Chairman Nargiso brought the regular meeting of the Butler Planning Board for December 15, 2016 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.

**MOMENT OF SILENCE** - William Denzler – of Catlin Associates

**ROLL CALL:**

**Present**: Donnelly, Roche, Veneziano, Hauck, Alviene, Brown, Grygus, Finelli, Fox, Nargiso

**Absent:** Calvi

**Present** - John Barbarula – Board Attorney

Paul Darmofalski – Board Engineer

**Applications to be deemed complete/incomplete**

**SP16-71 Monica Kafil (C-Store) SP16-70 Johan Kafil**

1455 Route 23 1465 Route 23

Block 54 Lot 2.05 Block 54 Lots 1.08 & 1.09

Mr. Darmofalski stated that built something different than what was on the approved plan, it was noted at the time of as built and saw that it was different, and it was stated that they will file with the board to either correct it or keep it as is. They have decided to keep it as is and are working on a temporary CO.

The violation encompasses sights, the McDonalds and the Gas Station site.

Mr. Barbarula stated he could not understand if they are not building what they say they are building how did they get a temporary CO for a structure that wasn’t on the plans.

Mr. Barbarula stated there is a DEP issue with all three sites; we have an application to have approved what was not originally approved by this board. Recommendation is to deem both applications incomplete with a resolution until the DEP issues are resolved and the site was not built to the standards.

A resolution should be done on both applications stating the reason is failure to comply with original approvals. They he has 45 days after the adoption of the resolutions to appeal.

**SP16-70 (Retail) Johan Kafil**

1465 Route 23

Block 54 Lots 1.08 & 1.09

Motion to deem incomplete based on the DEP issues not being resolved and remain open. The plans and reports submitted are inconsistent as identified.

Motion: Hauck

Second: Brown

Mr. Brown stated the DEP is still and open issue maybe the DOT is satisfied but there is no official documentation stating that for the record. That is up to the applicant to get that letter and provide it to the board.

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

Voted Nay: None

**SP16-71 Monica Kafil (C-Store)**

1455 Route 23

Block 54 Lot 2.05

The Mayor and Councilman cannot vote on this application since it is a Board of Adjustment issue

Mr. Barbarula stated the plans and reports submitted are inconsistent as identified.

Motion to deem incomplete based on the DEP issues and inconsistencies of documents submitted

Motion: Brown

Second: Hauck

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

Voted Nay: None

**CORRESPONDENCE**

Professional agreements have been received

Letter received from Donna Holmqvist, Planner stating her interest in providing planning services to the Borough of Butler

The board will vote to decide if they would like to have a new planner other than Burgis

Voted Aye: Finelli

Voted Nay: Donnelly, Roche, Hauck, Alviene, Brown, Grygus, Fox, Nargiso

APPROVAL OF VOUCHERS

Motion to approve as submitted:

Motion: Fox

Second: Brown

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

Voted Nay: None

APPROVAL OF MINUTES – November 12, 2016

Motion to approve as submitted:

Motion: Brown

Second: Fox

Voted Aye: Donnelly, Roche, Brown, Grygus, Fox, Nargiso

Voted Nay: None

Abstain: Hauck, Alviene, Finelli

Next Meeting – January 12, 2017 – 7:00 PM

**MOTION TO ADJOURN:**

Motion: Brown

Second: Donnelly

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Chairman – Planning Board

ADOPTED:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Secretary – Planning Board

DATE:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_