

**MINUTES**  
**BYRAM TOWNSHIP PLANNING BOARD**  
**December 15, 2011**

**CALL TO ORDER**

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

**ROLL CALL**

	<i>Mr. McElroy</i>	<i>Mr. Chozick</i>	<i>Mayor Oscovitch</i>	<i>Ms. Raffay</i>	<i>Mr. Kaufhold</i>	<i>Mr. Valentine</i>	<i>Ms. Segal</i>	<i>Mr. Walsh</i>	<i>Mr. Gonzalez</i>	<i>Ms. Shimamoto</i>	<i>Chairman Shivas</i>
Roll Call	H	H	A	H	A	H	H	H	H	H	H
	Attorney Planner Secretary			Kurt Senesky Paul Gleitz Cheryl White							

**STATEMENT BY SECRETARY**

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 Chairman Shivas.

**MINUTES:**

**November 17, 2011**

A motion was made by Ms. Segal and seconded by Mr. McElroy to approve the minutes as presented. The following vote was taken:

	<i>Planning Board Member</i>	<i>Mr. Chozick</i>	<i>Mr. Kaufhold</i>	<i>Mr. McElroy</i>	<i>Ms. Raffay</i>	<i>Ms. Segal</i>	<i>Mr. Valentine</i>	<i>Mr. Walsh</i>	<i>Mayor Oscovitch</i>	<i>Mr. Gonzalez</i>	<i>Ms. Shimamoto</i>	<i>Mr. Shivas</i>
Motion						X						
Second			X									
Aye		X	X		X	X				X	X	
Nay												
Abstain				X			X		X			
Absent		X						X				

Motion carried.

**SITE PLAN WAIVER**

**Tamaracks Country Villa, Block 360 Lot 40, 85 Tamarack Rd., Zone R-2**

Amended site plan to install generator

Site Plan Chairman Mr. Valentine noted that the committee met with Mr. & Mrs. Roberts and that the generator is a requirement by construction code. The applicants provided a site plan depicting locations of the generator and propane tanks.

A motion was made by Mr. Valentine and seconded by Ms. Segal to grant the Site Plan Waiver. The following vote was taken:

	<i>Planning Board Member</i>	<i>Mr. Chozick</i>	<i>Mr. Kaufhold</i>	<i>Mr. McElroy</i>	<i>Ms. Raffay</i>	<i>Ms. Segal</i>	<i>Mr. Valentine</i>	<i>Mr. Walsh</i>	<i>Mayor Oscovitch</i>	<i>Mr. Gonzalez</i>	<i>Ms. Shimamoto</i>	<i>Mr. Shivas</i>
Motion						X						
Second					X							
Aye		X	X	X	X	X	X			X	X	
Nay												
Abstain												
Absent		X						X				

Motion carried.

**OLD BUSINESS**

SP1-10 First Hartford Realty Corp/CVS Pharmacy/Barone's, B 34 Lot 14 & 15, 77 Rt. 206, Zone VB Mtg. dates 3/3, 4/21, 7/7, 7/21, 8/18, 9/1, 10/6 (carried from 10/20)

Preliminary & Final Site plan, Minor Subdivision, & Use Variance. (Requested to carry to 1/5/2012)

A motion was made by Ms. Segal and seconded by Mr. Walsh to carry the application to Jan. 5<sup>th</sup>, 2012; the applicant must re-notice. The following vote was taken:

Planning Board Member	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	Ms. Raffay	Ms. Segal	Mr. Valentine	Mr. Walsh	Mayor Oscovitch	Mr. Gonzalez	Ms. Shimamoto	Mr. Shivas
Motion				X							
Second						X					
Aye	X	X		X	X	X		X	X	X	
Nay											
Abstain											
Absent		X									

Motion carried.

**DISCUSSION ITEMS**

• **2011 Re-Exam**

Township Planner Paul Gleitz began by saying the re-exam is one of the initial steps in the Plan Conformance process. A re-exam is required every ten years, and it allows the Township to review Master Plan goals and objectives and to analyze how the town is doing in meeting those goals. Mr. Gleitz noted that Township employee Margaret McGarrity provided much input to this process.

Mr. Gleitz added there are five sections of a Re-exam, with four major sections relevant to Byram. **Section A** is a recitation of original goals and objectives. **Section B** is what we've done to achieve those goals. **Section C** reviews events that impact the Master Plan. **Section D** is recommendations to add to the Master Plan. **Section E** regards redevelopment and does not pertain to Byram.

A discussion took place and the following changes/recommendations were made:

**Section B –**

1. The Site Plan Waiver process created a streamlined approval process that encourages development and keep costs down to applicants.
2. The Architectural Review Committee has continued to meet with applicants early in the approval process to provide expert advice.
3. A Collaborative Planning process was established which is voluntary and allows developers to meet with area residents and Township Officials to review proposed development in an informal setting.
4. A grant was received in 2008 to add two bike racks to our parks.
5. The Board should note the new management of Waterloo Village, including the concession agreement.
6. Make note of the approval of various development applications such as Lower Quarry development, Weichert/Bilinkas development, CVS applications, Gupta application, Tamarack Bed & Breakfast, etc.

**Section C**

There was some discussion regarding the Lackawanna Cut-off and the Planning Board's position on this project. The Planning Board recognizes that work has begun by NJ Transit to re-activate the line for passenger service, but the Board wants to be clear that the Board still opposes the project, specifically using the line for any other purposes, i.e. freight, garbage, etc.

**Section D:**

1. An additional recommendation should be added regarding Economic Development and Ecotourism, the possible creation of a Utility Franchise and continued support for Waterloo Village.
2. The Planning Board would also like to see a reintroduction of the Capital Improvement Plan Process.
3. The Circulation Plan should prioritize the proposed Brookwood Road/Mansfield Drive connection.

The following recommendations were made regarding zone changes:

- Block 40, Lot 13.01, 15, and 16: Zone N-C
- Block 219, Lots 4, 5, 6.01 and 7 and Block 220 Lot 7: Zone N-C.
- Block 36 Lot 53: Zone V-B.
- Block 360, Lot 27 & 28: Zone R-3.
- Block 365 Lot 5.02: Zone R-4.
- Block 370, Lot 3, 5 & 6: Zone C-R.
- Block 70, Lot 9: Zone VB.
- Block 36 Lots 43 & 44.02: Zone V-B and Lot 44.01: Zone R-4.

- Block 343, Lot 4: Zone N-C and Lot 5: Zone R-3.
- Block 344, Lot 1: Zone R-3, Block 344, Lot : Zone R-1 and Block 343 Lot 9: Zone C-R.
- Block 213 Lot/s 1 & 2: Zone R-2.
- It was decided to leave the Lackawanna Cutoff railroad zone as Open Space.
- Block 336, Lot 1: Zone R-1.

(Mr. Gleitz noted that when these areas are re-zoned a Certificate of Pre-existing, Non-conforming use or structure letter should be sent to impacted property owners).

Mr. Gleitz asked the Board provide any information to him that they wish to add. He will make the changes and provide a review copy to the Master Plan Committee. After the MP Committee reviews the document, the next step would be a public hearing, which is tentatively scheduled for the second week of February. Mr. Senesky and the Board commended Mr. Gleitz and Ms. McGarrity for a great job!

#### **DISCUSSION ITEMS cont.**

- Zoning Officer's report for November 2011.  
There were no comments or questions regarding the report.
- Nufrio Application Status – Mr. Nufrio was requested to appear before the Board on February 16, 2012.

#### **REPORTS FROM COMMITTEES**

##### ***Township Council***

- Councilwoman Raffay noted that on Tuesday Nov. 29<sup>th</sup> the Township hosted another Committee Chair meeting.
- The Brookwood Park grant was received.
- A letter was sent to Highlands regarding Byram's Waste Water Management Plan; the Township is awaiting DEP comment.

##### ***ARC***

- Ms. Shimamoto noted that the ARC met on 12/14/11 and reviewed the CVS amended plans: comments will be provided. She also noted a new Chair and Vice-chair were added.
- Regarding the Mansfield Superfund site, the EPA held a meeting and presentation on Dec. 8<sup>th</sup>. They are waiting for access rights from PSE&G to begin the clean-up. They will be conducting air testing during the process, and fencing will surround the site for safety. The area will be restored when this process is complete. The 40 additional homes tested in the surrounding area were negative for TCE.

##### ***Environmental Commission***

- No report.

##### ***Open Space***

- The NJDEP will not allow parking on the Jones Lane site within the wetlands buffer. Township Engineer Cory Stoner will do a re-design.

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

#### **BILLS:**

Heyer Gruel & Associates - \$187.50 (one bill). A motion was made by Mr. Valentine and seconded by Mr. Walsh to approve Mr. Gleitz's bill. All were in favor. Motion carried.

Schenck, Price, Smith & King LLP - \$660.00 (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.

#### **ADJOURNMENT:**

At 10:50 p.m. Mr. Valentine made a motion to adjourn; it was seconded by Ms. Segal. All were in favor and Chairman Shivas adjourned the meeting.

Respectfully submitted:  
Cheryl E. White