

MEETING MINTUES OF THE BYRAM TOWNSHIP PLANNING BOARD: June 18 2026

This meeting was called to order at 7:30pm by Chairman Shivas.

ROLL CALL: Mss. Raffay, DeMagistris, Lewandowski; Messrs. Morytko, Smith, Walsh, and Chairman Shivas

Members Absent: Ms. Colligan; Messrs. Mayor Rubenstein, Proctor, McElroy

Also Present: Engineer Cory Stoner, Attorney Alyse Hubbard, Secretary Caitlin Phillips

FLAG SALUTE: led by Chairman Shivas.

OPENING STATEMENT: Adequate notice of this meeting of the Byram Township Planning Board was given as required by the Open Public Meeting Act. A resolution indicating the time, date, and location of regular Board meetings for the year 2026 was forwarded to the Board's designated newspaper, and posted on the bulletin boards and main doors of the Municipal Building. Starting on March 1, 2026, all legal notices of the Planning Board shall be posted on the website of the Township of Byram. A link to the website location was forwarded to the Secretary of State of the State of New Jersey. All applicant notices shall be published on an online publication that meets the statutory requirements of NJSA 35:1-1.

MINUTES: June 4, 2026.

Motion of Mr. Morytko approve the minutes, second by Ms. Raffay

Ayes: Mss. Raffay, DeMagistris, Lewandowski; Messrs. Morytko, Smith, and Chairman Shivas

Abstaining: Mr. Walsh

Members Absent: Ms. Colligan; Messrs. Mayor Rubenstein, Proctor, McElroy

None opposed. Motion carried.

RESOLUTIONS

SP2-2026 Patriots Path Council Inc., 750 Waterloo Road, Block 377 Lot 2; Block 378 Lot 1; Block 384 Lot 1, OS Zone

Application for preliminary and final site plan to modify the campsite; including renovating existing structures and proposing pavilions

Motion of Ms. DeMagistris to approve the resolution, second by Ms. Lewandowski.

Ayes: Mss. DeMagistris, Lewandowski; Messrs. Smith, Chairman Shivas

Abstaining: Ms. Raffay, Messrs. Morytko, Walsh

Members Absent: Ms. Colligan; Messrs. Mayor Rubenstein, Proctor, McElroy

None opposed. Motion carried.

OLD BUSINESS:

Z12-2025 Marcelo Lopez, Jans Way, Block 360 Lot 6, R2 Zone

Application for new home construction

Chairman Shivas said they're requesting to carry the application to 09/17. Ms. Phillips noted they're revising their plans. Ms. Hubbard said they were having a hard time tracking down consent to use the road. Mr. Stoner said they're trying to find a different means of using the road.

Motion of Mr. Walsh to carry the application 09/17, second by Mr. Smith.

Ayes: Mss. Raffay, DeMagistris, Lewandowski; Messrs. Morytko, Smith, Walsh, and Chairman Shivas

Members Absent: Ms. Colligan; Messrs. Mayor Rubenstein, Proctor, McElroy

None opposed. Motion carried.

NEW BUSINESS:

Z03-2026 Mike and Faith Pedersen, 30 South Shore Road, Block 383 Lot 2.05, OS Zone

Application for a use variance, for an expansion of a nonconforming structure, for home alterations

Ms. DeMagistris recused from this application. Faith and Michael Pedersen were sworn in as the applicants at 20 Allamuchy Trail. Mr. Pedersen said he bought this house last June, and it was in disrepair. He pulled down sheetrock and found there were fire-damaged rafters and the roofing was burned and then covered up. He went to the Building Department and spoke with the Construction Official, who told him to speak with the Zoning Officer. He then went to the Zoning Office in July of 2025. He was told that since he's not leaving the structure, and just putting up new walls and a roof, and not adding anything and leaving the foundation, that he didn't need a zoning permit. He then went back to the Building Department for permits, which were issued. It took a few months because he had to order trusses. The permits were approved around August or September, and he ordered the trusses when he knew he had the permits. In early November he put the trusses up, and then was told he needs a variance after he already did the work.

Mr. Stoner said this property is owned by the State, with approximately 13-14 dwellings on it. You're only allowed one principal structure on a property. Unless you're replacing like-for-like, it's an expansion of an existing non-conformity. The footprint is the same, but the roof is higher than before. Mr. Stoner noted the new roof was over top the old roof. He noted this is a D2 variance. He said the setbacks to the lake could not be this way if built today, but they're not expanding that setback. He added that it took time to get to the Board because they were asked to get a letter from the State to make sure they allowed this and received the information, which is in the packet submitted to the Board. Ms. Hubbard noted they commented as the land owner, not commenting on the actual structure. Mr. Stoner noted at this meeting, they should discuss if there's any detriments to raising the roof and what justifies it.

Ms. Hubbard noted this is more a technical variance because the structure itself doesn't need relief. They are one of multiple buildings on the property. The State holds the land, and they do 99-year leases to the residents. They don't need any C variances. She asked what the height difference is. Mr. Pedersen said about 5 feet higher than original. Chairman Shivas said it doesn't exceed the height limitations. Mr. Pedersen said he built over the roof to remove the bad parts underneath and protect the rest. The Board noted when they pull permits in the Construction Office, the applicant would be notified of what's needed to comply with the fire inspector. Mr. Pedersen said the Building Inspector let him put the siding on.

Mr. Walsh asked if the Zoning Officer signed off saying this isn't a problem, why would they then, months later, say this is an issue. Mr. Stoner said the Zoning and Construction offices signed off, and the Construction Official went out. Mr. Pedersen said the Construction Official came out and measured the heights with him, and thought everything was good. He noted the acting Zoning Officer told him he needed a variance. Mr. Stoner said they saw the roof was over top the other one, and realized the height was changing. He noted the zoning office likely didn't have the information the Board has now.

Ms. Raffay asked since this is a D2 variance, do they need anything more. This is a unique situation, so what are the proofs needed? Ms. Hubbard said it's not the same heightened criteria for a use. The expansion criteria relates to if the site can accommodate the expansion. Ms. Raffay confirmed the site is the property with all the houses. Ms. Hubbard said they would also consider any detriments. Mr. Pedersen said there's no house behind them. Ms. Pedersen said they're about the highest one on the hill. Mr. Stoner confirmed there

are trees in the area. Mr. Pedersen said it's a small structure so it makes it feel bigger to have a taller ceiling.

Chairman Shivas opened to the public. No one came forward, so he closed to the public.

Chairman Shivas noted they have six members. Ms. Hubbard said they need five positive votes, and confirmed with the applicants that they're comfortable proceeding. Motion of Ms. Raffay to approve the application, second by Ms. Lewandowski.

Ayes: Mss. Raffay, Lewandowski; Messrs. Morytko, Smith, Walsh, and Chairman Shivas

Members Abstaining: Ms. DeMagistris

Members Absent: Ms. Colligan; Messrs. Mayor Rubenstein, Proctor, McElroy

None opposed. Motion carried. Mss. Hubbard and Phillips discussed the appeal period. Ms. DeMagistris re-entered the meeting.

BILLS:

Maraziti and Falcon (10): \$2,865.15. A motion to approve the bills was made by Mr. Walsh, seconded by Mr. Morytko. All were in favor. Motion carried.

REPORTS FROM COMMITTEES

Environmental Commission- Mr. Smith said at the Council meeting, they presented an award to a resident on behalf of the Environmental Commission and Council, for her commitment to the environment. She has been promoting removal of invasive species and volunteers at EC events, and has been doing a great job. There is a meeting next week.

Open Space- Mr. Morytko said they had a meeting last week. Ms. Phillips said they approved the bow-hunting parcels. They discussed trail signage, and what materials they'd want to use. They discussed having a packet of this information ready for the next meeting.

Township Council- Mr. Stoner said the Council discussed the municipal building improvements, including drainage upgrades that correspond to FEMA maps. Ms. Raffay asked about the paving. Mr. Stoner said they're milling and paving. They worked on Brookwood Drive, milled along Tamarack, paved Colby and Manu, and are milling in Forest Lakes.

OPEN TO THE PUBLIC

Chairman Shivas opened to the public. No one was present, so Chairman Shivas closed to the public.

ADJOURNMENT

A motion to adjourn the meeting was made at 8:05 pm by Ms. Raffay, seconded by Mr. Morytko. All were in favor. Motion carried. The meeting was adjourned.

Submitted by Caitlin Phillips