

MINUTES
BYRAM TOWNSHIP PLANNING BOARD
MEETING APRIL 3, 2014

CALL TO ORDER

Chairman Shivas called the meeting to order at 8:15 p.m.

ROLL CALL

	<i>Mr. Chozick</i>	<i>Mr. Kaufhold</i>	<i>Mr. Morytko</i>	<i>Ms. Raffay</i>	<i>Mr. Valentine</i>	<i>Ms. Segal</i>	<i>Mr. Walsh</i>	<i>Mayor Oscovitch</i>	<i>Mr. Gonzalez</i>	<i>Ms. Shimamoto</i>	<i>Mr. Shivas</i>
Roll Call	E	H	H	E	E	E	H	E	H	H	H

Engineer
Attorney
Secretary

Cory Stoner
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

MEETING MINUTES MARCH 20, 2014

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

	<i>Planning Board Member</i>	<i>Mr. Chozick</i>	<i>Mr. Kaufhold</i>	<i>Mr. Morytko</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	
Nay												
Abstain			X				X		X			
Absent		X		X	X	X		X				

Motion carried.

SITE PLAN WAIVER

WOSP2-2014, Glen Paladino (Byram Car Wash), Block 365 Lot 1.01, 56 Rt. 206, VB-Zone

Change existing self-serve vacuums

The Site Plan Subcommittee met with the applicant. Because concrete footings are required for the new vacuums making this an accessory structure, this waiver was denied. The applicant was advised to submit an Amended Site Plan application.

A motion was made by Mr. Walsh and seconded by Mr. Kaufhold to deny the waiver. The following vote was taken:

	<i>Planning Board Member</i>	<i>Mr. Chozick</i>	<i>Mr. Kaufhold</i>	<i>Mr. Morytko</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												
Absent		X		X	X	X		X				

Motion carried.

OLD BUSINESS

Z14-2013, John Seekamp, 10 Weasaug Trail, Block 383 Lot 1, R-5 Zone (carried from Feb. 6, 2014)

Variance relief to construct a second story addition to a single family dwelling.

Mr. Mark Bak, Licensed Planner and Engineer employed by Charles Schaffer Associates, LLC was sworn in and provided the Board with his education and experience. The Board accepted Mr. Bak as an expert in his field.

Mr. Bak said that Mr. Seekamp has addressed all comments from the previous meeting including submitting signed and sealed architectural plans. When complete, the total dwelling area will increase from 621 square feet to 1497 square feet. These numbers do not include the deck and porch areas. A complete septic plan was provided. A correct zoning table was provided and the side yard setbacks were revised.

Judith Keith, land surveyor previously sworn in, provided testimony about the discrepancies in the property survey. Ms. Keith assured the Board that the driveway does not encroach on Mrs. Glasson’s property. Ms. Keith also clarified the distances of adjacent dwellings from the Seekamp property line: the dwelling on the left of the Seekamp property is 16’ from the property line and on the dwelling on the right side is 26’ from the property line.

Chairman Shivas asked how many bedrooms are planned and how many the septic is approved for. Mr. Seekamp said two bedrooms. Mr. Senesky read from the Environment Commission comments, specifically the NJ Administrative code regarding what constitutes a bedroom. Mr. Senesky asked Mr. Seekamp if the enclosed porches were heated or insulated. Mr. Seekamp said no, and that they will not be used as bedrooms. Mr. Senesky asked about the attic space. Mr. Seekamp said it will be used for storage and could not be used as living space because of the low headroom.

Mr. Stoner discussed the building height and façade height. Chairman Shivas said as a condition of approval Mr. Stoner must verify the height measurements during construction. Revised architectural drawings dated March 7, 2014 were provided, depicting the elevation numbers.

Mr. Seekamp presented Exhibits A1 and A2, photos of homes around the Seekamp property.

The Board reviewed the landscape plan submitted by Mr. Seekamp. and Chairman Shivas told Mr. Seekamp as a condition of approval the plan must be reviewed by the Township Planner, Paul Gleitz. Mr. Seekamp agreed.

Chairman Shivas opened to the public.

Bernadette Scully, 5 Weasaug Trail was in favor of the project, saying that Mr. Seekamp is seeking a small addition to live more comfortably in their home. She believes the addition will improve the neighborhood character.

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

A motion was made by Mr. Kaufhold to approve the application with the conditions that the height is verified during construction by the Township engineer, the landscape plan is approved by the Township planner, and a silt fence is installed around the property perimeter during construction. The motion was seconded by Mr. Morytko. The following vote was taken:

Planning Board Member	Mr. Chozick	Mr. Kaufhold	Mr. Morytko	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
Nay											
Abstain											
Absent											

Motion carried.

NEW BUSINESS

SP1-2014, PMG New Jersey, LLC, 27 Route 206, Block 29 Lot 201.01, VB Zone

Relief to alter signage

Mr. James Lott, Jr. attorney representing PMG, introduced Mr. Richard Kenderian who is a licensed planner and engineer in New Jersey. Mr. Kenderian was sworn in and provided the Board with his education and experience. The Board accepted Mr. Kenderian as an expert in his field.

Mr. Kenderian presented Exhibit A1, *Presentation Plan*, depicting current and proposed conditions and gave a summary of the site, saying that PMG is doing an identification upgrade throughout the nation. PMG wants to improve the site

aesthetics, improve the sign readability, improve the impact on the environment, and by replacing the canopy Shell lettering with the Shell logo, reduce the sign area. However the Board believed adding LED lighting to the canopy would increase the size of the sign.

Mr. Kenderian said for the freestanding sign they will use the same supports but replace manual pricing lettering with LED pricing lettering. There will be no glare and it will be easier to read.

Mr. Kenderian cited New Jersey Statutes, Title 56:6-2.1, saying that price signs are to be displayed in accordance with this act.

Mr. Kaufhold said there are four signs from Route 80 to this site. Mr. Kenderian did not find that excessive and stated that most people do not pay attention to the DOT highway signs.

The Board talked about the canopy LED lighting and how that would make the entire canopy a sign. There was Board discussion about whether the canopy is an accessory structure or a building; the consensus of the Board was that it is a building. Mr. Kenderian stated that the LED lighting around the canopy is an architectural feature. The Board did not agree.

Mr. Kaufhold said that manufacture specs or lighting intensity should have been provided.

Mr. Kenderian discussed the positive criteria for the change:

1. Safety, since the pricing sign will not require an employee to climb a ladder to change the pricing.
2. Easy to read signs.
3. More identifiable.
4. Improves facility aesthetics.
5. Supports economic development for Byram Township's Master Plan.

Mr. Kaufhold believes the entire site is poorly identified.

Mr. Senesky stated that this property is in Byram's Village Business zone and that Byram has taken steps to encourage this corridor to be more like a "Main Street" and less like a highway commercial strip. The Board is reluctant to grant this application because they can't clearly see the end result and have not been provided with any lighting specifications.

Ms. Shimamoto asked if the discount section on the freestanding sign could be eliminated, to reduce the overall size.

Chairman Shivas summarized three issues that should be addressed separately to see the Board's opinion on each issue:

1. *Size of free-standing sign.* Most Board members agreed with Ms. Shimamoto and could accept the freestanding sign if the discount portion were removed.

Chairman Shivas open to the public.

Earl Riley, 5 Louis Drive asked whether the canopy is an accessory structure or a building. The Board answered building.

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

The applicant agreed to remove the "discount" portion of the sign.

2. *Overall lighting on free-standing sign.* The overall sign is not backlit. The only portions of the free-standing sign that are lit are the Shell logo, and the pricing portion of the sign. The Board was satisfied with that. The comments provided by the Environmental Commission asked for landscaping around the base of the sign; the applicant agreed as long as there is room and they were not encroaching on DOT land.

Chairman Shivas open to the public. No one from the public came forward.

Chairman Shivas closed to the public.

3. *Canopy lighting.* The Board agreed this would be excessive and, if the entire canopy was lit, it would create another variance. Mr. Walsh said that since this property is in view of residential neighborhoods, the LED lighting around the canopy was not appropriate. The consensus of the Board was to agree with removing the SHELL lettering on the canopy and replacing that with the Shell Logo but not allowing LED lighting to surround the canopy. The applicant agreed to this.

Chairman Shivas open to the public.

Earl Riley, 5 Louis Drive said that allowing a one or two inch wide lit band wouldn't be intrusive but six inches was too much.

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

A motion was made by Mr. Walsh to approved the application with the conditions that the discount portion of the free-standing sign be removed, only the Shell logo, and pricing on the free-standing sign be lit, no LED lighting be permitted on the canopy and the Board engineer check the intensity of the lighting after it is installed to be sure it is not too bright. The motion was seconded by Mr. Mortyko. The following vote was taken:

Planning Board Member	Mr. Chozick	Mr. Kaufhold	Mr. Morytko	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
Nay											
Abstain											
Absent	X			X	X	X		X			

Motion carried.

ANY OTHER BUSINESS THE BOARD DEEMS NECESSARY

Status update on Nufrio - The Board discussed the Nufrio contract to purchase the adjoining lot and said that once the sale is final, Mr. Nufrio will have to come back to the Board to either ask for relief of conditions imposed, including the removal of a portion of the original dwelling and retaining the gravel driveway which has been paved.

Zoning Officer’s Report for February 2014

The Board had no comment.

REPORTS FROM COMMITTEES

- TC** No report.
- EC** Ms. Shimamoto said that Mr. Kunz presented to the EC the Virtual Site Visit presentation. The E.C. liked the idea.
- ARC** Meeting next week.
- OS** Meeting in two weeks.
- BOH** No report.

BILLS

No Bills Submitted

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 10:55 p.m. by Mr. Kaufhold, seconded by Mr. Morytko. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted: *Cheryl White*