

**MINUTES
BYRAM TOWNSHIP PLANNING BOARD
November 19, 2009**

CALL TO ORDER

George 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>Mrs. Segal</i> | <i>Mr. Steyh</i> | <i>Mr. Valentine</i> | <i>Mr. Walsh</i> | <i>Mr. Gonzalez</i> | <i>Ms. Shimamoto</i> | <i>Mr. Shivas</i> |
| Roll Call | - | P | P | - | P | - | P | - | - | P | P |

| | |
|-------------------|---------------------|
| Attorney | Kurt Senesky |
| Planning Director | Christopher Hellwig |
| Engineer | |
| Planner | |

FLAG SALUTE

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.

MINUTES

October 15, 2009

The minutes were not mailed and will be tabled until next meeting.

RESOLUTIONS

Z8-09 Mary Ellen Pirozzolo, 58 River Rd, Block 4, Lot 863
Use variance to permit 2-family home

A motion was made by Mr. Kaufhold and seconded by Mrs. Segal to adopt the resolution. The following vote was held.

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|-----------|--------------------|---------------------|--------------------|--------------------|-------------------|------------------|----------------------|------------------|---------------------|----------------------|-------------------|
| | <i>Mr. Chozick</i> | <i>Mr. Kaufhold</i> | <i>Mr. McElroy</i> | <i>Mrs. Raffay</i> | <i>Mrs. Segal</i> | <i>Mr. Steyh</i> | <i>Mr. Valentine</i> | <i>Mr. Walsh</i> | <i>Mr. Gonzalez</i> | <i>Ms. Shimamoto</i> | <i>Mr. Shivas</i> |
| Roll Call | - | Y | - | - | Y | - | Y | - | - | - | - |

NEW BUSINESS

SD3-09 and SD4-09 Hudson Farm Greenway project
EG Anderson Block 225 Lot 15, Block 360 Lot 12

Kymer/ Panther Lake Camping Resort, Block 360, Lot 31

Mr. Ursin appeared and presented a letter to represent Mr. Kymer as well as EG Anderson.

He gave a recap of the Hudson Farm Greenway. There were two problems identified.

- Encroachments from Panther Lake.
- A gap in the greenway.

The lot line between the property in question and the campground will be adjusted to meet field conditions.

Mr. Ursin's client will get about 12.9 Acres from the campground and the Township will give about .8 acres to the campground.

The property from Panther Lake will close the gap in a potential trail.

Lou questioned the deed and the survey that was done.

Mr. Fiedler, 10 Jones Lane questioned the boundary between the lots 27 & 28.

Mr. Ursin will get a copy of the deed and the survey to the title company & surveyor.

Mr. Slaby reminded Mr. Ursin that the Township needs to review the deed.

Kurt will distribute the resolutions at the end of the meeting.

OTHER BUSINESS

Highlands Plan Conformance

George gave an overview of the Highlands options. Mr. Gleitz reviewed his memo of 11/4/09. He started by identifying the exempt properties.

Ken asked if the properties in the planning area can be developed. Paul explained the approval process through the Highlands Council.

Caryn asked what kind of appeal process exists for the town. The town would have an automatic right to appeal.

Tom explained the difficulties of development in the Village Center. Tom asked Paul about the redevelopment potential in the VC.

Caryn asked about the VC designation. Tom and Paul explained the plan endorsement process.

George called for a return to the decision of opting in or not.

Tom reviewed the legal options surrounding COAH. Caryn asked if towns are having challenges for not building affordable projects. Ken feels the town should opt-out. Andrew said we should not opt in but seek a map adjustment.

Open to the Public

Fred Slessenger the co-owner of Acorn Plaza explained that the infrastructure improvements on his property are under the grass. He may come in with a concept plan.

Tom explained the water issues facing the property owners.

Open to Public

Skip Danielson of 18 Hunters Lane said the town should err on the side of caution. He feels home rule should be maintained.

Jim Stabile wanted to express his frustration with marketing the property. He sees the rules in a state of flux. If the Board decides to opt in he will have some questions. He wanted to know if the VC expires.

The Board explained the protection zone.

Chris Reiner of Amity Road said to opt-out he believes the Highlands Council has lied to the Township and will continue to do so.

Ed Stabile asked if the map adjustment would fix the problems. George stated that there is no guarantee.

Chris Reiner asked if we can prove that the town has been lied to, can we get out of the Highlands. The answer from Kurt was "no".

Close to the Public.

Mr. McElroy feels we should only go in the Preservation Area.

Kurt distributed the Hudson Farm Greenway resolutions for the Board to read.

ENVIRONMENTAL COMMISSION REPORT

BILLS

OPEN TO THE PUBLIC

ADJOURNMENT

10:10