

**MEETING MINUTES**  
**BYRAM TOWNSHIP PLANNING BOARD MEETING**  
**JUNE 2, 2016**

**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	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
HERE	H		H	H	H	H	H	H	H	H
ABSENT										
EXCUSED		EA								
LATE										

Also present: Attorney Kurt Senesky  
 Secretary Cheryl White  
 Engineer Cory Stoner

**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 May 17, 2016 Meeting Minutes

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

MAY 17	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion	√									
Seconded				√						
Aye	√			√				√	√	√
Nay										
Abstain			√		√	√	√			
Absent		√								

Motion carried.

Approval of the May 19, 2016 Meeting Minutes

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

MAY 19	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion					√					
Seconded							√			
Aye	√			√	√	√	√	√	√	√
Nay										
Abstain			√							
Absent		√								

Motion carried.

**SITE PLAN WAIVER**

CBK Restaurants, LLC. 172 Lackawanna Drive, Block 265 Lot 287, N-C Zone

To provide temporary ancillary services and to erect a tent in the lawn area or on the deck for special occasions or private events.

The Site Plan Subcommittee met with the applicant and reviewed the material submitted. The committee recommended that the Board grant the waiver with the following conditions: The applicant must comply with the parking and occupancy limits, and the noise ordinance. Only one food truck at one time is permitted on the premises, which must be secured as not to roll or move. The restaurant may remain open; however no outdoor sales shall occur at any time. The applicant shall supply to the Board Secretary a renewed parking lease agreement with Block 266 Lot 288 that allows for additional parking.

A motion was made by Ms. Segal and the motion was seconded by Ms. Shimamoto to grant the waiver. The following vote was taken:

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion						√				
Seconded									√	
Aye	√		√	√	√	√	√	√	√	√
Nay										
Abstain										
Absent		√								

Motion carried.

**COMPLETENESS**

Rt. 206 Byram GW LLC (Quick Check Corporation) Rt. 206 & Brookwood Road, Block 41 Lots 88.01, 88.02 & 89, V-B Zone

Proposed convenient store with gas pumps.

The Completeness committee reviewed the application and plans submitted and deemed the application complete and assigned a public hearing date of August 4, 2016. The Board requested revised plans, based on the Highlands approval, prior to the hearing date. A motion was made by Ms. Segal and seconded by Mr. Gonzalez. The following vote was taken:

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion						√				
Seconded								√		
Aye			√		√	√	√	√	√	√
Nay										
Abstain		√								
Absent										

Motion carried.

Jeff Lakes Day Camp, 38 Jeff Lakes Road, Block 366 Lot 3.01 & Block 370 Lot 7.01, C-R Zone

Jefferson Lakes Day Camp, 38 Jefferson Lakes Road, Block 366 Lot 3.01 & Block 370 Lot 7.01, C-R Zone

Amended site plan with variance relief to permit 40’ distance between a structure and the roadway where 100’ is required to add three new structures; a deck, tree house, and gazebo, and to remove existing structures, and to pave a section of a gravel driveway.

Ms. Shimamoto said the committee reviewed the application and supporting documents and deemed the application complete. The applicant requested that the completeness review and public hearing be held on June 2.

A motion was made by Ms. Shimamoto the motion was seconded by Mr. Kaufhold. The following vote was taken:

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion									√	
Seconded					√					
Aye	√		√	√	√	√	√	√	√	√
Nay										
Abstain										
Absent		√								

Motion carried.

**RESOLUTION**

Mr. Senesky said this resolution will be available for the June 16, 2016 meeting.

Cartridge Actuated Devices, Inc., 40 Old Indian Spring Rd., Block 362 Lot 4, and Block 226 Lot 8.01, R-1 Zone

Amended site plan, and use variance to intensify a pre-existing use. To enlarge a pre-existing accessory structure, and to add two new accessory structures, and various site improvements.

**NEW BUSINESS**

Jeff Lakes Day Camp, 38 Jeff Lakes Road, Block 366 Lot 3.01 & Block 370 Lot 7.01, C-R Zone

Amended site plan with variance relief to permit 40’ distance between a structure and the roadway where 100’ is required to add three new structures; a deck, tree house, and gazebo, and to remove existing structures, and to pave a section of a gravel driveway

Michael Selvaggi, Esq., from Lavery, Selvaggi, Abromitis, Cohen, P.C., introduced Justin Efras, Director of Jeff Lakes Camp. Mr. Efras was sworn in and said he has been the Director for five years. Mr. Efras gave a brief outline of the proposed construction. He said they wish to construct a 413’ deck, to be constructed with treated wood. This deck will be used for the music program. He said this area is currently wood, pavers, blue stone, and brick pavers, and is in disrepair. Secondly they wish to remove a shed, which is currently called an executive dining room, and install a ground mounted, 139’ open gazebo. The gazebo will not be enclosed and will be used for parent counselor meetings, or an eating area for staff. Lastly, they wish to construct a deck with an enclosed structure on the deck. This will be used for the science program. The enclosed structure on the deck will be used for storage or will be used during inclement weather.

Mr. Selvaggi presented Exhibit A1; A colored renderings of the tree house structure. It was noted that the exhibit is not the exact version of the proposed tree house being built. The exhibits are photos the manufacturing uses for marketing purposes. Mr. Selvaggi introduced Mr. James Glasson, Civil Engineering, who was sworn in and has previously testified before the Board. Mr. Glasson presented Exhibit A2; a partially colored sheet 3 of 3 of the plans submitted which shows the location of the tree house. Mr. Glasson said the proposed tree house, which is actually a free standing deck with a structure, will have no utilities, and will be supported with pilings. Trees may be incorporated into the deck, but will not provide any support. He added that the phase of construction for the tree house will be in 2017. Mr. Efras said the tree house will be used by all children, ages 3 to 13 but children will be supervised, as they are with any activity that poses a threat or danger. Mr. Glasson said the 20’ X 12’ structure will sit on a 23’ X 30’ deck with stairs. The height of the structure, to the gable end will be 27.7’. He added that the rails will be vertical vs. horizontal as shown in the exhibit. Ms. Shimamoto asked about the occupancy limit and had concerns with regards to the egress, since there is only one way down. Mr. Glasson said it will be constructed in compliance with the building code. Mr. Glasson presented Exhibit A3; Visionary Venture Architect Plans which depicts the details of the proposed tree house. The plans depicted a pole through the deck which Mr. Efras said will not be a part of the proposed tree house. With regards to the gazebo, Mr. Stoner said a variance is required for the gazebo saying that Byram’s ordinance requires that structures be 100’ from a public thoroughfare. The applicant agreed.

Mr. Glasson presented Exhibit A4; Existing Conditions and reviewed the areas and buildings to be removed and said it reduces the impervious coverage on the site by 2,600’ Mr. Glasson talked about the comments from the environmental commission, specifically if the Soil Conservation District required notification, and Mr. Glasson said that the disturbance is not over 5,000’. Ms. Segal said as a condition a silt fence should be required during construction, the applicant agreed. Mr. Efras mentioned that Jeff Lakes Day Camp received a permit from the State of New Jersey to demolish a dwelling owned by the State on a property contiguous to Jeff Lake property. He said the vacant parcel will be used as open space. Mr. Morytko asked about a lake buffer. Mr. Glasson said there is a buffer but not on the entire property. Mr. Stoner said the applicant should provide a revised plan showing the lake buffer and width. The applicant agreed. Mr. Glasson added that there is no lighting proposed, and there will be no change in stormwater runoff with regards to the proposed construction.

Mr. Selvaggi introduced Ann Sears, Architect who was sworn in and presented Exhibit A5; A deck design saying that the deck will be attached to Building 14. She said two sides will be ground level and the other two sides will have railings and a small retaining wall is proposed by the deck

The Board had no further questions.

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

A motion was made by Mr. Walsh to approved the application with the condition a silt fence be added and a revised site plan be submitted showing the exiting vegetative buffer on the shoreline. The motion was seconded by Ms. Segal. The following vote was taken:

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion							√			
Seconded						√				
Aye	√		√	√	√	√	√	√	√	√
Nay										
Abstain										
Absent		√								

Motion carried.

**REPORTS FROM COMMITTEES**

- Township Council – Ms Raffay said that the next meeting is June 6, 2016.
- Environmental Commission –Ms. Shimamoto said that they reviewed the Jeff Lakes Application and provided comment to the Board.
- Architectural Review Committee – Ms. Shimamoto said they will be meeting with the Quick Check representative at their June 8 meeting.
- Open Space – No representative present.
- Board of Health – No meeting.

**ANY OTHER BUSINESS THE BOARD DEEMS NECESSARY**

**PUBLIC COMMENT**

Chairman Shivas opened to the public.

*Doug Mertrud, 12 Waterloo Road* said that he reviewed the resolution for the approval of Capitol Care which states there shall be no change in vehicle traffic. Mr. Mertrud said the traffic has increased significantly. The Board said that when American Crafts occupied the building, traffic was lighter however when the building was occupied by previous owners; Net Access, MSI, Inc., for example, traffic was more intense, so it has not increased since that site received initial approval. Mr. Mertrud mentioned that the area in the rear was dark and should be lighted for safety. He talked about his quality of life has diminished and his home value depreciated. He also read to the Board a section from Byram Township’s code book, specifically *Section 45-55 Power to reverse or modify decision*. Mr. Mertrud asked if that meant the Board could reverse the approval. Mr. Senesky said he would have to review that section to interpret the meaning.

*Joe Sabatini, Byram Township Manager* provided the Board with the status of four police department complaints received regarding Capitol Care and reviewed the township and zoning officer’s actions that were taken.

*Scott Olson, 194 Glenside Trail* gave a brief report of the alarming statistics of drug addiction in our State, County and Community and said that Capitol Care is important for the community and provides a much needed service.

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

**BILLS**

Harold E. Pellow & Associates, Inc. (6 bills) \$1,864.75

A motion was made by Mr. Chozick and seconded by Mr. Walsh to approve Mr. Stoner’s bills. All were in favor.

Motion carried.

**ADJOURNMENT**

A motion to adjourn the meeting was made at 9:50 p.m. by Mr. Walsh and seconded by Mr. Kaufhold. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted: *Cheryl White*