

**BYRAM TOWNSHIP
PLANNING BOARD AGENDA
FOR THURSDAY
April 1, 2021**

When: Apr 1, 2021 07:30 PM Eastern Time (US and Canada)
Topic: Planning Board Meeting

Please click the link below to join the webinar:
<https://us02web.zoom.us/j/89414315723>

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Webinar ID: 894 1431 5723

COMPLETENESS REVIEW 7 pm

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **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 limits the number of people allowed to gather, and requires social distancing. To continue Planning Board business, the regularly scheduled meeting for April 1, 2021 is being held by remote video or audio connection only. This service allows the Board, its professionals, applicants, and members of the public to participate.

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 is on file in the office of the Planning Board Secretary, posted on the main door, and on the bulletin board of the Municipal Building, on the Township website at:

https://www.byramtwp.org/index.php/meetings/committees/planning_board

and has been forwarded to those persons requesting notice.

4. **FLAG SALUTE**

5. **MINUTES**

Approval of the March 18 and March 25, 2021 Meeting Minutes.

6. **SCHEDULING UPDATE**

Z09-2020, Barbara Bolen, 89 Glenside Trail, Block 312 Lot 2050, R-5 Zone-Application has been carried from this meeting (04/01) to 05/20

7. **COMPLETENESS REVIEW**

Z04-2021. Robert Lovenberg, Block 344 Lot 33.05, R-1 Zone

Amended site plan for a residential dwelling and roll off service and portable toilet rentals.

https://byrampdtwp.sharepoint.com/:f/s/PlanningBoard/EiIn17S7_qZOgQkv7C_tm1UBJbnxjeisiYUW4WkByPJicA?e=wsMAEm

8. **NEW BUSINESS**

Z14-2020, Safa LLC, (Joe Ahmad), 16 Weaver House Cove Road, Block 109 Lot 2, R-5 (Carried from 12/03/2021 and 02/04/2021)

Application to raise the pitch of the roof on an existing single-family dwelling.

https://byrampdtwp.sharepoint.com/:f:/s/PlanningBoard/EmPdrTZ8XmREnd_8SFY7OJoBW6-9da-sFtqC2g7dgOLrGA?e=woVeVb

Z19-2020, Craig Humphrey, 18 Broad Street, Block 223 Lot 3, R-4 Zone

New roof overhang, shed, and covered deck area to increase square footage of home, with a proposed building coverage variance.

<https://byrampdtwp.sharepoint.com/:f:/s/PlanningBoard/EnJR52I6WfFMllaBF-bpd00BbneLj581heqAUz3Cxfk4Wg?e=s5fftj>

Z01-2021, Karen McDonald, 4 Roger Drive, Block 26 Lot 364, R-4 Zone

Proposed porch with a front setback variance.

https://byrampdtwp.sharepoint.com/:f:/s/PlanningBoard/Ev2Kj-w5it1Cs_SUtw2wJd0B4KEOTJZNJpyYi7qPD7Gg1w?e=OGxXZX

9. **REPORTS FROM COMMITTEES**

Architectural Review Committee

Building Committee

Environmental Commission

Open Space

Township Council

10. **BILLS**

Law Office of Larry Wiener (3 Bills)- \$1,155.00

11. **OPEN TO THE PUBLIC**

12. **ADJOURNMENT**

Next Meetings:

- April 15, 2021- Mountainside Country Store
- April 22, 2021- Special Meeting for Anty Trucking
- May 1, 2021- John Peterson, Linda Burke, and Eric Schuffenhauer

The Board Engineer, Board Planner and Board Attorney are sworn in at the beginning of each year and are deemed to be under oath on a continuing basis.

**MEETING MINTUES
BYRAM TOWNSHIP PLANNING BOARD
MEETING, MARCH 18, 2021**

CALL TO ORDER

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

ROLL CALL

	Mr. Chozick	Ms. Franco	Mr. McElroy	Mr. Morytko	Ms. Raffay	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
HERE	H	H	H	H	H	H	H	H	H	H	H
ABSENT											
EXCUSED											
LATE											

Also present: Attorney Alyse Hubbard, Esq.
 Engineer Cory Stoner, P.E. C.M.E.
 Planner Paul Gleitz P.P. AICP
 Secretary Caitlin Phillips

REORGANIZATION

Chairman Shivas opened the nomination for Secretary for the Byram Planning Board. Mr. Walsh nominated Caitlin Phillips, seconded by Ms. Raffay. No other nominations were made. Mr. Serrilli motioned to close the vote, seconded by Mr. Walsh. The following vote was taken:

	Mr. Chozick	Ms. Franco	Ms. Raffay	Mr. McElroy	Mr. Morytko	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION											
SECONDED											
AYE	√	√	√	√	√	√	√	√	√	√	√
NAY											
ABSTAIN											
ABSENT											

Motion carried.

STATEMENT BY CLERK

Both the Federal and State governments have declared a state of emergency in response to the outbreak of the Covid-19 Virus, that limits the number of people allowed to gather, and requires social distancing. To continue Planning Board business, the regularly scheduled meeting for March 18, 2021 is being held by remote video or audio connection only. This service allows the Board, its professionals, applicants, and members of the public to participate.

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FLAG SALUTE led by Chairman Shivas

MINUTES

Approval of the February 18, 2021 Meeting Minutes.

A motion to approve the February minutes as written was made by Mr. McElroy. The motion was seconded by Mr. Morytko. The following vote was taken:

	Mr. Chozick	Ms. Franco	Ms. Raffay	Mr. McElroy	Mr. Morytko	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION				√							
SECONDED					√						
AYE	√	√	√	√	√	√	√	√	√	√	√
NAY											
ABSTAIN											
ABSENT											

Motion carried.

TOMAHAWK LAKE

Ms. Hubbard explained that the Tomahawk Lake application was scheduled to be heard on 03/04. Prior to the hearing, the applicant received a letter from the police chief that raised some concerns. They requested to carry their application to no specific date. There was a conference call to discuss their concerns, and Ms. Hubbard suggested the application be dismissed without prejudice. They were asked for an extension through May 6th, at which point they will be scheduled for a hearing or they will be dismissed at the May 6th hearing. They will need to re-notice once they receive a date.

COMPLETENESS REVIEW

SP1-2021, 16RT 206 Stanhope NJ, LLC (Skylands Surgery Center), Block 41/42 Lot 95, 109.01 & 109.02, VB Zone Preliminary and final site plan. Proposed surgery center, doctor's office, residential apartment, and retail/office.

Mr. Walsh said the Subcommittee met prior to this meeting, and the plan encompasses two lots: the farm stand and the lot next door. When Mr. Stoner originally reviewed this, there were several outstanding items that needed to be addressed. Based on his memo and the applicant's work revising the plans to address Mr. Stoner's comments, the Subcommittee recommended this application be deemed complete. A date of 06/03 was proposed for their hearing.

Mr. Walsh motioned to deem this application complete and schedule the hearing for June 3rd. This was seconded by Ms. Shimamoto. The following vote was taken:

	Mr. Chozick	Ms. Franco	Ms. Raffay	Mr. McElroy	Mr. Morytko	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION										√	
SECONDED								√			
AYE	√	√	√	√	√	√	√	√	√	√	√
NAY											
ABSTAIN											
ABSENT											

Motion carried.

RESOLUTIONS

Z17-2020, Lukich Kevin, 27 Deer Run, Block 284 Lot 211, R-5 Zone

Application to expand to a two-car garage and master bedroom expansion on the second story.

A motion to approve the resolution was made by Mr. Walsh. The motion was seconded by Ms. Raffay. Chairman Shivas clarified that this is a resolution to deny the application. The following vote was taken:

	Mr. Chozick	Ms. Franco	Ms. Raffay	Mr. McElroy	Mr. Morytko	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION										√	
SECONDED			√								
AYE	√	√	√	√	√	√	√	√		√	√
NAY											
ABSTAIN									√		
ABSENT											

The motion carried

Z01-2021, Warden Trevor, 115 Lake Drive, Block 249 Lot 101, R-5 Zone

Setback to a body of water to keep an already erected shed.

Ms. Hubbard noted that she did not add the relief granted on the first page of the resolution and asked to adopt it as amended. A motion to approve the resolution as amended was made by Mr. Walsh. The motion was seconded by Mr. Serrilli. The following vote was taken:

	Mr. Chozick	Ms. Franco	Ms. Raffay	Mr. McElroy	Mr. Morytko	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION										√	
SECONDED							√				
AYE	√	√		√	√		√	√	√	√	
NAY											
ABSTAIN			√			√					√
ABSENT											

Motion carried.

SP2-2020, Byram Route 206 Developers, LLC., (Wawa) 75-77 Route 206, Block 34 Lots 14 & 15, V-B Zone

To construct a 5,585 sq. ft. food market with fueling stations, and associated site improvements; parking, lighting, landscaping, and utilities.

Mr. Smith noted that on page 7 item 9, there needs to be a space between Matthew Sharo's first and last name. A motion to approve the resolution as amended was made by Mr. Walsh. The motion was seconded by Mr. Chozick. The following vote was taken:

	Mr. Chozick	Ms. Franco	Ms. Raffay	Mr. McElroy	Mr. Morytko	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION										√	
SECONDED	√										
AYE	√			√			√		√	√	√
NAY											
ABSTAIN		√	√		√	√		√			
ABSENT											

The motion carried.

OLD BUSINESS

Raimo of Stanhope, Inc., 49 Route 206, Block 35 Lot 36 & Block 37 Lot 26, V-B Zone
Preliminary & Final site plan to add new structures and make site improvements.

Frank Nemeth, the attorney Charles Sarlo, and the engineer Jeffery Morris were in attendance. Charles Sarlo addressed the Board, stating that they are down to 3 principal buildings and limited accessory buildings, and as a result they have reduced the number of variances. They have also moved their car-crushing operation from the northern lot to the southern lot in response to Board and Environmental Commission comments. He noted that Mr. Nemeth has owned the property for a few years now and this is a voluntary application by Mr. Nemeth to improve the facility by installing the proposed structures that would bring most of the active operation inside the buildings. They have addressed many of Mr. Stoner's comments, and Mr. Morris revised the plans and had an interim review with members of the Board and Mr. Stoner to address all the comments.

Ms. Hubbard confirmed with Mr. Morris that his licenses are still current. Mr. Morris shared **Exhibit A4** with the Board: a rendering of the site that has been colored for clarity. He noted that entering the site on Netcong Avenue, there is a parking lot with 14 spaces around the accessory building (the office), and there are two principal buildings. Further down there will be a gravel area with roll-off containers and the primary drop-off area will be paved. To the north will be more stockpile areas and roll-off containers, and four regular containers. The colored rendering now shows what parts are gravel or concrete. The south lot, which contains the car-flattening building and accessory building, is a left off Netcong Avenue through a gate. The entry to the car-flattening building will be a series of doors on the west side with four additional containers. Mr. Stoner had asked to make a change to the restoration area, in which they will now move the fence to the limit of that restoration area.

Additionally, the streetscape out front has been mimicked from the southerly portion of the streetscape which has various trees and a brown fence. On the north side of Netcong Avenue, they will show something similar, with a berm and trees, as well as a brown vinyl fence. They will extend this fence closer to the Avenue and wrap it down Netcong Avenue, adding additional landscaping. Mr. Stoner has also asked them to replace the fence on the south, so they will put in a similar brown vinyl fence.

Mr. Stoner read through his report, noting the site plan is better defined now. Before, it was not clear what was grass, concrete, or pavement. One of the bigger changes was the front of principle buildings 1 and 2, now being concrete rather than gravel, giving it more stability. Mr. Stoner also commented on the stockpile areas; they are now proposing a maximum height of 25 feet, which will be about the same height as Route 206 rather than higher. He noted that on Netcong Avenue they have a fence in gravel on that lot, and he recommended to pull it out of the right-of-way line, as that lot should be lawn instead of gravel. Part of the existing concrete wall on Netcong Avenue is in the proposed right-of-way line, and Mr. Stoner noted they need to perfect the right-of-way, recommending to move it down a few feet and adjust the wall location.

Mr. Stoner noted that any Board approval should be conditional upon him doing a final review of the full stormwater management system and maintenance plan. He also commented regarding the landscaping; they added additional trees around 206 and the residential area. The lighting plan shows basic lighting on each building; Mr. Stoner has no objection to this. He did ask that a light shining out on Netcong Avenue be adjusted and there was no issue with that. Mr. Stoner asked that the utilities be shown fully on the plans. He also noted one larger issue that needed to be addressed was the weigh scale, which is in the area that needs to be vacated, so it's important that Netcong Avenue be perfected because that ties into their license for the junkyard. Because the plan includes the reconstruction of Netcong Avenue, Mr. Stoner also recommended there be a developers' agreement, and that will be a condition of approval. If they don't change the turns on Netcong Avenue, Mr. Stoner doesn't believe they will be required to obtain a DOT approval, but if they do change that access point, they will need approval.

Mr. Morris commented on the curvature Mr. Stoner mentioned, saying that they were part of the reconstruction of 206 a few years ago and they are in good shape, so there's no need to replace them. Mr. Stoner confirmed that for the north property by 206, there was a note to propose a curb and sidewalk to meet what's existing, which is to close up the old driveway. He noted that the concrete will need to be done in the same grade pattern as what is out there today.

Ms. Hubbard asked that for the note that reads "install new curb," if the curb still needs to be installed. Mr. Stoner confirmed that they need to install the curb near Netcong Avenue, but the curb at the intersection will be reconstructed unless they do some modifications to the plan. They will need DOT access permit for the depressed curb.

Ms. Shimamoto thanked the applicant for resubmitting the site plan, as it is complete and addresses everything that was asked. She asked about handicapped parking, and Mr. Morris confirmed it will not affect their parking plan, as they can expand the concrete to add the 5ft isle.

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

Mr. Stoner commented that they have some items on Millstream Lane in the right-of-way, and that should be part of the encroachments that should be worked out as part of the vacation or they should

modify this. The containers they have on site are the maximum amount, which Mr. Stoner confirmed with Mr. Nemeth. Mr. Stoner also addressed the property on the south side; on the west side of that parcel is a grass area used for storage of equipment. Mr. Nemeth confirmed they would like to increase the size of that area to use for parking, mainly for roll-offs and trucks. Chairman Shivas confirmed that would be gravel.

Mr. Morytko motioned to approve the application with the noted updates and changes from this meeting. Ms. Shimamoto seconded this motion. The following vote was taken:

	Mr. Chozick	Ms. Franco	Ms. Raffay	Mr. McElroy	Mr. Morytko	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION					√						
SECONDED								√			
AYE	√		√	√	√		√	√	√	√	√
NAY											
ABSTAIN		√				√					
ABSENT											

Motion carried.

REPORTS FROM COMMITTEES

Architectural Review Committee – Mr. Morytko said they had no meeting but received and reviewed updates for Mountainside’s signage, nothing being substantial.

Building Committee – Mr. Morytko said there was no meeting. Mayor Rubenstein added that they engaged the architect to develop a site plan and they are working on that.

Environmental Commission – Ms. Shimamoto said there was no meeting.

Open Space – Mr. Morytko said there was no meeting, and there is one next month.

Township Council – Mayor Rubenstein said the council may be asking the Planning Board to check for a consistency review on an ordinance within the next month or so regarding marijuana.

Zoning Report- Everyone received a copy of the report.

BILLS

Harold Pellow & Associates, Inc. (6 bills) \$2,481.19.

A motion to approve the bills was made by Mr. Morytko. The motion was seconded by Mayor Rubenstein. All were in favor. Motion carried.

Law Office of Larry Wiener, Esq. (10 bills) \$5,820.00

A motion to approve the bills was made by Mr. Morytko. The motion was seconded by Mr. Serrilli. All were in favor. Motion carried.

Chairman Shivas opened to the public.

Jack Moran asked if the audio for the meetings will be posed online. Mayor Rubenstein asked the Board if they’d like the audio posted. Chairman Shivas recommended to post them online and called for a motion. Mr. Smith motioned to put the audio up online, seconded by Mayor Rubenstein. The following vote was taken:

	Mr. Chozick	Ms. Franco	Ms. Raffay	Mr. McElroy	Mr. Morytko	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION									√		
SECONDED						√					
AYE	√	√	√	√	√	√	√	√	√	√	√
NAY											
ABSTAIN											
ABSENT											

Motion carried.

Jack Moran also asked about the hazard mitigation plan’s status. Mr. Stoner noted that Mr. Sabatini’s office handles that and he receives comments from the various departments regarding updates and changes. It hasn’t come to the Planning Board yet.

Chairman Shivas closed to the public.

ADJOURNMENT

A motion to adjourn the meeting was made at 8:30 by Mr. Chozick. The motion was seconded by Mr. Morytko. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted,
Caitlin Phillips

**MEETING MINTUES
BYRAM TOWNSHIP PLANNING BOARD
MEETING, MARCH 25, 2021**

CALL TO ORDER

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

ROLL CALL

	Mr. Chozick	Ms. Franco	Mr. McElroy	Mr. Morytko	Ms. Raffay	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
HERE	H			H	H	H	H	H	H	H	H
ABSENT		A	A								
EXCUSED											
LATE											

Also present: Attorney Alyse Hubbard, Esq.
 Engineer Cory Stoner, P.E. C.M.E.
 Planner Paul Gleitz P.P. AICP
 Secretary Caitlin Phillips

STATEMENT BY CLERK

Both the Federal and State governments have declared a state of emergency in response to the outbreak of the Covid-19 Virus, that limits the number of people allowed to gather, and requires social distancing. To continue Planning Board business, this special meeting for March 25, 2021 is being held by remote video or audio connection only. This service allows the Board, its professionals, applicants, and members of the public to participate.

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 is on file in the office of the Planning Board Secretary, posted on the main door, and on the bulletin board in the Municipal Building, and on the Township website at: https://www.byramtwp.org/index.php/meetings/committees/planning_board and has been forwarded to those persons requesting notice.

FLAG SALUTE led by Chairman Shivas

OLD BUSINESS

SP3-2019, 263 Route 206 Real Estate LLC, 251 Route 206, N-C Zone

Preliminary Major Site Plan with Variances to demolish an existing structure and construct a 7,500 sq. ft. retail/office building and a restaurant with a drive thru.

Mr. Walsh recused himself from this application.

John Ursin and Jason Dunn appeared to speak about this application. Mr. Ursin thanked the Board for taking the time to hold a special meeting. He recapped the previous discussion between himself and Board, in which he answered questions from the Board and received enough feedback to submit the amended plans being presented at this meeting. He also reminded the Board why they're asking for special relief and accommodations: this is unusual in that the building is dilapidated and they're looking to re-do the site, and until they get some kind of approval it's difficult to get businesses interested in leasing the properties. They originally asked for a preliminary site plan approval, and have since spoken to Ms. Hubbard, and are now looking for a bifurcated approval so the use variance for a neighborhood shopping center can be approved. Mr. Ursin noted that right now a neighborhood shopping center is defined as a single building, but he feels that their proposed changes could be defined as a neighborhood shopping center as well. Rather than rebuild on the same footprint, they want to split the footprint in two for a restaurant, café, or coffeeshop with a drive thru and a strip center that would have around 3 tenants, likely retail. If they get the use variance approved, it would be fixed and show that they are proposing the 3 buildings on site and the parameters of the concept plan, and allow them to get the plan in the stream of commerce. Once they gather interest, they believe the tenants will have specific architectural requirements. They hope to come back before the board with a preliminary site plan that would unify the buildings with the architectural designs and expectations from the Board regarding stormwater, landscaping, lighting, loading zone, garbage, etc.

Ms. Hubbard reminded Messrs. Ursin and Dunn that they are still under oath. Mr. Ursin showed the Board the revised site plan. He noted that the comments from the Board pointed to issues with the north end of the lot, being too congested for cars. The first change to address this is that the 2,200 sq. foot building labeled as a restaurant has been pushed back further from Route 206. Doing so allowed for the second change, which is instead of the drive thru approaching from the north, it can now go around the proposed commercial strip building. This allows for less driver confusion, lessens the chance of drivers getting stuck in the drive thru lane, less cars will stack up on Route 206, and creates a higher rate of stacking capacity behind the commercial building. The third change has been that by pushing the building back, there is more symmetry along Route 206 so there's parking in front of both buildings. He noted that another comment of the Board was to include a sidewalk so that people can walk from one business to the other.

By splitting the buildings in two, this gives more visual interest, providing a view to Cranberry Lake. Mr. Ursin noted they have added landscape islands that will be a central focus between both properties. Right now, the site is asphalt, so the landscaping areas on either side of the commercial building will increase the aesthetic appeal. By moving the restaurant back, it created an area on the north for a small patio overlooking Cranberry Lake. They have spoken to the Cranberry Lake

Association and believe that when they come back for a preliminary site plan, they will incorporate specific things requested by the Cranberry Lake Group, including pedestrian crossing and addressing a historic stone nearby.

Mr. Dunn noted that he believes this amended plan is an improvement. They received a letter from Mr. Stoner that asked how loading would be handled. Mr. Dunn noted that the concern was that the loading would occur in the back of the commercial building. They don't anticipate frequent loading behind the building; most of it would occur at the front and side during off hours. Behind the building is intended to be paved without landscaping, so if there needed to be a small vehicle there, there could still be people using the drive thru.

Chairman Shivas asked about the dotted line that goes around and through the main building. Mr. Dunn said that's the flood hazard area line. Chairman Shivas confirmed that more than half the building is in that zone. Mr. Ursin added that as a result, the proposed commercial building will be a single story at grade level, and the space underneath will not be useable. Mr. Dunn added that on the architectural elevations it shows louvers/opening so that if there are floodwaters, they would go through the building without damaging it. Mr. Stoner said it's likely they'll need a flood hazard permit, and any approval is subject to them getting the necessary DEP approvals or waivers.

Chairman Shivas asked if they're looking for a use approval, and if this is a conceptual drawing, because there could be a lot of changes depending on the tenants. Mr. Ursin responded that given they need the use variance, this site would work well with the proposed 3 buildings and square footage, which is less than the current square footage. They are seeking approval for the use variance, and this would all be conditioned on coming back with a preliminary site plan, demonstrating the buildings could be built in the proposed way or something similar. Until they can say they have use variance approval, they're not sure what the exact dimensions will be. Chairman Shivas also asked if they have seen the agreement between the previous owners and Cranberry Lake. Mr. Ursin said they had seen it, and there was a section of the Adam Todd lot they agreed to keep open for Cranberry Lake, and in meetings Mr. Ursin had with Cranberry Lake, he is thinking to have the limits of his property pulled back and work with Cranberry Lake on what they want to see. On the right side where the lane comes in, there is an arch, and Mr. Ursin stated that in his discussion with Cranberry Lake they feel that this arch has some historical significance, so they'll likely accommodate an arch with a walkway that goes towards the bridge and perhaps to the proposed sidewalks.

Ms. Hubbard asked about parking between the lake and the lot, and Mr. Ursin noted the agreement mainly talked about the arch and keeping access open to the north section. The most northern entrance from Route 206 onto the lot has had a fence for a long time that didn't provide access to the lake. Where the split rail fence is, they'll likely work with Cranberry Lake so they can add a number of parking spaces close to the clubhouse. Ms. Hubbard also asked what is at the rear of the building, where there is a dot behind the proposed restaurant. Mr. Ursin explained that Adam Todd was using the property across the split rail fence, so they're looking to reverse it so Cranberry Lake gets access back.

Mr. Gleitz added that there is a conditional use variance required for the self-storage; there was testimony at the last hearing on the conditions not met for self-storage on the existing building, so those would be the two D variances that would be voted on. Additionally, he asked Ms. Hubbard that she would add a basic definition of what's included and the concept plan would be attached as an exhibit, not as a site plan for approval. Ms. Hubbard agreed that the approval has to indicate this is the general layout of the site and the proposed buildings, and the applicant will come back with a preliminary site plan. If there are significant changes that impact the use, they'll revisit the use variance. Mr. Gleitz added that if the Board acts favorably and the applicant comes back with a site plan, given the testimony about Cranberry Lake, it would be good to see the rear of the buildings treated as a second front. This way patrons can walk out on a porch and access the rear of the building, so it's not just a service or loading area, but an area to appreciate the lake. Mr. Ursin responded that the most southern part of the 7,500 sq. foot building is a likely loading place, and the views there are really nice, so they'll take that into consideration.

Ms. Raffay asked, regarding the Land Development application variances, if the front and rear yard variances will be part of the approval of this meeting or is it part of the preliminary site plan. Ms. Hubbard responded that any bulk variance is attached to the preliminary site plan, since it might change. The Board is not considering aspects other than the layout and what they are proposing as far as the buildings.

Ms. Shimamoto asked if the use variance includes the drive thru portion. Ms. Hubbard responded that as part of the proposal and concept the 2,200 sq. foot building will have a drive thru, and they could come back at the preliminary site plan approval and say they don't need one, but that's part of what's proposed.

Chairman Shivas opened to the public.

Larry Niech was sworn in, stating he is a Byram resident and on the board of Cranberry Lake, and everything Mr. Ursin stated regarding the club is correct.

No one else from the public joined, and Chairman Shivas closed to the public.

Mr. Smith motioned to approve the use variance based on the concept plan presented, and what conditions Ms. Hubbard would attach to this proposal are what Mr. Smith gives to this approval. Mr. Morytko seconded the motion. The following vote was taken:

	Mr. Chozick	Ms. Franco	Ms. Raffay	Mr. McElroy	Mr. Morytko	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION									√		
SECONDED					√						
AYE	√		√		√		√	√	√		√
NAY											
ABSTAIN						√				√	
ABSENT		√		√							

Motion carried.

Mr. Ursin thanked the Board and its professionals for taking the time for this meeting.

VARIANCE REPORT

Chairman Shivas called for a motion to submit this report to the council. Ms. Raffay motioned to approve, seconded by Mr. Chozick. All were in favor.

Ms. Hubbard asked the procedure for this report. Chairman Shivas noted that this is a report that the council will review with the suggestions given, and take them into account.

OPEN TO THE PUBLIC

Chairman Shivas opened to the public.

Jeanne Moran asked if the audio recordings for Planning Board meetings of last year could be added to the webpage to be expanded from this year’s recordings.

Mayor Rubenstein noted that we only have available the recordings from when the Board started hosting Zoom meetings. Chairman Shivas noted last year’s recordings will be posted.

Chairman Shivas closed to the public.

ADJOURNMENT

A motion to adjourn the meeting was made at 8:25 by Mr. Morytko. The motion was seconded by Ms. Raffay. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted,
Caitlin Phillips

**BYRAM TOWNSHIP PLANNING BOARD
REVISED BILL LIST FOR APRIL 1, 2021**

<u>HAROLD PELLOW & ASSOCIATES, INC</u>	DATE	AMOUNT
Harold Pellow total		\$0.00

<u>LAW OFFICE OF LARRY WIENER</u>	DATE	AMOUNT
Inv. 2021-18 Board business	3/23/21	\$330.00
Inv. 2021-19 Wawa	3/23/21	\$330.00
Inv. 2021-20 Tomahawk Lake	3/23/21	\$495.00
Larry Wiener Total		\$1,155.00

<u>LATINI & GLEITZ, PLANNING</u>	DATE	AMOUNT
No bills submitted		\$0.00
Paul Gleitz total		\$0.00

<u>CP Engineers</u>	DATE	AMOUNT
No bills submitted		
Total for CP Engineers		\$0.00

GRAND TOTAL		\$1,155.00
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