

MINUTES
BYRAM TOWNSHIP PLANNING BOARD
FEBRUARY 16, 2012

CALL TO ORDER

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

ROLL CALL

	<i>Mr. Chozick</i>	<i>Mr. Kaufhold</i>	<i>Mr. McElroy</i>	<i>Mrs. Raffay</i>	<i>Mr. Valentine</i>	<i>Mrs. Segal</i>	<i>Mr. Walsh</i>	<i>Mayor Oscovitch</i>	<i>Mr. Gonzalez</i>	<i>Ms. Shimamoto</i>	<i>Mr. Shivas</i>
Roll Call	H	H	H	H	A	A	H	A	A	H	H
	Attorney Secretary			Kurt Senesky 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

MINUTES:

February 2, 2012

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

<i>Planning Board Member</i>	<i>Mr. Chozick</i>	<i>Mr. Kaufhold</i>	<i>Mr. McElroy</i>	<i>Mrs. Raffay</i>	<i>Mrs. 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
Nay											
Abstain		X		X						X	
Absent					X	X		X	X		

Motion carried.

RESOLUTIONS

WOSP4-12 Gordon Byram Associates, Route 206, Block 226, Lot 14, Zone V-B

A site plan waiver to enclose existing loading dock. A motion was made by Mr. Walsh and seconded by Mr. McElroy to approve the resolution 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>Mrs. Raffay</i>	<i>Mrs. 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			X					
Aye	X		X			X					X
Nay											
Abstain											
Absent					X	X		X	X		

Motion carried.

Z01-12 Robert & Kathleen Siejkowski, 15 Joan Drive, Block 365.04 Lot 5, Zone R-3

C-Variance for side yard set-back for shed. A motion was made by Mr. McElroy and seconded by Mr. Chozick to approve the resolution as presented. The following vote was taken:

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

Motion carried.

SITE PLAN WAIVERS

WOSP8-12 APEP, INC. Block 27 Lot 381.02, 13 Route 206, Zone V-B

A site plan waiver for a new tenant and change of use (nail salon). After review by the Site Plan Subcommittee, it was determined the request meets the requirements set forth in the Site Plan Waiver Ordinance. A motion was made by Ms. Shimamoto and seconded by Mr. McElroy to grant the site plan waiver. The following vote was taken:

Planning Board Member	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	Mrs. Raffay	Mrs. 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	
Nay											
Abstain											
Absent					X	X		X	X		

Motion carried.

WOSP5-12 Down to the Bone Barbeque & Company, LLC, Block 265 Lot 287, Zone N-C

A site plan waiver to install a smoker in kitchen. After review by the Site Plan Subcommittee, it was determined the request meets the requirements set forth in the Site Plan Waiver Ordinance. A motion was made by Mr. McElroy and seconded by Mr. Walsh to grant the wavier with conditions that: a) the taxes must be paid prior to the issuance of a building permit and b) the smoker must be inspected by a fire official in accordance with fire code. The following vote was taken:

Planning Board Member	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	Mrs. Raffay	Mrs. 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	
Nay											
Abstain											
Absent					X	X		X	X		

Motion carried.

WOSP6-12 STS Tire Svc. Ctr. /Amberjack Solar Energy, Block 365 Lot 1.02, Zone V-C

A site plan waiver to mount solar panels on roof. After review by the Site Plan Subcommittee, it was determined the change meets the requirements set forth for in the Site Plan Waiver Ordinance. A motion was made by Mr. Walsh and seconded by Ms. Shimamoto to grant the site plan waiver with conditions that: a) the applicant must submit a structural weight and wind certification by an engineer and b) the overall design must be inspected and approved by the Byram Township Fire Chief or designee. The following vote was taken:

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

Motion carried.

RE-EXAMINATION REPORT

The Board had a brief discussion about the document. One minor change was made which must be reviewed by the Highlands Council. The public hearing date for the adoption of the Re-examination report is set for March 1, 2012. Mr. Senesky and Chairman Shivas noted that our planner, Paul Gleitz, did an excellent job and the report is a good document!

OTHER BUSINESS

- ***Nufrio Status***

A letter from Mr. Nufrio’s attorney, Mr. Patti, was reviewed and accepted by the Board. A determination was made for the Board secretary to send a letter to Mr. Nufrio and his attorney advising him to appear before the Board on June 7 with an updated progress report.

At 8:45 p.m. Board Member Mr. Walsh had to leave the meeting

- ***Zoning Officer’s January 2012 Report***

There were no comments or questions regarding the report.

- ***Designating a Byram representative (and alternate) for the Water Quality Management Policy Advisory Committee***

There was discussion amongst the Board about the content of discussion at these meetings and who would be the best designee to represent Byram. After Board discussion, it was determined that a Planning Board member would not be the best candidate; Ms. Raffay will bring these findings to the Council.

- ***Proposed renovation of Neil Gylling Bathrooms to concession stand by Lenape Blazers Softball***

The Board discussed the proposed renovation and determined that the use would be consistent with the Master Plan but that outside sales of food is a non-permitted use and is not consistent with the zoning ordinance. The question as to whether a variance would be required was discussed; it was recommended that Mr. Senesky research this request and provide a letter to be reviewed by Chairman Shivas and then presented to the Council.

A motion was made by Mr. McElroy and seconded by Mr. Kaufhold to approve Mr. Senesky’s research and that he draft a letter to the Council of his findings. The following vote was taken:

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

Motion carried.

BILLS

Lou Slaby & Associates \$2,847.00 (2 bills)

A motion was made Mr. Chozick and seconded by Mr. McElroy to approve Mr. Slaby's bills. All were in favor. Motion carried.

Schenck, Price, Smith & King, LLP \$990.00 (3 bills)

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

REPORTS FROM COMMITTEES

TC – Ms. Raffay noted Mr. Sabatini is working on the final budget for March.

EC - No one present for a report.

ARC – Mr. Mc Elroy noted the ARC did meet and provided comments regarding CVS.

OS - No report.

There was a discussion about the Complete Streets upcoming seminar. Ms. Raffay will get more information.

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

A motion to adjourn the meeting was made at 9:20 p.m. by Mr. Kaufhold and seconded by Mr. Chozick. The meeting was adjourned.

Respectfully submitted:

Cheryl White