Chairman Nargiso called the special meeting for October 10, 2013 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, Sulski, Hauck, Brown, Grygus, Finelli, Calvi, Nargiso

Absent: Alviene (excused), Fox (excused)

**CASES TO BE HEARD:**

SP13-58 Kafil/McDonalds

1481 Route 23

David Dixon, Esq. representing the applicant

Mr. Bertin – Professional Engineer (previous sworn)

**EXHIBITS:**

47 foot long fire truck circulations exhibits 1 & 2 and were dated October 10, 2013

A18 A&B

Mr. Bertin testified to the following:

* Letter from Paul Darmofalski dated October 8, 2013 regarding amended application
* Delivery truck size
* Turning template
* Spaces that will be vacated prior to the delivery of the truck
* All deliveries will occur during non-peak times
* Driveway intersection
* Sight distances
* Truck circulations
* Mountable island
* Informational signage

Board questioned the witness on various aspects of his testimony

Public portion opened by motion for questions regarding the testimony provided tonight

Bob Norman – 35 Cascade Way

Mr. Norman questioned the witness on the following:

* Entrance off Route 23
* Curbing
* Questions regarding the ease of a fire truck entering the property

Public portion closed by motion

Public portion opened by motion for comments

Bob Norman – 35 Cascade Way

* State he is not against the McDonalds Corporation
* Concerns regarding the exit and entrance feels it is unsafe
* Feels the site would be a hazardous in the making
* Would like the approval based on the changing of the exit and entrance

Public portion closed by motion

Mr. Dixon’s summation to the board

Conditions:

1. The McDonald’s free standing sign shall be no lower than 8’ nor higher than 25’ and limited to a total of 150 square feet
2. There shall be no access between the subject property and the adjoining property to the South on Route 23
3. Cross easements between the lots contained in this application shall be submitted to the Board Engineer and Board Attorney for approval prior to recording
4. Subject to Morris County, Department of Transportation and Department of Environmental Protection, if applicable
5. Mountable curb to be added as per testimony of October 10, 2013 and reviewed by the Board Engineer and approved by the Fire Department of the Borough of Butler
6. All internal signage shall be approved by the Board Engineer
7. Board Engineer is to retain the final review authority for all landscaping plans for the site, in keeping with the application submissions. The applicant shall submit, to the Board’s Engineer, fully revised one-way traffic plans as testified to on October 10, 2013
8. The applicant shall request the application of Title 39 to the site and approved by the Board’s Engineer, before any building permits are issued

Exhibits list:

A1 Color landscape rendering

A2 Rendering of approved site plan

A3 Landscape lighting plan

A4 Sign plan

A5 sign detail sheet

A6 Truck turning template

A7 Revised landscape rendering

A8 Truck turning radius dated 7/15/13

A9 Fire truck turning radius

A10 Traffic report

A11 8/16/13 Conceptual traffic plan

A12 Video of traffic

A13 Building front and side views

A14 Building view north side

A15 Photos of Scotch Plains McDonalds

A16 WB-65 Truck circulations

A17 (A) fire truck exhibit 1

(B) Fire truck access exhibit 2

Motion to approve the application as testified to

Motion: Mr. Brown made a motion to approve the application with two conditions

1. The free standing sign will not exceed 150 square feet, no less than 8 feet clearance at the bottom to the ground and shall not exceed 25 feet high
2. The shopping center lot 1.08 shall not have any access with the convenient store fuel station lot 1.07

Mr. Brown stated he would like to see Title 39 eliminated from the conditions

Mr. Brown amended his motion to include Title 39

2nd to the motion: Donnelly

Voted Aye: Donnelly, Sulski, Hauck, Brown, Finelli, Calvi, Nargiso

Voted Nay: None

Motion to adjourn:

Motion: Brown

Second: Donnelly

All Ayes

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Chairman – Planning Board

ATTEST:

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

Secretary – Planning Board

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