

**MINUTES - 8:00 P.M.**  
**May 5, 2011**  
**THE BYRAM TOWNSHIP PLANNING BOARD**

**CALL TO ORDER**

Chairman 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>Ms. Raffay</i>	<i>Mr. Valentine</i>	<i>Ms. Segal</i>	<i>Mr. Walsh</i>	<i>Mayor Oscovitch</i>	<i>Mr. Gonzalez</i>	<i>Ms. Shimamoto</i>	<i>Mr. Shivas</i>
Roll Call	A	A	H	A	A	H	H	A	H	H	H

Township Attorney Kurt Senesky  
Board 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: April 21, 2011**

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

	<i>Planning Board Member</i>	<i>Mr. Chozick</i>	<i>Mr. Kaufhold</i>	<i>Mr. McElroy</i>	<i>Ms. Raffay</i>	<i>Ms. Segal</i>	<i>Mr. Valentine</i>	<i>Mr. Walsh</i>	<i>Mayor Oscovitch</i>	<i>Mr. Gonzalez</i>	<i>Ms. Shimamoto</i>	<i>Mr. Shivas</i>
Motion												
Second												
Aye							X		X			X
Nay												
Abstain			X		X					X		
Absent		X	X		X		X		X			

Motion Carried

**RESOLUTIONS**

Z02-2011 Waterhouse, Robert & Jacqueline Block 144 Lot 121 25 Allamuchy Trail Zone R-5 - C- Variance – Front yard setback - To construct a 2<sup>nd</sup> story addition

Member Ms. Shimamoto noted that there needs to be clarification on the zoning table completed by the applicant relating to height. This resolution was tabled to May 19, 2011

**Pre-Existing Non-Conforming Use Certificate**

GMATT Properties, LLC (Byram Carpet) 223 Route 206 Block 212 Lot 9

Some discussion took place regarding what use is pre-existing, non-conforming. The Board would like more information. A motion was made by Mr. Walsh and seconded by Mr. McElroy to table this item to May 19, 2011. All in favor. Motion carried.

**SITE PLAN WAIVER**

Exxon Mobile Corporation 1 Route 206 Block 18.02 Lot 388

Change existing gas pumps to dispense diesel fuel.

A motion was made by Mr. Walsh and seconded by Mr. McElroy to deem the site plan waiver application incomplete. The applicant must provide more information as to whether or not this change will impact vehicle/truck traffic.

The following vote was taken:

<i>Planning Board Member</i>	<i>Mr. Chozick</i>	<i>Mr. Kaufhold</i>	<i>Mr. McElroy</i>	<i>Ms. Raffay</i>	<i>Ms. Segal</i>	<i>Mr. Valentine</i>	<i>Mr. Walsh</i>	<i>Mayor Oscovitch</i>	<i>Mr. Gonzalez</i>	<i>Ms. Shimamoto</i>	<i>Mr. Shivas</i>
Motion											
Second											
Aye		X		X		X		X	X	X	
Nay											
Abstain											
Absent	X	X		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 – Carried from 4/21/2011 - Applicant requested to carry to June 2, 2011

Preliminary & Final Site plan, Minor Subdivision, & Use Variance

A motion was made by Mr. Valentine and seconded by Mr. McElroy to carry the application to June 2, 2011 without further notice. The following vote was taken:

<i>Planning Board Member</i>	<i>Mr. Chozick</i>	<i>Mr. Kaufhold</i>	<i>Mr. McElroy</i>	<i>Ms. Raffay</i>	<i>Ms. Segal</i>	<i>Mr. Valentine</i>	<i>Mr. Walsh</i>	<i>Mayor Oscovitch</i>	<i>Mr. Gonzalez</i>	<i>Ms. Shimamoto</i>	<i>Mr. Shivas</i>
Motion											
Second											
Aye		X		X		X		X	X	X	
Nay											
Abstain											
Absent	X	X				X					

Motion Carried

**REPORTS FROM COMMITTEES**

Township Council

- Councilwoman Raffay gave a brief summary of the tree planting ceremony in memory of Byram Township Planner Chris Hellwig, and Byram Township Historian June Dobson. 60 family and friends of those remembered were in attendance. The Highlands Council donated a tree to be planted in memory of Chris, and the Historical Society donated a tree in memory of June. It was a nice event.
- The Council is currently discussing Capital Improvements needs, the roof of the Municipal building needs repair, and the Council is looking at a security fence around the recycling center with two cameras, one mounted for an overall view of the facility and the other camera mounted at license plate view. The gate will be left open during the day and locked at night so that residents can dispose of their recycling but hopefully the fence and cameras will deter those dumping illegal items at the recycling center.
- The Council is favorable towards the new Site Plan Waiver presented by the Planning Board. They are happy because it streamlines the process and saves the residents money.
- Camp out at Jones Lane is May 20<sup>th</sup>. The fee is \$8.00 which will include activities like hiking, etc. Families are encouraged to join in the fun!
- On May 19<sup>th</sup> the Highlands Council will attend the Planning Board meeting to discuss the ERI and answer any questions or address any concerns.

- Mayor Oscovitch spoke about the New Jersey Smart Future Award. The Council extended the invitation to the all Planning Board Members. The event is June 9<sup>th</sup> if a member is interested in attending please notify Township Clerk Doris Flynn or Mayor Oscovitch for a reservation. Please remember tickets are \$100.00 so if you commit, be sure and attend. The event will be attended by developers and dignitaries.

ARC

- Mr. McElroy - Nothing to report, next meeting is May 11<sup>th</sup>.

Environmental Commission

- EC Member, Ms. Segal reported at the last EC meeting a majority of the meeting discussion was focused on the trails and grant money being spent for the trails.

Open Space

- Ms. Segal - Nothing to report

**BILLS:**

Louis Slaby & Associates \$4,389.89 (1 Bill)

A motion was made by Mr. McElroy and seconded by Mr. Walsh to approve Mr. Slaby's Bill. All were in favor. Motion Carried

Chairman Shivas opened the meeting to the public.

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

**ADJOURNMENT:**

At 9:40 PM Ms. Segal made a motion to adjourn, Mr. McElroy seconded the motion. All in favor. Motion Carried

Chairman Shivas adjourned the meeting.

Respectfully submitted; *Cheryl E White*