

MINUTES
BYRAM TOWNSHIP PLANNING BOARD MEETING
DECEMBER 18, 2014

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	Mr. Valentine	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
HERE	H	H			H	H	H	H	H	H	H
ABSENT											
EXCUSED			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 Chairman Shivas

MEETING MINUTES NOVEMBER 20, 2014

Ms. Segal believed that it was not clear in the minutes that a sealed survey **not** be a requirement of the variance check list. The Board secretary will clarify. A motion was made by Mr. Kaufhold and seconded by Mr. Morytko to approve the minutes with a minor correction. 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.

COMPLETENESS

SP2-2014, Lake Mohawk Pool & Spa, Marine Terrace, Block 293.01 Lots 8.03, 9 & Block 293.02 Lots 8.03 & 9.01.

Amended site plan to change tennis court to parking area and a lot line adjustment.

The Site Plan Subcommittee reviewed the application, submitted materials and the planning board engineer's report and found the application to be incomplete. The Board secretary will send a letter to the applicant that check list items 22) Building floor plan, 27) Soil erosion and sediment control plan, and 31) Drainage plan be provided as well as all items outlined in Mr. Stoner's report. In addition the applicant must provide a clear understanding as to whether the houses noted on the plans are part of this application.

A motion was made by Mr. Valentine to deem the application incomplete. 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
<u>Motion</u>						√					
<u>Second</u>					√						
<u>Aye</u>		√			√	√	√	√	√	√	√
<u>Nay</u>											
<u>Abstain</u>											
<u>Absent</u>			√								

Motion carried.

RESOLUTIONS

Z07-2012, Catherine Trader, 55 North Shore Rd., Block 157 Lot 272, R-5 Zone.

A one year extension to Nov. 21, 2015 of initial approval for variance relief that expires November 21, 2014.

Mr. Walsh stepped down for this application.

The Board had no discussion. A motion to approve the resolution as written was made by Mr. Kaufhold. The motion was seconded by Ms. Segal. 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.

Z09-2014, John Ash, 130 Lackawanna Drive, Block 273 Lot 305.01, R-5 Zone.

A variance for a left yard setback and a setback to a body of water to install a standby generator.

Mr. Ash, who was previously sworn in said that when they applied for a variance to install a generator they were not made aware that a landscape buffer be required. He added that when they purchased their home it was in disrepair and they spent a large amount of money improving it and he felt the added expense of landscaping was not fair. Mr. Senesky said the landscape plan submitted appears to meet the requirements of the ordinance, if the Township Planner finds the plan in compliance, then everything is okay. The Board discussed the reason for the buffer requirement; Mr. Ash understood.

A motion was made by Mr. Valentine to approve the resolution with a correction to the date; which should be December 18, 2014, which the Board secretary will correct. 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						√					
Second					√						
Aye	√				√		√	√√	√		
Nay											
Abstain											
Absent			√	√							

Motion carried.

OTHER BUSINESS

Zoning Officer’s report for October 2014

The Board had no comment.

REPORTS FROM COMMITTEES

- **Township Council:** The Board was presented with a letter from the committee overseeing the Sustainable Jersey Conservation Easement grant, which ask the Planning Board for a description of the process the Board follows concerning easements such as how is it determined an easement is required, what language is used in an applicant’s resolution when an easement is required, and what is the process to ensure they are property mapped and filed at the County and municipal level. Councilman Scott Olson talked to the Board about the issues that were discovered while researching easements. Mr. Olson spoke about the goals of the easement monitoring system which in the long term will be valuable to many departments within the municipality. Mr. Olson said the Planning Board’s input is critical and encouraged the Board to respond to Ms. McGarrity by the end of January.

Mr. Olson added that he, the Township Manager, and representatives from the Sussex County Division of Health met to discuss various issues that have been brought to the attention of the Township Manager, such as septic approvals and how they are managed. In an effort to resolve one of the issues the County will send all septic applications to the municipality first, with a stamp indicating whether the septic is for an addition or new construction, since different standards apply. Mr. Olson added that the municipality has the power to write its own ordinances but then the town is legally accountable to enforce them. Other items discussed at the meeting were services the County offers that the municipality is not taking advantage of and possibly changing bulk standards for lakefront development. The Council could look into that option.

Mr. Olson added that effective January 2015 Councilman Dave Gray is the liaison to the local Board of Health and the Environmental Commission.

Mr. Olson reported that the Zoning Officer John Gutwerk retired effective Dec. 17. The Township will be hiring a part time replacement but that process may take longer than anticipated.

- **Environmental Commission:** Meeting on Dec. 22.
- **Open Space Committee:** No meeting.
- **Architectural Review Committee:** Mr. Morytko said they have two new members, Andrea Proctor and Susan Mirz. He added that they discussed the Byram Car Wash and the ARC believed that the colors presented by the owners at the ARC meeting were different than the colors used on the building.

Lisa Shimamoto said that she cannot discuss the sign ordinance. She recently learned that Ronetco provided comments on the proposed sign ordinance and Ronetco is one of Lisa’s clients.

Mr. Olson added that on Feb. 3 the Council will meet with one member of the ARC and three members of the Planning Board, along with Planner, Paul Gleitz and some members of the EDAC to discuss the proposed sign ordinance. He added he thought it was a good document but needed some tightening up.

- **Board of Health:** Ms. Segal reported that the Board is still reviewing the ordinances and doing some clean up. Some ordinances, such as the lawn fertilizer ordinance, the state has a stronger version.

ANY OTHER BUSINESS THE BOARD DEEMS NECESSARY

The Board discussed the 2015 goals. The Board wants to continue working on the sign, solar and soil importation Ordinances. Mr. Olson said that the Township received grant money so that our ordinances are consistent with the Highlands Ordinances so this may be a good time to do that. The Board also wants to look at other ordinances that may be confusing, such as the height ordinance, two stories vs. three stories and attic vs. loft.

BILLS

Harold E. Pellow & Associates, Inc. (7 bills) \$2878.75

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

Schenck, Price, Smith & King, LLP (5 bill) \$1175.00

A motion was made by Mr. Riley and seconded by Mr. Walsh to approve the bills. All were in favor. Motion carried.

CWL Planning, LLC (1 bill) \$420.00

A motion was made by Mr. Valentine and seconded by Mr. Walsh to approve the 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 9:30 p.m. by Mr. Walsh and seconded by Mr. Chozick. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted: *Cheryl White*