

**MEETING MINTUES
BYRAM TOWNSHIP PLANNING BOARD
JANUARY 17, 2019**

CALL TO ORDER

Vice-Chairman Walsh called the meeting to order at 7:30 p.m.

ROLL CALL

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Ms. Raffay	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
HERE	H	H	H	H	H	H	H			H	
ABSENT											
EXCUSED								EA	EA		EA
LATE											

Also present: Attorney Kurt Senesky
 Engineer Cory Stoner
 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 Meetings Act.

FLAG SALUTE led by Vice-Chair Walsh

MINUTES

Approval of the January 3, 2019 Meeting Minutes.

A motion was made by Mr. Morytko to approve the minutes as written. The motion was seconded by Mr. Chozick. The following vote was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Ms. Raffay	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION						√					
SECONDED	√										
AYE	√	√	√	√		√				√	
NAY											
ABSTAIN					√		√				
ABSENT								√	√		√

Motion carried.

NEW BUSINESS

SP6-2018, Thomas Brummer, 15 Lee Hill Road, Block 336 Lot 15.06 and Lot 15.09, R-2 Zone

Minor subdivision which requires variances for insufficient road frontage on Lot 15.09 and intensifying a pre-existing, nonconforming lot.

Owner and applicant, Mr. Thomas Brummer was sworn in and said the reason for the lot line adjustment is for equity purposes saying he has two daughters and the adjustment of acreage would leave six acres on each lot that he intends to apportion to his daughters.

Mr. Stoner said currently Lot 15.09 has 34.79 acres and Mr. Brummer proposed to reduce it to 6 acres and annex the remaining 28.079 acres to 15.06, making Lot 15.06 approximately 49 acres in total. Mr. Stoner said the reconfiguration of lot 15.06 creates insufficient road frontage on Lee Hill Road which requires a variance and added that because of the wetlands and topography of the property access off Lee Hill Road is not possible. Mr. Brummer said access to Lot 15.06 is via an easement on Lot 15.05, which is owned by Mr. Brummer. Mr. Stoner said that no new lots improvements are proposed. Mr Stoner said it should be noted that Lot 15.09 has reached its maximum allowance of disturbance and any additional disturbance on this property will require Highlands Area approval from the NJDEP. Mr. Stoner recommends two conditions be stipulated in the resolution, no additional driveway be allowed on Lot 15.06, and the deed must be reviewed by the Board attorney and engineer prior to being filed at the County.

Vice-Chairman Walsh opened to the public. No one from the public came forward. Vice-Chairman Walsh closed to the public.

A motion was made by Mr. Morytko with the conditions discussed. The motion was seconded by Mr. Olson. The following votes was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Ms. Raffay	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION						√					
SECONDED							√				
AYE	√	√	√	√	√	√	√			√	
NAY											
ABSTAIN											
ABSENT								√	√		√

Motion carried.

Z08-2018, Alex Rubenstein, 3 Partridge Lane, Block 234 Lot 1.04 and 1.05, and Block 364 Lot 8, R-2 Zone (carried from November 15, 2018).

Relief from a 2017 prior approval, to add a new driveway.

Ms. Raffay stepped down for this application.

Mr. Richard Wenner from the Law office of Lavery, Selvaggi, Abromitis & Cohen, representing the applicant, introduced Mr. Denis Keenan, project engineer, and he was sworn in. Mr. Keenan has provided testimony before the Board previously, and the Board accepts him as an expert in his field.

Mr. Keenan stated that in 2017 Mr. Rubenstein received approval to construct a garage on Lot 1.05 and to reconfigure some conservation easements on his lot. As part of that approval Mr. Rubenstein was required to merge Lot 1.05 into his house Lot 1.04. During that hearing it was stated that access to the garage would be off Mr. Rubenstein's existing driveway, which was noted in the resolution. Mr. Rubenstein is now seeking an amendment to that resolution and proposes to construct a second driveway to the new garage directly off Partridge Road. The new driveway is in the location of an old unimproved driveway. Mr. Keenan said the main access to Mr. Rubenstein's home will still be by way of the improved, existing driveway, however if the Board grants relief for the second driveway it will

provide better vehicle circulation for Mr. Rubenstein. Mr. Keenan said the unimproved driveway is about 1,000 ft. long and 10 ft. wide with a 15% grade.

Mr. Olson asked if water run-off will be a problem. Mr. Stoner believes if the driveway is pitched to divert water off the sides of the driveway and onto the property it should not present a problem. Mr. Olson added that a detention basin exists at the end of Partridge Road that should help collect any water run-off. The Board had no further questions.

Vice-Chairman Walsh opened to the public. No one from the public came forward. Vice-Chairman Walsh closed to the public.

A motion to approve this application was made by Mr. Olson. There was a recommendation that there be a condition be that the entire driveway is sloped so that water flows off the pavement and is done to the satisfaction of the Board engineer. Mr. Olson amended his motion to include this condition. The motion was seconded by Mr. Chozick. The following vote was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Ms. Raffay	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION							√				
SECONDED	√										
AYE	√	√	√		√	√	√			√	
NAY											
ABSTAIN				√							
ABSENT								√	√		√

Motion carried.

REPORTS FROM COMMITTEES

Township Council – Mr. Olson said on February 7, 2019 there will be a joint meeting with the Council and the Planning Board to discuss zoning in the Village Center, the necessity of the Architectural Review Committee, new legislation on marijuana and Byram’s enactment of ordinances or regulations, how to encourage commercial development along the Route 206 corridor, Byram’s Master Plan, and sewer allocation and the lack thereof. Mr. Olson added that if a Board member has anything they would like to discuss, please provide your discussion item/s to Doris or Cheryl prior to the meeting.

Mr. Olson said that the Township received a \$80,000. grant for a study of the Recreation and Open Space Plan, which is an element of the Master Plan. He said the first meeting to discuss the study will be on Jan. 22, 2019. Mr. Olson said he will keep the Board posted.

Environmental Commission – No representative was in attendance for discussion.

Architectural Review Committee – No meeting was held.

Open Space – No meeting was held.

BILLS

Schenck, Price, Smith & King, LLP (1 bill) \$337.50. A motion to approve Mr. Senesky’s bill was made by Mr. Kaufhold. The motion was seconded by Mr. Chozick. All were in favor. Motion carried.

L&G Planning (1 bill) \$1,202.00. A motion to approve Mr. Gleitz bill was made by Mr. Kaufhold. The motion was seconded by Mr. Chozick. All were in favor. Motion carried.

PUBLIC COMMENT

Vice-Chairman Walsh opened to the public.

No one from the public came forward. Vice-Chairman Walsh closed to the public

ADJOURNMENT

A motion to adjourn the meeting was made at 8:30 p.m. by Mr. Kaufhold. The motion was seconded by Mr. Chozick. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted,
Cheryl White