

MEETING MINUTES
BYRAM TOWNSHIP PLANNING BOARD MEETING
NOVEMBER 5, 2015

CALL TO ORDER

Chairman Shivas called the meeting to order at 8:00 p.m.

ROLL CALL

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Mr. Valentine	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
HERE	H	H	H	H	H	H	H		H	H	H
ABSENT								A			
EXCUSED											
LATE											

Also present: Attorney Kurt Senesky
 Engineer Cory Stoner
 Planner Paul Gleitz
 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

MEETING MINUTES OCTOBER 15, 2015

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

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Mr. Valentine	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion					√						
Seconded							√				
Aye	√	√	√	√	√	√	√			√	√
Nay											
Abstain									√		
Absent								√			

Motion carried.

RESOLUTIONS

Stephen and Marcy Delpome, 200 Lake Drive, Block 254 Lot 8, R-5 Zone

Relief for a front and right yard setback for a previously constructed pool deck and relief for a left yard setback and the proximity of an accessory structure to a principle structure to erect a 8' X 8' shed.

A motion was made by Ms. Segal and seconded by Mr. Riley to approve the resolution with a minor correction to the resolution date. The following vote was taken:

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Mr. Valentine	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion							√				
Seconded	√										
Aye	√	√	√	√	√	√	√			√	√
Nay											
Abstain											
Absent											

WOSP8-2015, Capitol Care Inc., 7 Waterloo Road, Block 29 Lot 201.03, VB- Zone

Change of use, from office to counseling and treatment services.

The Board had no discussion. A motion was made by Mr. Morytko and seconded by Mr. Valentine to approve the resolution as presented. The following vote was taken:

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Mr. Valentine	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion		√									
Seconded						√					
Aye	√	√	√	√	√	√	√			√	√
Nay											
Abstain					√						
Absent											

Motion carried.

EXTENSION OF APPROVAL

Z07-2012, Catherine Trader, 55 North Shore Road, Block 157 Lot 272, R-5 Zone

Request to grant a one year extension of approval for a variance for front yard and left side setback for addition to single family home. This is the final extension permitted.

A motion was made by Mr. Kaufhold and seconded by Mr. Valentine to approve the resolution as presented. The following vote was taken:

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Mr. Valentine	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion					√						
Seconded						√					
Aye	√	√		√	√	√	√		√	√	√
Nay											
Abstain											
Absent								√			

Motion carried.

NEW BUSINESS

Superior Structures LLC, 44 Birch Parkway, Block 308 Lot 1823, R-5 Zone

To construct a second story addition that requires relief for a setback to a body of water and to intensify a pre-existing, non-conforming structure.

Attorney for the applicant, William Askin of Laddey, Clark & Ryan gave a brief history of the home and said that when Mr. Alfsen purchased the home it was unsafe and in poor condition. He reviewed the variances requested:

- Setback to a body of water.
- Right and left yard setback.
- Lot disturbance.

After reviewing Mr. Stoner’s report, the applicant and Mr. Askin were in agreement that a variance for number of stories is required.

Mr. Askin introduced the applicant, Mr. Thomas Alfsen who was sworn in and said that his plan is to add a second story addition on the same building footprint, a rear deck off the first floor, a paver patio, and to reconfigure the gravel driveway, walkway and gravel parking area in the front of the home. Mr. Alfsen is also proposing a new, three bedroom conventional septic. Mr. Alfsen explained the reason for lessening the left yard setback saying that he is proposing a fireplace in the great room which will cantilever off the first floor resulting in a setback of 4.8’, but at ground level the setback will remain at 6.8’.

Mr. Askin submitted Exhibit A1, an enlarged photo of the rear of the house and described the proposed paving areas, walls and driveway. Mr. Gleitz advised the applicant that a vegetative buffer along the water’s edge will be required. The applicant indicated that it may be difficult to fulfill the 80% requirement. Mr. Gleitz said to provide a planting plan to him for review and approval.

There was a lengthy discussion about the façade and building height and Mr. Stoner noted that without scale-able plan calculations the façade height cannot be verified. After Board discussion many Board members were not comfortable approving this application with no building and façade height calculations. During this discussion Mr. Gleitz said the applicant should consider landscaping and foundation plantings to soften the appearance of the foundation from the view from the lake. The applicant agreed. Ms. Shimamoto noted that applicant is required to notify DEP prior to construction as noted in Mr. Stoner’s report. Chairman Shivas advised the applicant that the foundation and one original wall must remain standing and if that changes the applicant must appear back before the Board. It was decided that the applicant return on November 19 with revised plans showing elevations and that the architectural renderings match the site plan calculations. Mr. Senesky will write a favorable resolution for Nov. 19. The Board reviewed the conditions:

- Install a silt fence
- The foundation and one original wall must remain standing
- Foundation plantings
- Vegetative buffer
- Foundation inspection by the Board Engineer

Chairman Shivas opened to the public.

Mr. Vance Mulholland, 46 Birch Parkway said he lives next door to this property and for years he and his family have had to endure the eyesore and garbage over the property. He said Mr. Alfsen’s plan is in character with the neighborhood and homes around Lake Mohawk and hopes the Board finds his application favorable.

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

A motion was made by Ms. Segal and the motion was seconded by Mr. Valentine to carry the application to Nov. 19 without further notice. The following vote was taken:

	Mr. Riley	Mr. Morytko	Mr. Chozick	Ms. Raffay	Mr. Kaufhold	Mr. Valentine	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
Motion							√				
Seconded						√					
Aye	√	√	√	√	√	√	√		√	√	√
Nay											
Abstain											
Absent								√			

Motion carried.

REPORTS FROM COMMITTEES

- Township Council – Ms Raffay said the new recycling schedule starts Nov. 6
- Environmental Commission – The committee reviewed the Superior Structure application and provided comments.
- Architectural Review Committee – No meeting held
- Open Space – No meeting held
- Board of Health – No meeting held

DISCUSSIOND ITEMS

Ordinance work

- Revise Lot Disturbance for the R-4 & R-5 zones, and add cluster development requirements as a footnote.
- Cap on Lot Disturbance for over-sized lots
- Delete/modify setback of a structure to a body of water.
- Revise real estate signs in the VB/VC zones.
- Revise building height and façade height.
- Revise parking space requirements.
- Define accessory structures prohibited in a front yard.
- Revise accessory structure ordinance.

The Board reviewed the recommendations and found them acceptable. There were some questions regarding building and façade height, parking requirements, and the accessory structure ordinance. Mr. Stoner and Mr. Gleitz will work on those ordinances and provide revisions at the Nov. 19 meeting.

Ms. Shimamoto said we should add impervious coverage calculations to the zoning table within the variance application so that these calculations must be provided. The Board agreed.

Housing Element and Fair Share Plan

Mr. Gleitz said the new draft document is not available and asked the Board to review the old document. Mr. Gleitz said he has been working on the build out for the Highlands and the Board may have to update the zoning map; there were several SPLT (split) zones and the map may need revising. He talked about ways Byram has changed and proposes to provide low income housing in Byram such as:

- Zoning change from residential to multi-family.
- Amending the accessory apartment ordinance in the VB zone.
- Approval of applications where apartments are proposed.

ANY OTHER BUSINESS THE BOARD DEEMS NECESSARY

BILLS

No bills submitted.

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 11:15 p.m. by Mr. Valentine and seconded by Mr. Kaufhold. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted: *Cheryl White*