

MEETING MINTUES OF THE BYRAM TOWNSHIP PLANNING BOARD: April 16 2026

This meeting was called to order at 7:30pm by Chairman Shivas.

ROLL CALL: Mss. Raffay, DeMagistris, Colligan; Messrs. Proctor, Morytko, Smith, and Chairman Shivas

Members Absent: Ms. Lewandowski, Messrs. Mayor Rubenstein, McElroy, Walsh

Also Present: Engineer Cory Stoner, Attorney Alyse Hubbard, Secretary Caitlin Phillips

OPENING STATEMENT: Adequate notice of this meeting of the Byram Township Planning Board was given as required by the Open Public Meeting Act. A resolution indicating the time, date, and location of regular Board meetings for the year 2026 was forwarded to the Board's designated newspaper, posted on the bulletin boards and main doors of the Municipal Building. Starting on March 1, 2026, all legal notices of the Planning Board shall be posted on the website of the Township of Byram. A link to the website location was forwarded to the Secretary of State of the State of New Jersey. All applicant notices shall be published on an online publication that meets the statutory requirements of NJSA 35:1-1.

FLAG SALUTE: led by Chairman Shivas.

MINUTES: April 2, 2026.

Motion of Mr. Morytko to approve the minutes, second by Mr. Proctor.

Ayes: Ms. DeMagistris, Colligan; Messrs. Proctor, Morytko, and Chairman Shivas

Abstaining: Ms. Raffay, Mr. Smith

Members Absent: Ms. Lewandowski, Messrs. Mayor Rubenstein, McElroy, Walsh

None opposed. Motion carried.

RESOLUTIONS

Z19-2024 Alan Tedesco, 25 The Rotunda, Block 281 Lots 487 and 428, R5 Zone

Extension for subdivision of lots

Motion of Mr. Morytko to approve the resolution, second by Mr. Proctor.

Ayes: Ms. DeMagistris, Colligan; Messrs. Proctor, Morytko, and Chairman Shivas

Abstaining: Ms. Raffay, Mr. Smith

Members Absent: Ms. Lewandowski, Messrs. Mayor Rubenstein, McElroy, Walsh

None opposed. Motion carried.

SUBCOMMITTEE

SP1-2026 On Time Sign and Design LLC (Vito Lombardo), 10 Route 206, Block 42 Lot 112 Zone VB Zone

Application for amended site plan

Ms. Raffay said subject to a few conditions, the Subcommittee recommends that the application be deemed complete. They're proposing amendments to the site plan application, including changing some parking and facades. They'd like to see revised plans, as the tenant numbers on the architectural plans don't match the site plan, and there's a garage door on the architectural plan that's not on the site plan. The plans should be in at least 10 days prior to the hearing. Ms. Phillips advised their attorney's office confirmed 05/21 works for them.

Motion of Ms. Raffay to deem the application complete and schedule it for 05/21, provided they submit revised drawings ten days prior, second by Ms. DeMagistris.

Ayes: Ms. Raffay, DeMagistris, Colligan; Messrs. Proctor, Morytko, Smith, and Chairman Shivas
Members Absent: Ms. Lewandowski, Messrs. Mayor Rubenstein, McElroy, Walsh
None opposed. Motion carried.

NEW BUSINESS:

Z13-2024 Shawn Steffens, 99 Lake Drive, Block 249 Lot 89.02, R5 Zone

Application for new home construction of a single-family dwelling

Shawn Steffens was sworn in at 99 Lake Drive as the applicant. John Herman was sworn in, in Dingman's Ferry PA, as the general contractor. Paul Ashworth was sworn in, in Newton NJ, as the architect from PVA Architecture. He was in front of this Board three times this year, and testified in Morristown recently. He is licensed in 42 states and all are in good standing. Chairman Shivas deemed him an expert.

Mr. Ashworth said they were in front of the Board about a year and a half ago, for some modifications to the house. Going through construction, they found that the house was in poor condition. He referred to the submitted photos, marked as **Exhibit A1** as a compilation. He noted most of the roof structure was point-loaded versus linear-loaded. Three-quarters of the house ended up on posts, and there was no mortar or foundation. He explained that normally you'd have a concrete masonry wall, with the wood-framed wall on top, and it loads structurally in a line. Mr. Stoner confirmed the photos were of existing work. Mr. Ashworth said the rest of the block didn't have mortar in it. As they discovered these issues, he made revisions to the plans. He brought the plans to the Construction Official to make sure that's what they should be doing. There was no place to pin anything. All of this was this year. When he realized the walls weren't salvageable, he did an underpinning detail, and ran it past the Construction Official. There wasn't anything of the wall to save, so it got picked up in pieces and put in the back of the property to reinstall. The Construction Official came out for an inspection and noted this is a new house, and per the resolution, when everything is taken down, they'd need to come back to the Board.

Mr. Ashworth submitted **Exhibit A2**, a revised plan. He noted they're trying to do this the right way. They had the surveyor over twice to help align things. They also tried to move things further in. The revised plan is from 04/15, revised yesterday. They moved the proposed twelve inches in so it's all on the property. When first proposed, they had the existing wall on the property line, and the second floor wall was new construction, so it was built on the property. This allows for the new wall to be aligned with the proposed second floor, and the truss floor structure is reduced. The zoning then is the same, but they can then reduce the height of the house. He noted the height was not a variance before. They're proposing 12 inches, in construction it's 6 inches. Ms. Hubbard confirmed the wall is not exactly parallel to the property line. Mr. Ashworth noted that means they have to demo the wall and rebuild it exactly 12 inches off the property line so it's diagonal, and so they know it's on the property. Mr. Stoner asked when this occurred. Mr. Ashworth clarified this is when they got the stop-work order from the Zoning and Construction offices, to come back to the Board. Mr. Stoner confirmed it will be 12 inches into the property. He confirmed the front corner will then be back 2.1 feet. He asked if they obtained the easement. Mr. Steffens said they had a three-foot, and it was extended to five, because it was going to a second story. The deeds for this were filed a year and a half ago. Mr. Stoner noted they still don't meet the side yard setback on either side. Ms. Hubbard confirmed all the walls are gone, and the whole house was like this. Mr. Stoner noted the Construction Official went out to the site and called him immediately and noted the walls were taken down. Mr. Ashworth noted they have a copy of the survey; Mr. Stoner noted they'll want a copy.

Ms. Raffay asked if this changes any Health Department approvals. Mr. Steffens said they wanted the septic system pressure tested and the well checked prior to the CO. They got the septic portion, which passed and they have the approval letter. They can't get to the well yet because there's piles of rubble. Mr. Ashworth noted their other comment agreed with Mr. Stoner's, that the driveway has to be removed. Mr. Ashworth noted on these plans, the revision is regarding a step from the porch to the wall, but he didn't carry the line over, so it's been revised. Chairman Shivas confirmed the steps to the back stay, and the ones at the corner are being removed. Mr. Stoner noted all the variances and conditions are carried over. The only variance that changes is the side yard setback. Before it was a foot over the yard line and now it's a foot from the property line. There was a condition about the vegetative buffer. Those prior conditions should carry over. Ms. Raffay confirmed they've actually improved some of the variances from the last time, and the height was reduced. Chairman Shivas confirmed it's a two-story building. Mr. Ashworth said there's no basement. Ms. Raffay confirmed the easement is being kept. Mr. Smith asked about the zoning table. The setback changing is listed as one foot, but it's one foot to the foundation and there's an eight-inch overhang, so it should be four inches. Mr. Ashworth noted they were planning to put stone around the bottom. Mr. Smith said if the stone is less than the overhang then it won't matter.

Chairman Shivas opened to the public. No one was present, so he closed to the public.

Motion of Ms. Raffay to approve the application, with the changes on the plan and the four-inch setback for the overhang, and keeping the previous variances, second by Ms. DeMagistris. Mr. Stoner said the resolution should mention the Health Department. Ms. Hubbard added that the survey should be provided.

Ayes: Ms. Raffay, DeMagistris, Colligan; Messrs. Proctor, Morytko, Smith, and Chairman Shivas

Members Absent: Ms. Lewandowski, Messrs. Mayor Rubenstein, McElroy, Walsh

None opposed. Motion carried. Ms. Hubbard explained the appeal period.

REPORTS FROM COMMITTEES

Environmental Commission- Mr. Smith said he was not present at this meeting. They have an Earth Day event this Sunday from 1-3pm. They will do a rehabilitation of the Byram School Interpretive Trail. They have a proposal for what will be a native plant sale and presentation. Mr. Proctor said they have a nature photography class. Mr. Smith noted this was rescheduled from the previous date. Ms. Phillips noted Mr. Dlugos mentioned it was at the Roseville Schoolhouse, and then they'd try out what they learned on the nearby trail. She also mentioned he noted that if you help at the trail cleanup you get a tree sapling.

Open Space- Mr. Morytko said they talked about the Sussex County trails grant, which will be submitted in a few weeks. Chairman Shivas confirmed it's a new trail. Mr. Morytko said it's new but also a connection between two existing ones to make a loop trail. Mr. Stoner confirmed they have a map available. Mr. Morytko said the idea is to add a few parking spaces up Old Indian Spring Road. Mr. Stoner noted there's a trail head there. Mr. Morytko said it'll help with access to Cranberry Overlook, which is steep. Ms. Hubbard confirmed the loop will be about 3.5 miles. Mr. Morytko noted they don't have any Township loop trails currently. He mentioned that they discussed trails maps, and that people use different apps.

Township Council- Mr. Proctor said they discussed and approved the budget. They discussed the USDA federal grant that they received for the police department building, which will be coming in to this room. They approved the remaining project, to be funded out of capital improvement. They need environmental and architectural studies before they can go out to bid. They had proclamations for child abuse prevention, autism awareness, and World Parkinsons Day. They recognized 50 years of service for Mel Dennison at the

Lakeland EMS squad. They appointed new Board of Health and Environmental Commission members. They approved the fire prevention ordinance. They had a capital ordinance for DPW equipment. Mr. Stoner noted they had an award for paving for Sleepy Hollow. Ms. Raffay confirmed the gas company is paying for about a third of this. Mr. Stoner noted Elizabethtown Gas provides a check; NJ Natural Gas does a land area swap. Chairman Shivas asked where the meetings will be held when the police department is redone. Mr. Proctor said they're figuring that out.

OPEN TO THE PUBLIC

Chairman Shivas opened to the public. No one was present, so Chairman Shivas closed to the public.

ADJOURNMENT

A motion to adjourn the meeting was made at 8:10 pm by Ms. Raffay, seconded by Mr. Proctor. All were in favor. Motion carried. The meeting was adjourned.

Submitted by Caitlin Phillips