

**MINUTES - 8:00 P.M.**  
**June 2, 2011**  
**THE BYRAM TOWNSHIP PLANNING BOARD**

**CALL TO ORDER**

Chairman Shivas called the meeting to order at 8:08 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	A	H	H	H	H	H	H	H	A	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: May 19, 2011**

A motion was made by Mr. Kaufhold and seconded by Mr. McElroy to approve the minutes as presented. 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		X	X	
Nay												
Abstain						X						
Absent	X								X			

Motion Carried

**NEW BUSINESS**

Z04-2011 C Variance Little, Arnold 136 Glenside Trail Block 306 Lot 2244

Rear yard setback to extend rear deck

Mr. Little gave a brief summary of his intent to expand his 8' X 12' rear deck to 16' X 12'. There was a minor error in Mr. Little's completed zoning table and after discussion the Board determined that the existing ground level deck dimension, which is closer to the rear property line, will not change. The deck to be expanded will be no closer than 17' to rear property line. Mr. Little's zoning table was corrected and added to his filed application.

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. Walsh to approve the application with the minor change to the zoning table; the motion was seconded by Mr. Valentine. 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	X		X	X	
Nay												
Abstain												
Absent	X								X			

**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 - Requested to carry to July 7<sup>th</sup>, 2011**

A motion was made by Mr. Valentine to carry the application to July 7<sup>th</sup>, 2011 without further notice. It was noted if the applicant requests to carry again, they must re-notice. The motion was seconded by Mr. Kaufhold. 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											
Absent	X							X			

Motion Carried

**CONCEPTUAL PLAN**

**9 – 11 Route 206 Bl 27 L383, 394 for revision to previously approved Retail Mall, Lot coverage w/variance relief. Revision to include apartments over retail.**

Tony Reese, potential property owner presented conceptual plans to the Board for this approved site. The plan would call for removal of the current septic system, and added parking area; the building footprint would remain the same but with the addition of 5, 2 bedroom apartments above. Mr. Reese’s intent is to eventually close the laundry mat on the adjacent property that Mr. Reese currently owns, transfer some sewer capacity to the new site to be used in lieu of septic. Mr. Reese indicated that he would use fence and trees to buffer the rear for neighboring properties. The Board suggested that Mr. Reese add to the site plan a connection between his current property and the proposed property and consult the ARC for a favorable architectural design. Chairman Shivas noted that Mr. Reese must provide one apartment as a COAH unit. The Board discussed items that will have to be addressed, such as possible grease traps, fire protection, easements, water holding tank and that the number of apartments requested will require a conditional use variance. The Board found Mr. Reese’s ideas to be an aesthetic improvement to the area and recommended he submit a formal application.

**SITE PLAN WAIVER**

**Exxon Mobile – 1 Route 206 Block 18.02 Lot 388 Site Plan Waiver to change one existing gas pump to dispense diesel fuel.**

A motion was made by Mr. Valentine to deny the request and have Mr. Gill return to the committee with circulation plan prepared by an engineer. The motion was seconded by Mr. Kaufhold. 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	X		X	X
Nay											
Abstain											
Absent	X							X			

Motion Carried

**RESOLUTIONS**

**2011 HIGHLANDS ENVIRONMENTAL RESOURCE INVENTORY**

A motion was made by Mayor Oscovitch and seconded by Ms. Segal to approve the resolution as presented. 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		X	X
Nay											
Abstain											
Absent	X							X			

Motion Carried

SP3-07 CVS Pharmacy – Route 206 – Block 41 Lot/s 88.01, 88.02 & 89

2, 1 year extensions for site plan and variance relief to construct a building with associated improvements. A motion was made by Mr. Kaufhold and seconded by Mr. Walsh to approve the resolution with the corrected dates. 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			

Motion carried

BULA World Holdings, Inc. 109 Route 206 Block 70 Lot 9

Site Plan Waiver for Pergola on front entrance of building.

There was discussion amongst the Board and this item was tabled to July 7<sup>th</sup>, 2011

**REPORTS FROM COMMITTEES**

Township Council

- Councilwoman Raffay reminded Board members about the New Jersey Smart Awards dinner on June 9<sup>th</sup>.
- Update regarding Council discussion about capital improvements such as repairs needed for Town Hall and the need for a center in town for programs.
- Town Council meeting June 6<sup>th</sup> will discuss a Waste Water Management Plan.

ARC

Nothing to report

Environmental Commission

- Ms. Segal noted that a revised Sustainability Element has been provided to the Planning Board Secretary for distribution. The revised element is in the same format as the Master Plan as recommended by the Planning Board. The document will be distributed for the July 7<sup>th</sup> meeting.

Open Space

Nothing to report

**OTHER BUSINESS**

Reorganization Dates

There was discussion about the Nov. 17<sup>th</sup> date, it conflicts with the League of Municipalities so it was decided to cancel this meeting date.

A motion was made by Mr. Kaufhold and seconded by Mayor Oscovitch to approve the meeting dates. All in favor. Motion carried

Board member Ms. Shimamoto provided the Board with status on the East Brookwood superfund site noting that removal or treatment of the site will begin in 3 to 4 months and the DEP will be testing some surrounding homes downstream to be sure there are no changes. Ms. Shimamoto will provide the Board with updates as necessary.

**BILLS:**

Heyer Gruel & Associates \$1,012.50 (1 Bill)

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

Lou Slaby Associates LLP \$849.00 (2 Bills)

A motion was made by Mr. Walsh and seconded by Mr. Kaufhold to approve Mr. Slaby's Bills. 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 Mr. Valentine made a motion to adjourn, Mr. Kaufhold seconded the motion. All in favor. Motion Carried

Chairman Shivas adjourned the meeting.

Respectfully submitted; *Cheryl E White*