

**MEETING MINUTES**  
**BYRAM TOWNSHIP PLANNING BOARD MEETING**  
**JUNE 15, 2017**

**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
ABSENT										
EXCUSED			EA					EA	EA	
LATE										

Also present: Attorney Planner Secretary  
 Kurt Senesky  
 Paul Gleitz  
 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 June 1, 2017 Meeting Minutes

A motion was made by Ms. Segal, and seconded by Mr. Morytko 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.

**MASTER PLAN CONSISTENCY REVIEW**

Ordinance 10-2017 and Ordinance 11-2017

Chairman Shivas turned the meeting over to the Planning Board Planner, Paul Gleitz. Paul said he met with Judy Thornton, The Township's Highlands Council liaison and reviewed the ordinances which resulted in a few minor changes. Paul added that this review is the last of several reviews of these ordinances which have taken place over the last several months. Paul provided a quick overview of all sections of the final draft of both ordinances and talked about how the adoption of the Highlands Land Use Ordinance turns over the approval of most development in the Highlands preservation area over to the Township.

The Board unanimously voted to recommend these ordinances for adoption by the governing body and specifically found that Ordinance 10-2017 is consistent with the general goals of the Byram Township Master Plan as well as the conservation element, sustainable development element, and the housing plan element of the Master Plan. The Board found that Ordinance 11-2017 is consistent with the Highlands Plan element of the Master Plan.

Mr. Senesky will send a consistency letter to the governing body. The Board commended Paul on a job well done.

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

**SITE PLAN WAIVER**

WOSP3-2017 Mavis Discount Tire/STS Tire, 58 Rt. 206, Block 365 Lot 1.02, VC-Zone

Review to paint building brick façade.

The subcommittee met prior to the regular meeting and reviewed the material submitted. Ms. Segal advised the Board that Mavis Tire wishes to paint the brick façade of the building a classical white color. The subcommittee recommended that this waiver be granted. There was no more discussion.

A motion to approve the site plan waiver was made by Ms. Segal, the motion was seconded by Mr. Kaufhold. 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**

Z07-2017, James and Donna O'Donohue, 5 Meteor Trail, Block 171 Lot 1, R-5 Zone

Variance to erect a 12 ft X 20 ft Garage.

James and Donna O'Donohue, owner and applicants were sworn in and said they wish to erect a 12 ft. X 20 ft. Pre-fab garage but since their property has three front yards and they do not meet the required setbacks, variances are needed.

The Board reviewed the material submitted. Ms. Segal asked if overhangs were taken into account when measuring the setbacks. Mr. O'Donohue said no so a correction was made to the zoning table to correct the setback to the right side. In the zoning officer's memo dated June 4, 2017 he noted that a second driveway off of Meteor Trail existed and did not meet the required road frontage. Chairman Shivas asked about the second driveway, if it was previously approved and long it existed. Mr. O'Donohue said when they purchased the home it was there and went through to Bridge Trail so Mr. O'Donohue put large rocks on the Bridge Trail, not allowing access from that side. He also said that he only uses the second driveway as an access to the pre-fab carport, which will mainly be used to store a classic vehicle, and storage, not for parking. The Board noted that there are only three homes on Bridge Trail so traffic is not a significant issue.

There was Board discussion about the zoning officer's note about steps leading off the rear deck, and that they were not depicted on the 2006 site plan when the O'Donohue was before the Board for an addition. Mr. O'Donohue said they were inspected and approved by the construction official in 2006.

Ms. Raffay had concerns about the sight distance since the second driveway was built without permission. It was the consensus of the Board that the Board engineer inspects the second driveway for safe sight distance. The applicant agreed. Chairman Shivas asked if there was going to be electric or water to the garage, Mr. O'Donohue said not at this time. The Board had no further questions.

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

A motion was made by Mr. Riley to approve the application with the correction to the zoning table and that the Board engineer certify the second driveway has safe distance. The motion was seconded by Ms. Segal. 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.

Z08-2017, Kevin Dishinger, 85 North Shore Road, Block 145 Lot 141, R-5 Zone

Variance to erect a 14 ft X 20 ft Storage Shed.

Jeanne and Kevin Dishinger, owner and applicants, were sworn in and said they wish to erect a 14 ft. X 20 ft. shed, 16.9 ft. in height to their property. They added that their property has two front yards, and because they do not meet the setback or height requirements, variances are needed. The Dishinger's also seek relief for a pre-existing 8 ft. X 12 ft. shed in the rear of the property that does not meet the setback to Ka-To-Nah Trail.

Mr. Dishinger said the new shed would be installed on a wood platform over gravel, and at this time electric or water is not proposed but Mr. Dishinger said he may add electric at a later date. Mr. Dishinger said the house is a bi-level, having no basement and little attic space so the extra storage is needed. Mr. Walsh asked if the shed has stairs, Mr. Dishinger said yes, they are fixed stairs. Mr. Walsh asked why the high roof, Mr. Dishinger said structurally it better to handle snow. Mr. Senesky asked if the shed doors will face the road, Mr. Dishinger said yes. Ms. Raffay asked about the pre-existing shed and if it is visible from the neighbors to the rear, Ms. Dishinger said only in the winter when the trees are bare. The Board had no further questions.

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

A motion was made by Mr. Riley to approved this application, 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.

**OPEN TO THE PUBLIC**

Chairman Shivas opened to the public.

*Nancy McLaughlin, 3 Johnson Boulevard* had complaints about property at 224 Route 206 saying that there is a property maintenance issue and she believes they are running a business from their home. Ms. McLaughlin asked the Board if the Board approved a business at this address. Chairman Shivas said he was not aware of an approved business at this property and said that this area is zoned Neighborhood Commercial but the property owner would have to present a site plan to the Planning Board for approval. Chairman Shivas told Ms. McLaughlin that her issued should be brought to the attention of the Township Zoning Officer.

*Frank Macedonia, 11 Johnson Boulevard* said he believes they cut trees on the property to create a second driveway. He added that the property is a mess with cars, boats, and outdoor storage. Chairman Shivas reiterated that the complaint should be directed to the zoning officer.

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

**REPORTS FROM COMMITTEES**

Township Council - Ms. Raffay said the ribbon cutting ceremony on June 9 for the opening of Tamarack Park was a success. She talked about the Bond ordinance for the new municipal building, expenditures for a new fire truck, and street repairs to Lynn Drive and Amity Road. She added that at the June 20 meeting the Council will have the second reading of Ordinance 10-2017 and Ordinance 11-2017.

Environmental Commission - No representative was present at this meeting.

Open Space - Mr. Morytko said Tamarack Park is open to the public. He added that the Open Space committee is working on the acquisition of property on Indian Spring Road.

Architectural Review Committee - No meeting was held.

Board of Health - No meeting was held.

**BILLS**

Harold Pellow & Associates Inc. Seven (7) \$2,233.40

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

**OPEN TO THE PUBLIC**

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 10:15 p.m. by Mr. Walsh, and seconded by Mr. Kaufhold. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted: *Cheryl White*