

**MEETING MINTUES
BYRAM TOWNSHIP PLANNING BOARD
DECEMBER 20, 2018**

CALL TO ORDER

Chairman Shivas called the meeting to order at 7:30 p.m.

ROLL CALL

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Ms. Raffay	Ms. Kash	Mr. Kaufhold	Mr. Morytko	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
HERE	√	√	√	√		√	√	√	√	√	√
ABSENT					√						
EXCUSED											
LATE											

Also present: Attorney, Kurt Senesky
Engineer, Cory Stoner
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 December 6, 2018 Meeting Minutes.

A motion was made by Mr. Kaufhold to approve the minutes as written. The motion was seconded by Mr. Morytko. The following vote was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Ms. Raffay	Ms. Kash	Mr. Kaufhold	Mr. Morytko	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION						√					
SECONDED							√				
AYE	√	√	√	√		√	√	√	√	√	√
NAY											
ABSTAIN											
ABSENT					√						

Motion carried.

RESOLUTIONS

SP3-2018, Weber Brothers Properties, LLC (aka Sunnyside Landscaping), 35 Route 206, Block 36 Lot 39, V-B Zone.

Amended site plan with conditional use and bulk variances to keep an already constructed 609 sq. ft. salt shed, to construct a 4,800 sq. ft. garage, to allow a residential apartment on the third floor, signage and other associated site improvements.

A motion to approve the resolution with minor changes was made by Mr. Walsh. The motion was seconded by Ms. Shimamoto. The following vote was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Ms. Raffay	Ms. Kash	Mr. Kaufhold	Mr. Morytko	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION										√	
SECONDED									√		
AYE	√	√				√			√	√	√
NAY											
ABSTAIN											
ABSENT											

Motion carried.

NEW BUSINESS

Z10-2018, Jeffrey Butterfield, 31 Belton Street, Block 6 Lot 499, R-5 Zone

Variance for a setback of an accessory structure to a principal structure, and a side yard variance to keep a pre-existing shed.

Owner and applicant, Mr. Jeffrey Butterfield, was sworn in and said he wishes to install a 12' X 24' above ground pool against his existing deck which is attached to the house, and he is seeking relief to keep a pre-existing 8' X 12' shed in the rear yard which violates the side yard setback.

Mr. Butterfield said the above ground pool would be surrounded by 4 ft. pool fence for safety purposes, with a locking, removeable ladder which will be located on the back side of the pool, in the yard. Mr. Butterfield said in the future he may remove the bench seating on the deck and add a locking gate so that you can gain access to the pool via the deck. The Board had concerns saying that the bench seating could be dangerous saying if a child climbed up onto the bench, then over the deck rail nothing would prevent the child from falling into the pool. Mayor Rubenstein pointed out that the construction office may have rules that may require him to remove the bench seating. After further discussion Mr. Butterfield agreed it may be safer to remove the bench seating altogether. The Board agreed that is a better alternative. The variance required for the pool is a variance to allow an accessory structure with no distance between a principal structure, whereas the 10 feet is required. The Environmental Commission had concerns regarding drainage and Mr. Butterfield said a professional contractor is installing the pool and will ensure grading is done properly not to create water runoff or drainage issues.

Mr. Butterfield is also seeking relief to keep a pre-existing shed which does not meet the required side yard setback of 10 ft. whereas 6 ft. is proposed. There was no further discussion.

A motion to approve this application was made by Ms. Shimamoto, the motion was seconded by Mr. Walsh. The following vote was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Ms. Raffay	Ms. Kash	Mr. Kaufhold	Mr. Morytko	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION									√		
SECONDED										√	
AYE	√	√		√		√	√	√	√	√	√
NAY											
ABSTAIN											
ABSENT					√						

Motion carried.

Z08-2018, Alexander Rubenstein, Block 234 Lot 1.04, 3 Partridge Road, R-2 Zone

Seeking an amendment to the prior resolution of approval to allow for the addition of a second driveway.

The applicant requested this application be carried to January 17, 2019.

A motion was made by Mr. Walsh to hear this application on Jan. 17th, 2019, with no further notice required. The motion was seconded by Mr. Morytko. The following vote was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Ms. Raffay	Ms. Kash	Mr. Kaufhold	Mr. Morytko	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION										√	
SECONDED							√				
AYE	√	√	√			√	√		√	√	√
NAY											
ABSTAIN				√							
ABSENT					√						

Motion carried.

REPORTS FROM COMMITTEES

Township Council – Mayor Rubenstein said on February 7, 2019 a joint meeting with the Planning Board and Council will take place to discuss the year ahead. If anyone has items they would like to discuss, please provide them to Doris Flynn or the Mayor.

Environmental Commission – Ms. Shimamoto said they reviewed the Elite Automotive and Butterfield application. They provided comments to the secretary regarding Butterfield and are still reviewing the Elite application. Ms. Shimamoto added that the 2019 Recycle Postcards have been mailed and residents find them very helpful.

Architectural Review Committee – No meeting was held.

Open Space – Mr. Morytko said there was an article in the NJ Herald about the Open Space acquisition of 44 forested acres which will be added to the Cranberry Overlook Greenway. Funding came from the Township’s New Jersey Green Acres Program, and from the New Jersey Highlands Council and is now open to the public for passive recreation. He said the plan is to extend existing trail networks onto the property.

Mr. Morytko reported that the Open Space Committee must update the Open Space and Recreation Element of the Master Plan. He said the committee asked the Open Space consultants to expand the plan and to look at Byram’s trails, grant funding opportunities, the stewardship plan, sports teams, and all recreational and open space assets Byram has to offer. He said the consultants provided a comprehensive plan which was presented to the Council and if everything on the “wish list” was granted, it would cost roughly \$80,000. He said initially the funds would have been provided by Open Space funds, however they received a grant from the Highlands Council to fund this project in its entirety. He said it should take two years to complete and roll out.

Mr. Stoner reported that the Township received a grant of \$15,000. for Stormwater Management. Mayor Rubenstein said many of the grants are from the Highlands Council.

Chairman Shivas asked how the committee for the Township’s new municipal building was coming along. Mayor Rubenstein said the Township retained the Nader Group out of Hackettstown, NJ. He said they toured the grounds and building and came up with some good ideas saying that late January, early February they should present a plan to the Council.

BILLS

Schenck, Price, Smith & King LLP (9 bills) \$1,337.50

A motion to approve Mr. Senesky’s bills was made by Mr. Walsh. The motion was seconded by Mr. Kaufhold. All were in favor. Motion carried.

Harold Pellow & Associates (11 bills) \$1,806.08

A motion to approve Mr. Stoner’s bills was made by Mr. Walsh. The motion was seconded by Mr. Kaufhold. Mayor Rubenstein abstained from voting on Inv. #67720 and #67723. 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 8:20 p.m. by Mr. Walsh. The motion was seconded by Mr. Kaufhold. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted,
Cheryl White