

**AUGUST 06, 2020
MEETING MINUTES
BYRAM TOWNSHIP
PLANNING BOARD**

CALL TO ORDER

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

ROLL CALL

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

Also present: Attorney Alyse Landano Hubbard, Esq.
 Engineer Cory Stoner, P.E. C.M.E.
 Secretary Cheryl White

STATEMENT BY CLERK

OPENING STATEMENT - both the Federal and State governments have declared a state of emergency in response to the outbreak of the Covid-19 Virus, that prohibits all gatherings of more than twenty-five people and requires social distancing. To continue Planning Board business, the regularly scheduled meeting for August 06, 2020 is being held by remote video or audio connection only. This service allows the Board, it's professionals, applicants and members of the public to participate. Access information was posted on the Township's Website under Planning and Zoning, Meeting Agendas. Adequate notice of this meeting has been published specifying the time and access information in compliance with the provisions of the Open Public Meetings Act. Notice of this meeting has also been electronically sent to the newspapers and uploaded to Byram's website, at not less than 48 hours in advance of the meeting. In addition, a copy of this notice is on file in the office of the Planning Board Secretary.

FLAG SALUTE led by Chairman Shivas

MEETING MINUTES

A motion to approve the July 16, 2020 meeting minutes as written was made by Mr. Olson. The motion was seconded by Ms. Shimamoto. The following vote was taken:

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

Motion carried.

COMPLETENESS REVIEW

SP4-2020, On Time Sign and Design, 10 Route 206, Block 42 Lot 112, V-B Zone

Preliminary and Final Plan for the rehabilitation of an existing building commercial building which includes three separate tenants, signage, parking improvements, and façade changes.

Mr. Walsh said the committee reviewed the material submitted and said the applicant requested several waivers for items such as an earthwork summary, an EIS report ,a soil erosion plan, etc., and the committee agreed with the Board Engineer that since this site was previously developed, and the proposed improvements require limited site disturbance, granting the waivers is not unreasonable. Mr. Stoner said

some items like fire suppression details, lighting, landscaping and signage are lacking but he believes overall the application is complete and those items can be address at the public hearing. Mr. Olson noted that the sewer allocated to the property is adequate for the current use on the property today, the sign shop, however the applicant must obtain additional sewer edu's prior to any additional tenants/uses in the building, or before any permits can be obtained. Mr. Stoner reiterated that if this application is an approved, this must be a condition of approval.

Ms. Shimamoto added that the applicant met with the ARC and they like his plan, but the committee did not review any proposed signage.

Mr. Walsh made a motion to deem the application complete and set a public hearing date of October 15, 2020. The motion was seconded by Ms. Shimamoto. The following vote was taken:

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

Motion carried.

NEW BUSINESS

SP2-2020, Byram 206 Developers, LLC, 77 Route 206 Block 34 Lots 14 & 15, V-B Zone ([this application will be carried to September 3, 2020](#))

Preliminary and Final Site Plan w/Use Variance to construct a convenient store with fueling stations and associated improvements.

A motion to carry this application to September 3, 2020 was made by Mr. Olson. The motion was seconded by Mr. Walsh. The following vote was taken:

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

Motion carried.

Z04-2020, Nathan & Jennifer Pangborn, 127 Glenside Trail, Block 305, Lot 2255, R-5 Zone

Front and side yard setback variance to add an 18' X 6' dormer to the front of the home.

Mr. and Mrs. Pangborn were sworn in. Mrs. Pangborn said they have a cape cod style home which limits space in their master bedroom, and there are no front windows. Adding the dormer will allow for more space, add natural light, and aesthetically improve the overall look of the home.

Mayor Rubenstein noted that the zoning table within the application has the incorrect calculation for the proposed setback and it should be corrected to reflect 13.5 ft. The secretary will correct the table.

There was a discussion about the fence and pavers encroaching on the abutting properties. Mrs. Pangborn said they showed their survey to their neighbors and the neighbors disagreed believing that there was no encroachment. After further discussion it was determined that issue is a civil matter and is not part of this application and that the Board remains silent on the encroachment.

Mr. Olson said this will improve the overall look of the home and add value to the neighborhood but had a question about the drawing submitted which showed an overhang. Mrs. Pangborn said there will be no overhang and the dimension of the home, other than the dormer, will not change.

Ms. Shimamoto had a question about the façade height and Mr. Pangborn said it will be no higher than what exists today. After further discussion it was determined that the façade height is a non-issue.

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.

Ms. Hubbard said for purposes of this application she asked the applicant to describe their hardship for needing the variances. Mr. Pangborn said the lot is non-conforming limiting any expansion to the home and that this improvement will benefit the neighborhood.

A motion to approve this application was made by Mayor Rubenstein noting that the zoning table be corrected, and the resolution contain language that the encroachment is not approved by this Board. The motion was seconded by Mr. Walsh. The following vote was taken:

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

Motion carried.

RESOLUTION

WOSP5-2020, Alibi Bar & Grill, 172 Lackawanna Drive, Block 265 Lot 287, N-C Zone

Minor site plan changes

A motion to approve the resolution as presented was made by Mr. Olson. The motion was seconded by Mr. Gonzalez. The following vote was taken:

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

Motion carried.

Z03-2020, William & Denise Koellhoffer, 87 Lake Drive, Block 249 Lot 77, R-5 Zone

Variance relief for a setback to a body of water to construct a roof over and existing deck I the rear yard.

A motion to approve the resolution as presented was made by Mr. Morytko. The motion was seconded by Ms. Shimamoto. The following vote was taken:

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

Motion carried.

A motion to approve the resolution as presented was made by Mr. Olson. The motion was seconded by Mr. Gonzalez. The following vote was taken:

2020 Open Space and Recreation Plan Update, an Element of Byram’s Master Plan.

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

Motion carried.

ANY OTHER BUSINESS THE BOARD DEEMS NECESSARY

No other business

REPORTS FROM COMMITTEES

Architectural Review Committee – No meeting was held.

Board of Health – No meeting was held for lack of a quorum.

Building Committee – Mr. Morytko said no new report.

Environmental Commission – Ms. Shimamoto said nothing new to report.

Open Space - Mr. Morytko said the Council will have a joint meeting with the Open Space and Recreation Committees to discuss capital investment projects for 2021 that was identified in the 2020 update to the OSRP.

Township Council – Mayor Rubenstein said the next Council meeting is August 1. He said by proclamation the Council will be recognizing three individuals for saving the life of a child at Panther Lake. He added that Verizon will provide information about future wireless and fiber optics.

BILLS

Law Office of Larry Wiener (3 Bills) \$1,575.00

A motion to approve Ms. Hubbard’s bills was made by Mr. Olson and seconded by Mr. Morytko. All were in favor. Motion carried.

CP Engineers, (1 bill) \$97.50

A motion to approve CP Engineer bills was made by Mr. Morytko. The motion was seconded by Mr. Olson. 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 8:15 p.m. by Mr. Olson. The motion was seconded by Mr. Walsh. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted,
Cheryl White