

MEETING MINUTES
BYRAM TOWNSHIP PLANNING BOARD MEETING
SEPTEMBER 17, 2015

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
ABSENT											
EXCUSED	EA					EA			EA		
LATE				L							

Also present: Engineer Cory Stoner
 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 Meetings Act.

FLAG SALUTE led by Chairman Shivas

MEETING MINUTES AUGUST 20, 2015

A motion was made by Mr. Chozick and seconded by Ms. Segal to approve the minutes as written. 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			√								
Seconded							√				
Aye		√	√		√		√	√		√	√
Nay											
Abstain											
Absent	√			L		√			√		

Motion carried.

ROAD VACATION REVIEW

A review and recommendation to vacate Cove Road and a small portion of Raccoon Trail, in Cranberry Lake.

The Board reviewed the submitted road vacation map dated June 18, 2015, the application and photos submitted by the applicant Mr. Church, and memos submitted from the Department of Public Works Superintendent and the Fire Chief. It is noted that in Block 317 Lot 3.01 was depicted on the map submitted, however it should be Lot 1.03. The Board discussed the property boundaries, and ownership.

Since there were no objections, and because in 1990 a portion of Cove Road was previously vacated to the property owner at Block 317 Lot 22 a recommendation will be made to the Council to vacate the entire portion of Cove Road to the water's edge and the twelve foot portion of Raccoon Trail.

A motion was made by Mr. Chozick and seconded by Mr. Morytko to recommend that Cove Road and a small portion of Raccoon Trail be vacated. 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			√								
Seconded		√									
Aye		√	√		√		√	√		√	√
Nay											
Abstain											
Absent	√			√		√			√		

Motion carried.

RESOLUTIONS

Antonio and Josephine Di Martino, 42 Brookwood Road, Block 365.03 Lot 13, R-3 Zone

Relief for a left side setback to allow for a 38' X 13' previously constructed shed.

A motion was made by Ms. Segal and seconded by Mr. Morytko to approve the resolution as presented. 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							√				
Seconded		√									
Aye		√	√		√		√			√	√
Nay											
Abstain											
Absent				√					√		

Motion carried.

NEW BUSINESS

Z08-2015, Christopher and Lauren Olivo, 87 Tamarack Road, Block 360 Lot 42.04, R-2 Zone

New single family dwelling requires relief for lot size, and an accessory structure that exceeds 50% of the principle structure.

Engineer for the applicant Jeff Careaga, and the applicants Lauren and Chris Olivo were sworn in. Mr. Careaga said that the applicants wish to construct a 4,400' single family dwelling, a four car garage, with an in-ground pool and patio area. Mr. Careaga added that this property has no road frontage but that in 2009 approval was received for a minor subdivision and Lot 42.04 received approval for no road frontage. Mr. Careaga said currently on the site there is an existing masonry building and well and that the applicant proposes a new standard septic, which was approved by the County Division of Health. Mr. Careaga said the applicant proposes to demolish most of the existing building with the exception of a small portion which will be used for the detached garage.

Mr. Careaga submitted Exhibit A1, titled “*Bing Aerial*” dated 9/17/2015 which is an aerial photo of the site saying that most of the disturbance on the site, which will be 52%, is from cleaning up the site which the applicants have done, noting that no trees, other than fallen trees have been cleared. Mr. Olivo said that they have removed tires, metal, and other debris from the site saying that over the years people have used it as a dump site.

Mr. Careaga submitted Exhibit A2, titled “*Building Elevations and Floor Plans*” dated 8/31/2015 saying that the applicant added a front porch to the previously submitted plan but that the footprint of the building will not change. There Board discussed the building coverage and variances required. Ms. Shimamoto said that a variance would be required for an accessory structure in a front yard and an accessory structure less than ten feet from a principle structure. The applicant then proposed connecting the accessory structure to the principle structure by a covered breezeway, which would eliminate those two variances. The Board agreed but added that the applicant needs to be sure he will meet all setbacks.

Mr. Olivo added that the height of the home will be no higher than 25’ and the garage height to the peak will be 13’. The house will have dark grey siding with white trim with rock or rock panels under the windows. Mr. Stoner said with the addition of the front porch the applicant still meets the regulations of the Highlands Exclusion and added that the exclusion was based on the total disturbance. Mr. Stoner commented that the plan shows an alternative location for the home. Mr. Olivo said that the alternate location is shown in the event they encounter rock during construction and he said if the house has to be moved he will ensure all setbacks are met. Chairman Shivas said the resolution should point out the front yard for this property, since this property does not front a road.

The applicant addressed comments from the Environmental Commission memo dated August 31, 2015 saying that they believe the lot disturbance will be 52%. The driveway will be paved and the patio will be cement, adding that the burial area depicted on the plan is related to the old septic. Mr. Olivo agreed to a vegetative buffer between his property and the Bread & Breakfast as recommended by the committee, but believed planting trees along the open space parcel would be expensive and would not benefit anyone. He said the area is heavily wooded and new trees will not survive. He added that a rock wall sits about 400 yards off the back of the property and it is not likely people on the trail would wonder onto this property. Mr. Olivo added that a well test was preformed and the results were included in each Board members packet.

Chairman Shivas opened to the public.

Mr. Tom Roberts, 85 Tamarack Road, owner of the Bed & Breakfast which abuts this property said that the Olivo’s have cleaned the property, which had a lot of debris, and are good neighbors and he has no objection to their proposed project. He does object to the EC recommendation that trees be planted along the property line. Mr. Roberts said some of the trees there are very old and healthy and new plantings are not needed and may cause harm to the existing trees.

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

The Board summarized the variances required which are lot size and lot disturbance.

Mr. Olivo asked if the old building can remain until the new home is built, saying that it will act as a noise buffer during construction for the Bed and Breakfast. The Board was acceptable with this but said a Certificate of Occupancy or a Temporary Certificate of Occupancy will not be issued until the structure is demolished.

The Board had no further questions. A motion to approve this application with no plantings, and the garage connected to the house was made by Mr. Segal and the motion was seconded by Mr. Walsh. 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							√				
Seconded								√			
Aye		√	√		√		√	√		√	√
Nay											
Abstain											
Absent	√					√			√		

Motion carried.

REPORTS FROM COMMITTEES

- Township Council – Ms. Raffay encouraged the Board to take the survey and to encourage friends and family to take it, even if they are not residents of Byram. She reminded the Board that Byram Day is September 26. She added that Paul Gleitz is working on the Housing Element to the Fair Share Plan and announced the new recycling schedule that will occur in November 2015.
- Environmental Commission – Ms. Shimamoto said they reviewed the Village School Apartments and the Olivo application and provided comments to the Board.
- Architectural Review Committee – No meeting.
- Open Space – No meeting.
- Board of Health – Ms. Segal asked the Board secretary to distribute the Chester Township Ordinance regarding Definitions; *New Construction, Replacement/Modifications of Existing Residential Buildings*, which she would like the Board to discuss at a future meeting and possible joint meeting.

BILLS

Harold E. Pellow & Associates (3 bills) \$980.00

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

PUBLIC COMMENT

Chairman Shivas opened to the public.

Barbara Mc Loughlin, President of the West Brookwood Water Company asked about the status of construction for the property on Route 206 known as Venture Two. Chairman Shivas said they received approvals and have obtained a construction permit so she should contact the construction office to see if permits expire.

She asked how much grant money did the Township receive for the Sustainable Economic Development Study. Ms. Raffay said she talk to the Township Clerk.

She asked about the Village School Apartments and Chairman Shivas said that the old Consolidated School was purchased by public auction and the property was re-zoned to multifamily and the owner is proposing twenty-one apartments.

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

ADJOURNMENT

A motion to adjourn the meeting was made at 9:15 p.m. by Mr. Walsh and seconded by Mr. Chozick. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted: *Cheryl White*