

**MEETING MINTUES
BYRAM TOWNSHIP PLANNING BOARD
NOVEMBER 1, 2018**

CALL TO ORDER

Chairman Shivas called the meeting to order at 7:30 p.m.

ROLL CALL

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

Also present: Attorney, Kurt Senesky
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 Chairman Shivas

MINUTES

Approval of the October 18, 2018 Meeting Minutes.

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

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

Motion carried.

RESOLUTIONS

Z07-2018, Virginia Crisonino, 24 Strawberry Point, Block 324 Lot 40, R-5 Zone.

To add a 12' X 14' deck with a 6' X 7' extension to an existing deck, and to add a dormer to a non-conforming, pre-existing single-family dwelling.

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

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

Motion carried.

SP3-2018, Weber Brothers Properties, LLC (aka Sunnyside Landscaping), 35 Route 206, Block 36 Lot 39, V-B Zone.

Amended site plan with conditional use and bulk variances to keep an already constructed 609 sq. ft. salt shed, to construct a 4,800 sq. ft. garage, to allow a residential apartment on the third floor, signage and other associated site improvements.

Mr. Senesky said since the resolution was disseminated late, and the application was multifaceted it was suggested to postpone the vote until the Nov. 15 meeting allowing Board members, and our professionals to review the resolution and if necessary provide comments to Mr. Senesky.

EXTENSION OF APPROVAL

Z06-2016, Jose Goncalves, 25 Carpenter Road, Block 238 Lot 508, R-3 Zone

Second request for an extension of approval to construct a new single-family dwelling. The original approval was granted in Nov. 2016.

Mr. Senesky did say this is the last extension allowed and if construction does not commence prior to Nov. 2019 the approval will expire and the applicant would be required to file a new application and re-notice.

A motion to grant the last, one-year extension was made by Mr. Morytko. The motion was seconded by Mr. Chozick. The following vote was taken:

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

Motion carried.

NEW BUSINESS

Z09-2018, Ashley Eyrich, Block 229 Lot 8, 90 Lackawanna Drive, R-5 Zone.

Variances for two side yard setbacks to construct an entrance on the right side of the house and to keep a previously constructed deck in the rear of the home.

Ashley Eyrich, Owner was sworn in. Also providing testimony regarding this application was James Reilly, Ashley’s husband and Ashley’s mother Mrs. Eyrich, and they were sworn in.

Mr. Reilly said they are requesting a variance of eight feet to accommodate a side entrance saying that the proposed entrance will provide a more convenient, safer access to the home. He said the required setback is fifteen feet and they propose to encroach on the setback by seven feet. It should be noted that during the hearing Mr. Reilly said he may need another step, so the variance request was changed from seven feet to eight feet. The zoning table in the application was amended. Ms. Raffay asked if they would consider moving the steps parallel to the side of the house. Ms. Eyrich said if they faced the steps to the front, it would cause difficulty entering and exiting the driveway, and if they faced them towards the rear it would result in a greater encroachment because the property side lines are irregular.

Mr. Reilly said the second request is a variance for a pre-existing deck constructed without a permit. He said a portion of the deck was permitted however the previous owner added on to the deck to accommodate an above ground pool without obtaining approval, which encroaches on the side yard setback. He said the above ground pool, along with a portion of the deck that surrounded the pool has since been removed however Mr. Reilly would like to keep a portion of the deck that was not permitted but requires a variance of eight feet. The Board had no further discussion.

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

A motion to approve the application was made by Ms. Raffay. The motion was seconded by Mr. Morytko. The following vote was taken:

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

Motion carried.

REPORTS FROM COMMITTEES

Township Council – Mayor Rubenstein said the Council reviewed recommendations from the Planning Board and made some changes to the proposed amendments to Section 240-48, Entitled “Temporary Signs in Non-Residential Districts” and amending Section 240-63, Entitled “Conditional Uses in Village Business and Neighborhood Commercial Zones”. He said that the ordinance will be re-introduced at the Nov. 5th Council meeting, and then back to the Planning Board for a consistency review.

Environmental Commission – Ms. Shimamoto said she had nothing to report.

Open Space – Mr. Morytko said no meeting was held.

Architectural Review Committee – Ms. Shimamoto said no meeting was held.

Zoning Report - Mr. Dixon provided his October report:

- 7 Zoning permits were issued. (1 was the result of Planning Board approval).
- 0 Zoning permits were denied.
- 0 Site Plan Waivers were issued.
- 16 Notice of Violations were issued.
- 23 Violation cases were cleared.
- 8 signs were removed.

BILLS

Harold Pellow & Associates, Inc. (3 bills) \$592.20

A motion to approve Mr. Stoner’s bills was made by Mr. Morytko. The motion was seconded by Mr. Kaufhold. All were in favor. Motion carried.

PUBLIC COMMENT

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

ADJOURNMENT

A motion to adjourn the meeting was made at 8:00 p.m. by Ms. Shimamoto. The motion was seconded by Mr. Kaufhold. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted,
Cheryl White