Chairman Nargiso called the regular meeting of the Butler Planning Board for September 19, 2013 to order followed by Pledge to the Flag. Chairman noted that this meeting is being held in conformance with the Sunshine Law Requirements having been duly advertised in the local newspaper and posted at Borough Hall.

**ROLL CALL:**

Present: Donnelly, Sulski, Roche, Hauck, Brown, Grygus, Finelli, Calvi, Nargiso

Absent: None

**CASES TO BE HEARD:**

NC13-48 Ruth Shiense – 21 High Street Block 22 Lot 2

Oath Given

Ms. Shiense stated that she is before the board to get approval for her house that has been a 3 family home for 57 years.

Mr. Brown stated using the 1958 Master Plan which has the maps of the town whether they are single family, two family or three family and the map clearly shows the house at 21 High Street is a two family house as of 1958. If it changed to a three family house there must be some evidence/witness to say that it went from a two family to a three family. In addition there are maps in this Master Plan of the CBD which shows that portion of High Street, it is also marked with a 2 on these maps.

Ms. Shiense stated that when she purchased it in 1969 it was a three family home.

Mr. Brown stated that somewhere between 1958 and 1969 something has to happen to make it a three family house.

Mr. Barbarula stated on the document that was submitted to the board, it says the first floor and second floor and it says did not see basement apartment is there an apartment in the basement.

Ms. Shiense stated that there is an apartment in the basement that exits onto Central Avenue which is #2 Central Avenue.

Mr. Barbarula stated that the card clearly shows that you have a two family the notes on there say it did not see a basement apartment when you bought it. If it had said it had an existing basement apartment you would be fine. But when it says did not see a basement apartment that creates a problem.

Mr. Brown stated that perhaps the apartment can be looked at by the Building Department, Fire Official and Zoning Officer to see if it is habitable area.

Chairman Nargiso stated that an appointment be made with the town officials to determine the safety and report back to the board.

Public portion opened by motion

Public portion closed by motion

Application will be carried to October 17, 2013 without further notice being required.

SP13-58 Kafil/McDonalds – 1481 Route 23, Block 54 Lots 1.03, 1.08, 1.09

THE ATTACHED ARE CERTIFIED MINUTES PROVIDED BY LINDA M. SCHAAL CERTIFIED COURT REPORTER AND NOTARY PUBLIC OF THE STATE OF NEW JERSEY