

Motion: Donnelly

Second: Fox

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

Voted Nay: None

**WORKSHOP** for October will be cancelled if there is no agenda, board will be notified by email of cancellation

**MOTION TO ADJOURN**

Motion: Fox

Second: Donnelly

All Ayes

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 Chairman – Planning Board

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

 Secretary – Planning Board

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