

MEETING MINUTES
BYRAM TOWNSHIP PLANNING BOARD MEETING
MAY 5, 2016

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	Ms. Segal	Mr. Walsh	Mr. Gonzalez	Ms. Shimamoto	Chairman Shivas
HERE	H	H	H		H	H		H	H	H
ABSENT										
EXCUSED							E			
LATE				L						

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

MINUTES

Approval of the April 21, 2016 Meeting Minutes

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

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

Motion carried.

RESOLUTION

CBK Restaurants, LLC, 172 Lackawanna Drive, Block 265 Lot 287, N-C Zone – Applicant requested the adoption of this resolution be carried to May 19, 2016.

To provide temporary ancillary services and erect a tent in lawn area or deck for special occasions or private events.

Brian Church, 4 Raccoon Trail, Block 317 Lot 20.01, R-5 Zone

Variance to intensify a pre-existing, non-conforming structure for an addition to a single family dwelling.

There was no discussion, a motion was made by Mr. Kaufhold and seconded by Mr. Morytko to approve the resolution as presented. The following vote was taken:

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

Motion carried.

NEW BUSINESS

Cartridge Actuated Devices, Inc., 40 Old Indian Spring Rd., Block 362 Lot 4, and Block 226 Lot 8.01, R-1 Zone

Amended site plan and use variance to intensify a pre-existing use, to enlarge an already existing accessory structure, to add new accessory structures and various site improvements.

Mr. Riley stepped down for this application.

Mr. Rob Greenbaum, attorney representing the applicant began by saying that in April 2015 C.A.D. received approval to erect several new buildings and the Board determined that because of the uniqueness of this property that all structures are accessory structures, there is no principle structure. Mr. Senesky added that the 2015 Resolution of approval pointed out many of the sites characterizes and uniqueness.

Mr. Greenbaum introduced Mr. Jim Glasson, Civil Engineering who was sworn in and has previously testified before the Board, and the Board accepts him as an expert in his field.

Mr. Glasson presented Exhibit A1, dated 5/5/16, a partially colorized Sheet 2 of 6 of the submitted plans. Mr. Glasson said this exhibit depicts the property with the recently approved structures and the proposed structures and he described the property location and topography. He said this is a 96.66 acre, mostly wooded site located in the Highlands Preservation. C.A.D. previously received a Highlands Exemption #4 for all improvements done on the property in a letter from the DEP dated August 20, 2014. In a letter dated April 1, 2016 Mr. Stoner reviewed the proposed improvements and found that the development of the property qualified for Highlands Exemption #4 which allows for the enlargement of the impervious coverage up to 125% of the impervious coverage that lawfully existed on the property as of August 10, 2004.

The site is currently used for the manufacturing and testing of custom pyrotechnic devices, and is a pre-existing, non-conforming use, and is in the R-1 Zone. Most of the improvements on the site are in the Southwest corner and the site consists of eight main buildings, six sheds, five trailers and six magazines. Mr. Glasson said currently only building #14 has a restroom, and three other buildings have water used strictly for eyewash stations, other than that no other buildings have restroom facilities or water and that the main goal for this application was improve the site ascetically, improve the employees work environment and make the site safer.

Mr. Glasson discussed the details of the existing and proposed structures such as the square footage and what each building is used for and he presented Exhibit A3, a soil conservation application and Exhibit A4, a permit from the Sussex County Division of Health for a new septic saying that the three new structures will have water and septic and that the existing septic will be demolished.

Mr. Glasson presented Exhibit A5, Flag Pole Improvement Plan, dated 5/5/16, which details the replacement of a flag pole and adding a paver area. Mr. Glasson said the applicant wishes to create a small monument area saying that this proposal was not included on the submitted application and plan. Mr. Glasson said this will be located at the site entrance, and will consist of a 344' paver patio with shrubbery, benches and a plaque recognizing the employees. Mr. Stoner said the impervious coverage will have to be recalculated but he believes it would be under the amount allowed. Mr. Glasson presented Exhibit A6, dated 5/5/16, Existing Conditions depicting the location of the monument area.

Mr. Gleitz asked about the phase of construction, Mr. Greenbaum said they plan to do one building at a time, and have a temporary trailer on site to be used while each building is under construction.

Ms. Shimamoto asked about parking, and since buildings are increasing in size, is the parking sufficient. Mr. Greenbaum said they currently have about 25 employees on site and do not plan on increasing the number of employees. Ms. Shimamoto said for future use we need to be sure parking is sufficient. Mr. Senesky said new owners would have to come before the Board but for this application a variance will be required for insufficient number of parking spaces.

Mr. Raymond O'Brien, Architect was sworn in and has previously testified before the Board, and the Board accepts him as an expert in his field. Mr. O'Brien reviewed the proposed improvements, the type of construction, the façade colors and materials, the building floor plans and use. Mr. O'Brien said that all construction must be reviewed and approved by the Department of Defense. Ms. Shimamoto asked about handicap access and Mr. O'Brien said all first floors mirror the second floor and the first floor is handicap accessible and that all construction meets code and elevators are not required. Ms. Shimamoto asked about fire suppression and Mr. O'Brien said all construction is fire rated drywall. Mr. O'Brien presented Exhibit A7, dated 5/5/16, photos of building #4, Exhibit A8 dated 5/5/16, photo of building # 5, Exhibit A9, dated 5/5/16 photo of buildings #11 & #12 and Exhibit A10, dated 5/5/16 photos of building #13.

Mr. Greenbaum introduced Mr. Chuck McGorarty, Planner from Banish Assoc. Inc. who was sworn in and has previously testified before the Board and the Board accepts him as an expert in his field. Mr. McGoraty reviewed the variances and the positive criteria saying that this is a pre-existing use and this site has been in operation for 37 years and is in a densely wooded, which is suited for this use. He added that the Byram Township Master Plan calls for industrial development, and this proposal is to improve the site ascetically, provide a safer and better quality work environment. He said there are no negative impacts, and this proposal is not a deterrent to the community. The Board had no further questions.

Chairman Shivas opened to the public

Mike Pellek, Byram Township Assistant Fire Chief was sworn in and asked about fire detection in the buildings. Mr. O'Brien said there are pull stations at all exits, smoke detectors, horns and strobes are in all buildings and the buildings are construction in compliance with code. Mr. Pellek asked about the type of construction, specifically if it is truss construction or metal framed, and if truss constructed then a plaque alerting emergency personnel must be located on the wall. Mr. Pellek asked about the water supply. Mr. Soohoo, owner was sworn in and said they have a Honda powered, 550 gallon water tank for a water dog, one fire hydrant on site, and a pond they can draw water from. Mr. Pellek asked how many gallons per minute are pumped from the hydrant, Mr. Soohoo did not know. Mr. Pellek said he would like to know the calculations on that. Mr. Senesky said he would make it a condition of approval, the applicant agreed. He added that most members of the emergency response team are not familiar with the site and would like to establish a working relationship. He recommended a site visit with fire fighters, EMS and police so that they can become familiar with the site. Mr. Pellek talked about a key box entry or lock box for emergency access. Mr. Greenbaum said the applicant will work with the fire department and come up with a plan that satisfies everyone. Mr. Senesky said he would add as a condition of approval that a plan be developed that is to the satisfaction of the emergency response members and that a letter from the fire department to the Board secretary that this condition has been met.

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

Ms. Shimamoto asked about signage and Mr. Stoner said signs will have to be approved by the zoning officer and must meet requirements.

A motion was made by Mr. Chozick to approve the application with the conditions mentioned; the motion was seconded by Mr. Morytko. The following vote was taken:

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

Motion carried.

DISCUSSION ITEMS

Accessory Structures

Mr. Gleitz said that the Township Manager, the Township Clerk and Zoning Officer reviewed the proposed ordinance and made some recommendations to the Nov. 15 draft document. The Board reviewed the recommended changes, made a few edits but overall was satisfied with the document.

Mr. Gleitz said he will make the changes so that at the May 17 Council meeting it can be introduced, and then back to the Planning Board for a final review.

The Byram Township Sustainable Economic Development Plan

Mr. Gleitz, Township Planner said this document is part of the Highlands Plan Conformance process and is funded as part of the larger Plan Conformance Grant. The Plan is also intended to be adopted as an Element of the Byram Township Master Plan. He added it is the result of a collaborative effort with the Steering Committee, stakeholders, workshops, interviews, public hearings, the Market Analysis and the survey done the later part of 2015. The document is aimed at providing direction for the Council, Planning Board, and the Economic Development Advisory Committee in helping existing businesses to succeed and encourage new business in our community. Mr. Sabatini thanked the Steering Committee for their hard work and efforts in producing a good document.

A joint meeting of the Township Council and Planning Board has been set for May 17, 2016 for the adoption of the plan.

REPORTS FROM COMMITTEES

- Township Council – Ms. Raffay talked about Green Infrastructure workshop and that Byram Township is part of a PILOT program. She said that Green Infrastructure looks a different ways to handle stormwater such as rain gardens, swales, etc.
She added that the Council had the 2nd reading for the recently discussed road vacations.
- Environmental Commission - No report.
- Architectural Review Committee – Meeting next week.
- Open Space – No Meeting.
- **Board of Health – Meeting on May 23.**

PUBLIC COMMENT

Chairman Shivas opened to the public. No one from the public came forward. Chairman Shivas closed to the public.
 Jack Moran, 7 East Waterloo Rd., believed the Quick Check application was on this evening’s agenda. Chairman Shivas said they were scheduled for a completeness review, he explained that process to Mr. Moran. The Board Secretary said that after completeness is done, the application will probably be scheduled for a public hearing sometime in the June/July timeframe.

BILLS

Harold Pellow & Associates, Inc. (6 bills) \$2,258.75

A motion was made by Mr. Chozick the motion was seconded by Mr. Riley to approve Mr. Mr. Stoner’s bills. All were in favor. Motion carried.

L&G planning (3 bills) \$1,800.00

A motion was made by Mr. Kaufhold the motion was seconded by Mr. Chozick to approve Mr. Mr. Gleitz bills. All were in favor. Motion carried.

ADJOURNMENT

A motion to adjourn the meeting was made at 10:50 p.m. by Ms. Segal and seconded by Mr. Kaufhold. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted: *Cheryl White*