

MEETING MINUTES
BYRAM TOWNSHIP PLANNING BOARD MEETING
NOVEMBER 17, 2016

CALL TO ORDER

Chairman Shivas called the meeting to order at 8:00 p.m.

ROLL CALL

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

Also present: Planner Paul Gleitz
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 Meetings Act.

FLAG SALUTE led by Chairman Shivas

MINUTES

Approval of the November 3, 2016 Meeting Minutes

A motion was made by Mr. Kaufhold, and seconded by Mr Morytko to approve the minutes as written. Mr. Walsh noted a minor correction in the public comment section. The secretary will make the correction. The motion was amended to include the correction. The following vote was taken:

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

Motion carried.

COMPLETENESS

JP Morgan Chase, Block 226 Lot 15.01, 80 Route 206, V-B District

Amended site plan with variances

Ms. Segal said the committee reviewed the application and supporting documents along with the Planning Board Engineer's report. A motion was made by Ms. Segal to deem the application complete and schedule a public hearing date of December 15, 2016. The motion was seconded by Mr. Kaufhold. The following vote was taken:

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

Motion carried.

RESOLUTION

Housing Element Fair Share Plan

It was noted a minor correction was needed to the resolution presented. Mr. Senesky will make the correction. A motion was made by Mr. Walsh to approve the resolution with the discussed modification. The motion was seconded by Mr. Morytko. The following vote was taken:

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

Motion carried.

DISCUSSION ITEMS

- Consistency review of Ordinances to amend Chapter 215 and Chapter 240

Chapter 215 Subdivision and Site Plan Review

Mr. Gleitz explained that as a result of the Settlement Agreement and under the direction of the Courts, the Byram Township Land Use Board adopted a revised 2016 Fair Share Housing Element as part of the Byram Township Master Plan, and that Article XIV of Chapter 215 – Growth Share Affordable Housing Requirements for residential developments be repealed in its entirety.

Chapter 240 Zoning

Mr. Gleitz explained that Byram Township submitted its petition for substantive certification of its Fair Share Plan and Housing Plan Element on November 17, 2008, and under Third Round rules to COAH and was deemed complete December 16, 2008; and then Byram Township submitted a revised petition for substantive certification of its Fair Share Plan and Housing Plan Element under Third Round rules to COAH and was deemed complete June 7, 2010. On November 23, 2009 Byram Township submitted a Petition for Highlands Plan Conformance which was approved by the Highlands Council on September 23, 2010. He added that on July 2, 2015 Byram filed a Complaint for Declaratory Judgment Demonstrating Municipal Compliance with Constitutional Mount Laurel Obligation July 2, 2015 and on September 7, 2016 agreed to a Settlement Agreement with the Fair Share Housing Center. As a result of that settlement and under the direction of the Courts the Byram Township Land Use Board adopted a revised

2016 Fair Share Plan and Housing Element. The adoption of this plan required revision to Chapter 240 in the Village Center and Village Business District.

- **Neighborhood Commercial & Village Business District Zoning discussion**
Mr. Gleitz talked about the different options and the requirements for any changes to the zoning districts. He said the Board could; create a new zone, do a land use amendment, or a re-exam. The Board talked about the current uses in the zone today, and the permitted and prohibited uses. Mr. Gleitz said he would come up with a draft ordinance for the Dec. 15 meeting and to email any suggestions to the Board secretary.

REPORTS FROM COMMITTEES

- Township Council – Ms. Raffay said at the November 14, 2016 the Council reviewed the amended Village Center and Village Business ordinances that are a result of the 2016 FSHP.
- Environmental Commission – No representative present at the meeting.
- Architectural Review Committee – Mr. Morytko said they reviewed the JPMorgan Chase application and didn't find any major issues with the proposed changes, and provided a memo to the Board secretary. Mr. Morytko added that the representative from Mavis Tire had another meeting with the committee and presented a new color for the mansard roof that the committee agreed with, and that Mavis Tire agreed not to paint the brick façade. The committee will be receiving a final rendering for their review. He said they were receptive and cooperative with the committee's recommendations.
- Open Space – No meeting was held.
- Board of Health – Ms. Segal said there is a meeting next week.

BILLS

Schenck, Price, Smith & King, LLP (7 bills) \$2,787.50

A motion was made by Mr. Walsh and the motion was seconded by Mr. Riley to approve Mr. Senesky'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 p.m.10:00 by Mr. Walsh, and seconded by Mr. Kaufhold. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted: *Cheryl White*