

**MINUTES**  
**BYRAM TOWNSHIP PLANNING BOARD**  
**August 18, 2011**

**CALL TO ORDER**

Chairman Shivas called the meeting to order at 8:03 p.m.

**ROLL CALL**

	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	Mrs. Raffay	Mr. Valentine	Mrs. Segal	Mr. Walsh	Mayor Oscovitch	Mr. Gonzalez	Ms. Shimamoto	Mr. Shivas
Roll Call	H	H	H	A	H	A	H	A	H	H	H

Attorney	Kurt Senesky
Engineer	Lou Slaby
Planner	Ryan Conklin, from Heyer, Gruel & Associates.
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 Meeting Act.

**FLAG SALUTE** led by Chairman Shivas.

**MINUTES: July 21<sup>st</sup>, 2011**

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

	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	X	X
Nay											
Abstain											
Absent				X	X			X			

Motion Carried

**OLD BUSINESS**

**SP1-10 First Hartford Realty Corp/CVS Pharmacy/Barone's, B 34 Lot/s 14 & 15, 77 Rt. 206, VB-Zone - Preliminary & Final Site plan, Minor Subdivision, & Use Variance**

The Attorney for First Hartford/CVS, Mr. Selvaggi, who was previously sworn in noted that they did not have enough time to complete the new site design drawings so tonight they would focus on the variances and waivers required for the CVS building. Mr. Selvaggi introduced the Director of Real Estate for CVS in NJ, PA and DE, Mr. Gary Lorio, who was sworn in.

Mr. Lorio explained that the current store is undersized and CVS would like to relocate to a larger store at a new location to serve the community better and allow for a larger pharmacy, more retail space and growth potential. The proposed store would be approximately 12,900 sq. ft., which is prototypical size for most CVS stores. In addition, the new location could accommodate a drive-through window for customer convenience which usually averages one car per hour and is mostly utilized by seniors and customers who are ill or have small children, or in inclement weather. He noted that stacking of cars is usually not an issue with this type of drive-through. Mr. Lorio noted that the drive-through is for prescription pick-up *only* and would agree to that being a condition of approval. He added that in trying to be compatible with Byram's vision and with other buildings proposed on this site, this CVS design is above and beyond typical CVS buildings.

The Board had a lengthy discussion about the need for a drive-through, the orientation of the building, adding a second entrance, and trying to eliminate the need for a variance for the

setback requirement to the boundary with the Hi Glen neighborhood. If the orientation of the building cannot change one idea was adding a “false” front to the Route 206 side. In addition, the Board recommended loading dock door buffers so trucks are hidden. Mr. Lorio and Mr. Selvaggi noted that they would look at the Board’s recommendations/ideas but did not favor the second entrance due to past history and security issues.

The architect for CVS, Mr. Robert Gehr, gave a brief summary of his discussion with the ARC about the most recent plans that mimic the 2008 approved CVS building at Route 206 and Brookwood Road. He discussed the mechanicals on the roof, with a four foot Mansard style roof and the units located in the center to hide the mechanicals from grade level. The height and length of the wall facing Route 206 was discussed and the Board recommended adding more landscaping.

Chairman Shivas opened questioning to the public.

Ed Brice, 3 Louis Drive asked about the distance between the wall and Route 206 curbing and whether there is room for landscaping. It was determined there was room. He also expressed concerns about the Mansard roof and mechanicals and believes that from his property view he will be able to see and hear the units. Mr. Gehr believes there is sufficient screening and that Mr. Brice will not be impacted by the mechanicals, which are very quiet units. Mr. Brice asked about covered walkways on the site, and Chairman Shivas noted they would like to see less building not more building.

Early Riley, 5 Louis Drive reiterated Mr. Brice’s points regarding the mechanicals.

Rosemarie Riley, 5 Louis Drive commented on Mr. Lorio’s testimony about security and pointed out as neighbors to the site they now have to worry about security issues.

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

**Signage** – Mr. Selvaggi introduced Mr. Robert Oelenschlager, who previously testified before the Board. Mr. Oelenschlager noted that seven signs were proposed, and he described the type, location and lamination levels of the signs. He noted that all seven signs plus façade signs are 6.8%, which is well under code. He noted the same sign package is the same as that approved in 2008. Mr. Oelenschlager believes there will be uniformity on the site regarding the other signs.

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. Valentine and seconded by Mr. Kaufhold to carry CVS to September 1, 2011 without further notice.

At 10:10 P.M. the building lost power. All items on the Agenda not covered will be carried to September 1, 2011.

**BILLS:**

Heyer Gruel & Associates \$2,280.00 (3 bills).

A motion was made by Ms. Shimamoto and seconded by Mr. Valentine to approve. All were in favor. Motion carried.

Schenck, Price, Smith & King LLP \$1,739.25 (4 bills).

A motion was made by Mr. Valentine and seconded by Mr. Kaufhold to approve. All were in favor. Motion carried.

**ADJOURNMENT:**

At 10:15 p.m. Mr. Valentine made a motion to adjourn; it was seconded by Mr. Kaufhold. All were in favor and Chairman Shivas adjourned the meeting.

The meeting was adjourned

Respectfully submitted:  
Cheryl E. White