

**MINUTES**  
**BYRAM TOWNSHIP PLANNING BOARD**  
**MEETING OCTOBER 16, 2014**

**CALL TO ORDER**

Vice -Chairman Kaufhold called the meeting to order at 8:00 p.m.

**ROLL CALL**

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Mr. Valentine	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
HERE	H			H	H	H	H	H	H		
ABSENT											
EXCUSED		EA	EA							EA	EA
LATE											

Also present: Attorney Kurt Senesky  
Secretary Cheryl White

**STATEMENT BY CLERK**

Adequate notice of this meeting has been published specifying the time and place in compliance with the provisions of the Open Public Meeting Act.

**FLAG SALUTE** led by Vice-Chairman Kaufhold

**MEETING MINUTES OCTOBER 2, 2014**

The Board had no discussion. A motion was made by Ms. Segal and seconded by Mr. Riley to approve the minutes as written. 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							√				
Second	√										
Aye	√			√	√		√	√			
Nay											
Abstain						√			√		
Absent		√	√							√	√

Motion carried.

**RESOLUTIONS**

WOSP8 -2014, Glenn Paladino (Byram Car Wash), 56 Route 206, Block 365 Lot 1.01, V-C Zone.

A site plan waiver to change the building façade.

A motion was made by Mr. Walsh and seconded by Ms. Segal to approve the resolution as presented. 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								√			
Second							√				
Aye	√			√	√		√	√			
Nay											
Abstain											
Absent		√	√							√	√

Motion carried.

**REPORTS FROM COMMITTEES**

- *Township Council:* Ms. Raffay said there is a committee head meeting scheduled for October 29, 2014. One topic of discussion will be communication between the various township committees and boards.
- *Environmental Commission:* No meeting.
- *Open Space Committee:* No meeting.
- *Architectural Review Committee:* No meeting.
- *Board of Health:* No meeting.

**COMPLETENESS**

SP4-2014, Cartridge Actuated Device, Inc., aka Energy Technology Inc., 40 Old Indian Spring Road, Block 226 Lot 8.01 and Block 362 Lot 4, R-1 Zone

An amended site plan to add three structures with use variance.

The Site Plan Subcommittee met and reviewed the materials submitted and deemed the application incomplete. The Board instructed the Board secretary to advise the applicant the following items are required.

- Environmental Impact Study (as reference in Mr. Stoner's report.)
- Site plans depicting conditions prior to the new additions being added.
- Existing contours prior to the new additions and proposed contours.
- Prior use of the facility structures and proposed use of all buildings including the recently constructed buildings and fire range.
- Number of employees before the additions and proposed number of employees currently on site.
- Hours of operation.
- Fire protection details as outlined in checklist.
- Disclosure Statements as noted in checklist.

A motion was made by Mr. Valentine and seconded by Ms. Segal to deem the application incomplete. 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						√					
Second							√				
Aye					√	√	√	√	√		
Nay											
Abstain											
Absent		√	√							√	√

Motion carried.

**NEW BUSINESS**

Z08-2014, Monica Osgood, 241 Lake Drive, Block 255 Lot 225, R-5 Zone

A variance for relief from a setback to a body of water for an existing deck and an above ground pool.

Ms. Osgood and Mr. Meyer, property owners were sworn in and said that in 2009 they came before the Board for an addition to their home along with other various items such as a car port, boardwalk, fence, etc. but were not aware that an approval was required for an above ground pool with a deck. Recently the Township received an inquiry from an anonymous neighbor if approval was obtained for the pool and deck and it was discovered it was not and that a variance was required because of the proximity of the pool and deck to the lake.

The Board discussed the previous application noting that the carport, and gazebo were withdrawn from the 2009 application and a portion of the fence on the south side of the property had to be removed but the Board did not recall a discussion about a pool with a deck. It was also noted that a pool with a deck was not on the site plan submitted in 2009.

Mr. Meyers said that the location of the pool does not impede on any neighbors privacy and that the closest house is across the street. They added they are environmental sensitive residents and want to do what is right and they care about their community and neighborhood. They use environmental friendly pool chemicals and want to protect the lake.

The Board had no more questions.

Vice Chairman Kaufhold opened to the public. No one from the public came forward. Vice-Chairman Kaufhold closed to the public.

A motion was made by Mr. Walsh and seconded by Mr. Riley to approve the deck and pool. 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								√			
Second	√										
Aye	√			√	√	√	√	√	√		
Nay											
Abstain											
Absent		√	√							√	√

Motion carried.

**EXTENSION**

Z11-2-13, Juan and Stephanie Agudelo, 66 Lee Hill Road, Block 337 Lot 1.02, R-3 Zone

To extend the period of time to record the subdivision deed to November 30, 2014.

A letter was received from the attorney representing the Agudelo's asking for an extension of time to November 30, 2014, to file the deed relating to the Lot line adjustment which was approved on Feb. 6, 2014. They are having difficulty and will not make the 190 days specified under the MLUL. There was Board discussion and they were in agreement to allow the extension.

A motion was made by Mr. Valentine to extend the date to Nov. 30, 2014. Some members felt that may not be adequate time, after Board discussion a recommendation was made to extend to Feb. 6, 2015. Mr. Valentine amended his motion, the motion was seconded by Mr. Walsh. 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						√					
Second								√			
Aye	√			√	√	√	√	√	√		
Nay											
Abstain											
Absent		√	√							√	√

Motion carried.

**ANY OTHER BUSINESS THE BOARD DEEMS NECESSARY**

The Board had no comment about the zoning report.

**BILLS**

Schenck, Price, Smith & King, LLP \$975.00 (three bills)

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

**PUBLIC COMMENT**

Vice Chairman Kaufhold opened to the public. No one from the public came forward. Vice-Chairman Kaufhold closed to the public.

**ADJOURNMENT**

A motion to adjourn the meeting was made at 9:15 p.m. by Mr. Valentine and seconded by Mr. Riley. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted: Cheryl White