

Quick Check proposes a brick building with stone along the base with awnings along the front to protect patrons entering or exiting the building. Mr. Cahill spoke about the lot and building details saying that they propose a twenty-four hour operation, which will employ thirty-five to fifty people. Mr. Riley asked if Quick Check would consider a 7am – 11pm store. Mr. Vallario said that would be a hardship to the public and Quick Check. The Board asked about moving the pumps to the rear of the store and Mr. Vallario said that Quick Check prefers the pumps in the front. Mr. Gonzalez asked about proposing some outdoor seating and a pedestrian friendly site with connectivity between the CVS site and Quick Check. Ms. Nicholson said that Quick Check would be happy to meet with the planner, engineer and two Board members and have a collaborative planning session. Mr. Gleitz said they should provide two concept plans; one with the pumps in the front and the other with the pumps in the rear.

Chairman Shivas opened to the public.

Louis Ruggiero, 62 Lackawanna Drive asked about access to the facility. Ms. Nicholson said it already exists.

Alex Rubenstein, 3 Partridge Road asked about the cost of the proposed project. Mr. Vallario said somewhere between 5/7 million.

Ed Brice, 3 Louis Dr., asked if there were aware that the along the southern boundary of the site wetlands exists. He added that with the construction of CVS for the last four years the residents to the rear have had to live with a quarry operation in their front yard, and if this is approved, it will be another quarry operation. Mr. Cahill said they have a valid L.O.I. on file so the wetlands will not be an issue, and added that keeping the pumps to the front will require less drilling.

Joseph Wray, 52 Lackawanna Dr., asked about traffic control. Mr. Cahill responded that the intersection will not change and is designed to handle this proposed development.

Skip Danielson, 18 Hunters Lane said for law enforcement and fire safety it is best to have the pumps in the front, it makes for easier access and more visibility.

Kerry Brown, 133 Lake Dr., said this is a major development along Rt. 206 and since Quick Check is willing to work with Byram Township the Board should take that into consideration.

Mike Pitch, 25 Ross Rd., asked if Quick Check has looked at other locations in Byram Township. Mr. Vallario said yes.

No one else from the public came forward. Chairman Shivas closed to the public.

Ms. Nicholson said she will reach out to the Board secretary to set up a joint planning session.

NEW BUSINESS

Z11-2015, Jim and Bonnie Oscovitch, 43 Meteor Trail, Block 332 Lot 3.21, R-5 Zone

A variance for a right and rear yard setback, and relief from a setback to a body of water to construct an addition to a single family dwelling.

Mr. Riley stepped down for this application.

Mr. Glasson, engineer for the applicant and Mr. Oscovitch were sworn in. Mr. Glasson has provided testimony to the Board previously and the Board accepts him as an expert in his field.

Mr. Glasson presented Exhibit A1, Sheet 1 of 3, a *colorized overall lot plan*. He explained the uniqueness of the site saying the applicant owns the home but leases the land. The overall land is on Lot 3.25 which consists of 10.46 acres and has seven homes, with each home having its own lot number. Mr. Glasson described the setback of Lot 3.21 and presented Exhibit A2, Sheet 2 of 3, *an enlarged version of the leased portion*. Mr. Glasson said this proposed addition requires relief for a front yard setback of 23.8', a right yard setback of 8.3', a setback to a body of water of 16.4' and for the number of stories.

Mr. Glasson presented Exhibit A3, Sheet 3 of 3, which depicts the variance plan saying that the applicants propose a second story addition on the same footprint with the exception of the left side porch which will become living space. A variance will be required for the number of stories but the height and façade height meet the requirements. The addition will add 889' with the overall square footage will be 1449'.

Mr. Glasson added that the home has a septic system and uses seasonal water from April to October.

Mr. Stoner said that since the porch triggers a disturbance within twenty-five feet of a C1 body of water "Permit by Rule" will apply.

Mr. Glasson presented Exhibit A4, *photos of the exiting home* and Exhibit A5, *photos of the proposed dwelling* with the color scheme.

Chairman Shivas said a silt fence would be required during construction. The Board asked about the septic and mentioned that the comments received from the local Board of Health recommend that the proposed construction be reviewed by the County Division of Health to be sure the current septic is adequate for the proposed construction. Mr. Oscovitch said that he would provide a letter from a certified engineer that the septic is adequate for the proposed construction, the Board agreed.

The Board talked about the lease agreement with the land owner and Mr. Oscovitch said the home owner's must maintain the property, and that the land owner must approve any proposed improvements and that yearly septic reports must be provided to the land owner from the home owner. Chairman Shivas requested that these reports be provided to the local Board of Health. Mr. Oscovitch said he would provide copies. Chairman Shivas asked about the water and Mr. Oscovitch said the home has seasonal water which is supplied from April to October. Chairman Shivas asked if they can use the dwelling in the winter and Mr. Oscovitch said occasionally. Chairman Shivas asked if a well was proposed; Mr. Oscovitch said in the future, but not at this time.

The Board asked Mr. Oscovitch about the proposed construction and Mr. Oscovitch said currently they are repairing the foundation which will happen in phases. Chairman Shivas said if the entire house is demolished, the applicants' must come back to the board. The Board discussed this and said one wall must remain at all times. There was Board discussion about the vegetative buffer requirement and Mr. Oscovitch said much of the lake front is vegetated. It was decided about 5% of a vegetative buffer will be required.

Chairman Shivas opened to the public. No one from the public came forward. Chairman Shivas closed to the public.

A motion was made by Mr. Valentine to approve the application with a 5% vegetative buffer, the yearly septic records from the land owner be provided to the local Board of Health, and a letter from a certified engineer that the septic is adequate for the proposed construction, the motion was seconded by Mr. Kaufhold. The following vote was taken:

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Mr. Valentine	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion						√					
Seconded					√						
Aye			√	√	√	√	√	√	√	√	√
Nay											
Abstain	√										
Absent		√									

Motion carried.

SP2-2015, Village School Apartments, 55 Lackawanna Drive, Block 226 Lot 21, M-F Zone
Preliminary and final site plan for the conversion of the former Consolidated School into twenty one residential apartments.

Mr. Simeone, applicant and Mr. Careaga, applicant's engineer were sworn in. Mr. Careaga has provided testimony before the Board previously, and the Board accepts him as an expert in his field.

Mr. Simeone said that he is proposing to convert the old school into 21 residential apartments comprised of three, two bedroom units, sixteen, one bedroom units, and two studios. The apartments will be on two floors, the first floor is in the rear, which cannot be seen from the street, which Mr. Simeone indicated would accommodate residents with disabilities, and the second story apartments are viewable from the street. Mr. Simeone said that four COAH units are required; one studio, two, two bedroom and COAH requires one three bedroom unit which is not being proposed but Mr. Simeone will work with the administrator or the COAH liaison to seek a waiver if they cannot accommodate a three bedroom unit. Mr. Gleitz will work with Mr. Simeone if a waiver is warranted. Mr. Gleitz added this will be subject to a developer's agreement. Mr. Simeone reviewed the building entries saying there will be issues making the site ADA compliant and added that the school used the outside of the building to address people with disabilities, and Mr. Simeone said he may have to deal with some of these issues the same way.

Mr. Simeone said that the brick façade, and windows will remain since they are in good shape, he said he will clean, paint and trim the building and landscape. Mr. Simeone said he may add an awning or permanent structure in the middle of the building that is exposed to protect residents from the outside elements, and may change the entry doors since they are not in good shape. All units will have roof mounted ac units which will be out of sight, electric base board heat and either a central laundry facility or each apartment will have its own laundry unit. The apartments will be fully sprinkled with the current well system and a 6,000 gallon underground water tank is required which will probably be located either in the building or where the oil tank is currently located, which will be removed under DEP guidelines but the location will be provided on revised plans.

Mr. Simone said he plans on keeping the sign that is currently there, and the Township can continue to use it for announcements but proposes an 18" sign on top with the name of the apartments. Mr. Stoner said he must provide details of the sign to the Board. Mr. Simeone added that he plans on adding a benched area outside, landscaping, walkways, a picnic area, and a tenant garden. Mr. Simeone said that the property in the rear, over the fence is primarily wetlands and when the wetlands buffer is defined he'll know what, if anything can be done there.

There was discussion about if this application is preliminary or final site plan approval. Mr. Simeone said both. Mr. Senesky said more information will be needed for the Board to make a decision and a revised site plan must be provided.

Chairman Shivas opened to the public.

Joseph Wray, 52 Lackawanna Dr., was sworn in and said he lives right across the street and was concerned that the ac units would be loud and would like to know the decibel level. Mr. Simeone did not know the decibel level but will check into it. Mr. Wray asked how public water will be obtained. Mr. Careaga said a public water supply is required with a back up well. A study will be conducted to ensure other surroundings properties will not be affected. Mr. Simeone added that a licensed water operator will be required. Mr. Careaga said that the DEP is very strict and surrounding property owners will be monitored.

Mr. Simeone added that the ac units they will be using are quiet and they will be hidden by a parapet, which will deter the noise. Mr. Wray asked about sewage disposal and Mr. Simeone said he currently has 7.1 edu's at that location but another 8 edu's will be required.

Jennifer Braun, 51 Lackawanna Dr., was sworn in and asked if the building has asbestos. Mr. Simeone said yes, there is asbestos pipe covering and floor tiling which has been marked out; studies were performed and will be removed or contained by an asbestos company.

Ms. Braun asked how someone can apply for a COAH unit. Mr. Simeone said you would apply through the Township or the Township designee. Mr. Gleitz added that the Township is currently entering a contract with H.A.S. (Housing Affordability Service) which will handle that function and it is usually done through a lottery.

Lou Ruggiero, 62 Lackawanna Dr., was sworn in and said Mr. Simeone was removing asbestos without obtaining a permit. He said he noticed that flooring was being removed and put in the driveway area. Mr. Simeone said a permit was on file with the Township.

James Braun, 51 Lackawanna Dr., was sworn in and said when Wild West City has events often patrons use the school for overflow parking. Mr. Simeone said their engineer will address that question. No one else from the public came forward. Chairman Shivas closed to the public.

Testimony continued and Mr. Simeone introduced his Mr. Careaga who has testified before the Board previously and the Board accepts as an expert in his field. Mr. Careaga presented Exhibit A1, Ariel view of the site and he reviewed site details saying that the area in the rear is open and the property is wooded on both sides. A landscape plan will be provided with heavy buffering to the nearest house. No plans are made for the 150' wetlands buffer, it will remain undisturbed.

He added that the site provides 44 parking spaces, 39 are required by R.I.S.I. and the applicant will provide landscaping in the parking area.

Mr. Careaga reviewed Sheet 2 of the plan submitted which illustrates the topography of the site adding that a variance for the steep slope of the driveway, which is in excess of 15% will be required. He added that a variance is also required for a driveway within 20' of a R.O.W. with a grade where 2% is permitted and 10% is proposed. Mr. Careaga added that the Sussex County Planning Board must approve this plan regarding the driveway location and if it changes, the applicant will come back to the Board, and Mr. Careaga added that the current driveway location has good sight distance.

Mr. Careaga reviewed Sheet 3 of the submitted plan reviewing proposed dumpster locations and Mr. Careaga added the applicant is willing to enclose or landscape the dumpster area if the Board pleases. Mr.

Gleitz added having the dumpster so close to the R.O.W. may not be an ideal location and should consider another location. Mr. Careaga discussed the well location, water storage tank, fire suppression tank and said the locations will be depicted on the revised plan.

Mr. Stoner reviewed his memo and Mr. Careaga discussed the loading area. One loading space of 12' X 50' should be provided; the applicant proposes 14' X 20' area. Mr. Stoner added that the drainage inlet needs to be repaired. The fence in the rear should be replaced. The applicant agrees but would like to keep the fence by the wetlands buffer which is hidden by vegetation. Mr. Stoner reviewed the lighting, Mr. Careaga said the applicant will provide lighting on the site. Mr. Stoner said a night meter testing should be conducted.

Mr. Careaga discussed ADA requirements; currently the site does not meet ADA standards. The Board discussed the grade of the driveway, and walkways but the prevue of ADA compliance is under the construction office review.

Mr. Gleitz reviewed his memo saying that the applicant may want to consider depicting, by a dotted line a temporary designated loading area for residents moving in and out. Mr. Gleitz added there should be a tenant agreement on shipments that can be accepted at the location.

Mr. Gleitz said since changes are being made to lighting, window wells, landscaping, and additional railings that his architect should provide elevation details. Mr. Gleitz recommended the proposed lighting is not conducive with the building and Mr. Gleitz said Mr. Someone should consider different lighting.

Some recommendations from the Board:

- Connecting walkways.
- The Applicant must supply a landscape plan. Mr. Gleitz recommended losing two parking spaces to allow for a larger landscape buffer.
- If elevators are required the applicant should provide manufacture details.
- Manufactures specs on ac units and a decimal reading.
- Chairman Shivas said he would like to see some drawings on the apartments.

Chairman Shivas opened to the public.

Joseph Wray, 52 Lackawanna Dr., who was previously sworn in asked if the impervious coverage will be increased. Mr. Careaga said no.

No one else from the public came forward. Chairman Shivas closed to the public.

A motion was made by Mr. Walsh and the motion was seconded by Ms. Segal to carry the application without further notice to November 19, 2015. The following vote taken:

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Mr. Valentine	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion								√			
Seconded							√				
Aye	√		√	√	√	√	√	√	√	√	√
Nay											
Abstain											
Absent		√									

Motion carried.

REPORTS FROM COMMITTEES

- Township Council – Ms. Raffay said the “Tell Us What You Want” survey is complete. She reminded the Board that Harvest Moon Festival is Oct. 8, and said the committee head meeting was on Sept. 29 and it was productive.
- Environmental Commission – Ms. Shimamoto said they reviewed the Village School Apartments and the Oscovitch application and provided comments to the Board.
- Architectural Review Committee – No representative at the meeting.
- Open Space – No report.
- Board of Health – Ms. Segal said they reviewed the Village Apartments and provided comment. She said they are getting a “push back” from the County, what was agreed upon in the past may not happen.

ANY OTHER BUSINESS THE BOARD DEEMS NECESSARY

Housing Element and Fair Share Plan

Mr. Gleitz discussed upcoming deadlines for the fair share housing plan conformance. A workshop was set for Nov. 5, 2015 and he asked the Board to review the 2010 Byram Township Fair Share Housing Plan.

BILLS

Harold E. Pellow & Associates (8 bills) \$1,290.26

A motion was made by Mr. Walsh and seconded by Mr. Chozick to approve Mr. Stoner’s bills. All were in favor. Motion carried.

Schenck, Price, Smith & King, LLP (6) bills \$1,696.50

A motion was made by Mr. Walsh and seconded by Mr. Valentine to approve Mr. Stoner’s bills. All were in favor. Motion carried.

PUBLIC COMMENT

Chairman Shivas opened to the public. No one from the public came forward. Chairman Shivas closed to the public.

ADJOURNMENT

A motion to adjourn the meeting was made at 11:20 p.m. by Mr. Valentine and seconded by Mr. Chozick. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted: Cheryl White