

MINUTES
BYRAM TOWNSHIP PLANNING BOARD
December 3, 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	P	8:04	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

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

	<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	Y	-	Y	-	Y	Y	T

OLD BUSINESS

Z5-09 Osgood / Myers, 241 Lake Drive, Block 255, Lot 225
Rear and lake setbacks for renovation / addition

Ms. Osgood and Mr. Horton appeared before the Board to continue the application. They distributed new plans to the Board. Mr. Horton reviewed the changes. The changes focused on the following three areas:

1. The height variances were eliminated.
2. The carport is now 10' from the house.
3. The fence has been modified.

The clearstory has been eliminated thus eliminating the façade variance. The carport was shifted towards the street. It is now 10' from the house and 10' from the street.

Mr. Horton discussed the privacy issues with the fence.

The fence is 6.5' from the curb at the closest point. The 6' fence on the left will be eliminated in front of the house.

Mrs. Osgood will work with the planner on buffer plantings. Mr. McElroy asked about the Environmental Commissions concerns about the septic system.

Kurt suggested a deed restriction. Ms. Osgood has no problem doing that.

The project needs the following variances:

1. Rear setback
2. Water setback
3. Accessory structure in front yard
4. Fence Height
5. Number of stories

Mr. Walsh feels the loft is not a story.

Mr. Shivas is not comfortable with an 80' dock. Mr. Steyh agrees that he would like to see the area planted.

The Board discussed the deck/dock.

Ms. Osgood is willing to remove the deck/dock from the application. She would like to keep the gazebo in the application.

OPEN TO THE PUBLIC

Eskil Danielson of 18 Hunters Lane said that the tubular weed is probably Fragmites.

CLOSE TO THE PUBLIC

Mrs. Raffay raised the environmental commissions issue of the wetlands on the property. Kurt said it could be added to the resolution. Enforcement would fall to the DEP.

A motion to approve the application was made by Mr. Chozick and seconded by Mr. Valentine.

The following vote was held.

	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	Mrs. Raffay	Mrs. Segal	Mr. Steyh	Mr. Valentine	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Mr. Shivas
Roll Call	Y	Y	Y	Y	Y	N	Y	N	-	-	Y

Motion Passes.

NEW BUSINESS

Z9-09 Thomas & Lois McCarthy, 7 Laurel Cove Rd, Block 184 Lot 26 and Block 185 Lot 14
Expansion of home on an undersized lot with front yard setback

Mr. Michael Selvaggi appeared representing the applicants.

The house is a unique situation and is surrounded by the ROW for Laurel Cove Road. The engineer will review the site.

Jim Glasson of Civil Engineering in Budd Lake was called and sworn as an expert.

The property has four front yards. Two of the yards are on Laurel Cove Road. Two of the yards are on the pathways to the other homes fronting the lake.

Pre-Existing setback variances exist to the pathways. There is a second lot that contains a septic system but is otherwise vacant. It is a modern septic and was recently installed.

Six photos of the house and pathways were marked as A-1.

The lots individually are not large enough but together they are more than 10,000 square feet.

The additions to the house are on the north and west side. The house still meets the front yard setbacks. The house meets all height requirements.

Mr. Glasson marked colorized sheets of the plans as A-2 and A-3.

None of the existing setbacks are increased by this application. There is no disturbance to the critical areas.

In the area of the 1.6' setback there is no 2nd floor. There is a 15' setback from the adjacent house.

There will be a new well for a year round use. Mr. Senesky asked about façade height.

Mr. Michael Byrne was called and sworn as an expert architect.

He gave an opinion that the rear of the house was under 30'. He also believes the right side is under 30'.

Mr. Selvaggi asked about the design of the house and if it meets the character of the neighborhood.

The new house will be 1187 square feet up from 767 square feet.

Mrs. McCarthy was sworn. She testified that she is a longtime visitor of the voce and knows most of the families.

OPEN TO THE PUBLIC

Charles Iulo is happy with the project.

CLOSED TO THE PUBLIC

Mr. Senesky would like them to go to the council for permission to cross the pathway with the septic system.

Mr. Walsh explained that the CLCC has not been able to determine ownership of the various pathways.

A motion was made by Mr. Valentine and seconded by Mr. Kaufhold to approve the application. The following vote was held.

The following vote was held.

	Mr. Chozick	Mr. Kaufhold	Mr. McElroy	Mrs. Raffray	Mrs. Segal	Mr. Steyh	Mr. Valentine	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Mr. Shivas
Roll Call	Y	Y	Y	Y	Y	Y	Y	Y	-	-	Y

Motion Passes.

Z10-09 Lisa and Charles Iulo, 100 North Shore Rd, Block 105 Lot 42

Front yard setback for addition

Mr. & Mrs. Iulo were called and sworn. The property is in the R-3 zone.

The existing house does not meet setbacks. The existing setback is 44'-8". The addition is to the rear of the property.

The setback should be 75". The engineering plans show 41.1' setback. The plans are measured to different parts of the house. Mr. & Mrs. Iulo are converting a three season house to year round.

The septic has been approved for three bedrooms and has been installed to the right of the house. The addition will be above a crawl space and goes out to the rear to limit the grading needed.

The entrance to the house will be to the side.

OPENED & CLOSED TO THE PUBLIC

A motion was made by Mr. Steyh and seconded by Mr. Chozick to approve the application. The following vote was held.

	<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	Y	Y	Y	Y	Y	-	-	Y

Motion Approved.

BILLS

OPEN TO THE PUBLIC

Eskil Danielson of 18 Hunters Lane stated that the Board is doing a great job.

CLOSE TO THE PUBLIC

Mrs. Raffay stated that the council wanted to review the sign ordinance.

ADJOURN

10:00 PM