

MINUTES
NOVEMBER 4TH, 2010

8:00 P.M. JOINT MEETING OF THE BYRAM TOWNSHIP PLANNING BOARD, TOWNSHIP COUNCIL, OPEN SPACE & RECREATION COMMITTEE

CALL TO ORDER

Chairman Shivas called the meeting to order at 8:00 p.m.

ROLL CALL

	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	Ms. Raffay	Mr. Valentine	Ms. Segal	Mr. Walsh	Mayor Oscovitch	Mr. Gonzalez	Ms. Shimamoto	Mr. Shivas
Roll Call	X	X	X	E	X	X	X	E	E	E	X
	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.

DRAFT UPDATE OF OPEN SPACE AND RECREATION PLAN

Chairman of the Open Space Committee Ray Bonker began by saying 10 years ago the Open Space Committee was formed and adopted the Open Space and Recreation Plan which now requires updating. With the help of The Land Conservancy of New Jersey Project Consultant Eugene Reynolds and Vice President of Programs Barbara Heskins Davis, they have begun the process of updating the plan.

The purpose of tonight’s meeting is for input on the text portion of the Plan from Township officials, Planning Board members and the public, following which the Open Space Committee and The Land Conservancy will draft a final document to be presented to the Planning Board for adoption on December 16th. Mr. Bonker added that a great deal of input was provided by the Recreation Committee, and some was not in complete agreement with The Land Conservancy and Open Space Committee (see further comment on page 2). Mr. Sabatini, Township Manager said at this point the primary focus is to get the plan updated to ensure that State requirements are met so the Township can keep on track with the open space acquisitions. Mr. Sabatini added that in many municipalities the Recreation Department has its own element that is part of the Master Plan. One recommendation would be to adopt the updated Open Space and Recreation Plan, keeping some of the Recreation Committee’s comment, and in the future have the Recreation Committee add its own separate element to the Master Plan. Barbara added that Green Acres strongly recommended that the plan be updated every six years, consistent with the Land Use Law. Green Acres requires two public hearings, one at the onset of process before the plan is written and one towards the end when the document has been written in draft form, before final adoption. The Open Space Committee is charged with advising the Council on Open Space acquisitions; and the purpose of the Open Space and Recreation Plan update is to tell the municipality and residents what the town has purchased, how we expended our Open Space trust fund, what money we have received in order to leverage those funds, and where we go from here. Total State and local preserved land in Byram is 4,757 acres. Barbara added they received a lot of comments on the plan and not all comments agree; and TLC-NJ will work to resolve this. The Open Space and Recreation Plan is typically a “Green Acres” document but Green Acres standards don’t specify the level of detail regarding Open Space and Recreation. Typically the plans are acquisition based plans. Barbara wanted to be very clear that this it is *not* a recreation based Master Plan; it doesn’t go facility by facility or recommend improvements to facilities.

Mr. Reynolds presented the Greenway map and explained that the text details how the property came to be chosen, significant features of the land, recreational opportunities, and a vision for the Greenways. Later in the document is an action item list detailing the next steps for the Township.

Scott Olson, Township Councilman pointed out that it should be made clear in the document that if a property is in the Greenway this does not necessarily mean that the property is open space or has been targeted as part of the preservation area. The map is only a guide. Barbara agreed and said they would add a section at the beginning of the preservation recommendation section explaining this.

Mr. Kaufhold, Planning Board member suggested the plan indicate how much of the Open Space Trust Fund was used to purchase open space. Barbara recommended that landmarks be added to the map to make it easier to recognize “where you are on the map”. Ms. Segal recommended Byram Plaza (Shop Rite) as one of those landmarks; firehouses were also mentioned. Barbara explained that the Environmental Commission and Margaret McGarrity have identified parcels within subdivisions protected by easements to ensure that these lands are not encroached on.

A discussion took place about the Recreation portion of the plan and the Recreation Committee’s intent and purpose. Recreation Director, Janet Meisner commented that some of the recreation sections of the plan were omitted and she read some of the Green Acres requirements noting that they do call for recreational elements in the plan. Barbara agreed but felt it did not belong in the executive summary, her recommendation is that this should be in final section “Preservations and Recommendations”, under a separate section labeled “Recreation Recommendation and Opportunities”. Janet argued that most residents would read the Executive Summary and thus miss the Recreation portion. Barbara agreed to highlight some components of the Recreation section in the summary. Ms. Segal, Planning Board member agreed with Mr. Sabatini’s recommendation to have a separate document for Recreation within the Master Plan, since Green Acres doesn’t really fund “indoor facilities”. Councilman Dan Rafferty, who is a liaison to the Recreation Committee, added that he believes the Recreation portion, especially in these economic times, needs to be a part of this document. John Pappalardo, Recreation Committee member agreed and added that the real cause which motivated the Committee to add an “indoor facility” was due to the loss of the Consolidated School along with fees being charged by Byram Schools for the use of those facilities.

A question was asked if they omit the Recreation portion of the plan would that harm future funding, Barbara answered that at the time of acquisition Green Acres only requires to know what the use of a property will be, Mr. Reynolds explained that Green Acres funding cannot be used for buildings.

Mr. Bonker explained the Planning Incentive Grant or “PIG” money and how the town benefits from it.

Barbara said the Plan updates will include an Open Space map and Greenway Map with new names for Township owned Open Space parcels. Proposed names were provided by the Environmental Commission and Open Space Committee and will be responsible for finalizing those names which will be presented to the Council which has final say. The final document will reference “old” names and “new” names.

In summary, The Land Conservancy, Recreation Committee, Open Space Committee and Planning Board were in agreement with:

- Include in the Plan how much of the Open Space Trust Fund was used to purchase Open Space.
- Have a brief summary of the Recreation portion in the Executive Summary and with leaving the full text in a separate section.
- Funding for any future indoor recreation facilities would be addressed in the Capitol Improvements Plan.
- The word “required” be replaced by a softer word like “recommend” when advising that the Planning Board to set aside any open space in any new developments.
- Landmarks be added to the map to make it easier to locate property.
- Clearly state at the beginning of the Preservation Recommendation section that if property is in part of a Greenway this does not necessarily mean that the property is Open Space or has been targeted as part of the preservation area.

A final version of the document will come back to the Planning Board for adoption in December 16th.

OPEN TO THE PUBLIC

Chairman Shivas opened the meeting to the public.

Mr. Danielson, 18 Hunter Lane, Byram pointed out that some issues on the map that need correction with regards to the Township lines.

MINUTES:

October 21st, 2010

A motion was made by Ms. Segal and seconded by Mr. McElroy to approve the minutes. The following vote was taken:

Planning Board Member	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	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					X						
Absent			X				X	X	X		

Motion Carried

RESOLUTIONS:

Gordon Byram Associates, LLC 90 Route 206 - L 226 L14 – Blanket Site Plan Waiver

Site Plan Waiver Denied - A motion was made by Mr. Kaufhold and Seconded by Mr. Walsh to approve the Resolution. The following vote was taken:

Planning Board Member	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	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						X					
Absent			X				X	X	X		

Motion Carried

APEP Inc. 13 Route 206 - BL 27 L381.02

Site Plan Waiver Granted - A motion was made by Mr. Walsh and seconded by Mr. McElroy to approve the resolution *with the condition when there is a new tenant the applicant must appear before the Board.* The following vote was taken:

Planning Board Member	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	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					X						
Absent			X				X	X	X		

Motion Carried

Game Stop (Gordon Byram Associates, LLC) 90 Route 206 - B 226 L14

Site Plan Waiver Granted - A motion was made by Mr. Walsh and seconded by Mr. McElroy to approve the resolution. The following vote was taken:

Planning Board Member	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	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					X						
Absent			X				X	X	X		

Motion Carried

Z4-08 Extension for Variance – John Kurilko 4 Harbor View Drive BL 284 L 183-185

Variance Extension Granted - A motion was made by Mr. Kaufhold and seconded by Mr. McElroy to approve the Resolution. The following vote was taken:

Planning Board Member	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	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						X					
Absent				X			X	X	X		

Z09-10 Barbara Tedesco – Steep Slope Disturbance, Setback from Body of Water BL 360 L1.03

Variances Approved - A motion was made by Mr. Walsh and Seconded by Mr. McElroy to approve the Resolution. The following vote was taken:

Planning Board Member	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	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						X					
Absent				X			X	X	X		

Motion Carried

BILLS:

Heyer Gruel & Associates \$ 0
 Lou Slaby \$ 1,009.20
 Kurt Senesky \$ 0

A motion was made by Mr. Walsh and second by Mr. Valentine to approve Mr. Slaby’s bills. All were in favor. Motion Carried

OPEN TO THE PUBLIC

Chairman Shivas opened the meeting to the public. No one from the public commented. Meeting was closed to the public.

ADJOURNMENT:

At 9:45PM Mr. Valentine made a motion to adjourn; it was seconded by Mr. Kaufhold All were in favor. Motion Carried

Chairman Shivas adjourned the meeting.

Respectfully submitted;
Cheryl E White