

BYRAM TOWNSHIP PLANNING BOARD AGENDA
For Thursday, August 19th, 2021 at 7:30 P.M.
Meeting Held at: 10 Mansfield Drive, Byram Township NJ

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **OPENING STATEMENT:**

Adequate notice of this meeting has been published specifying the time and place in compliance with the provisions of the Open Public Meetings Act.

4. **FLAG SALUTE**

5. **COMPLETENESS REVIEWS**

SP5-2021 Center for Humanistic Change, 12 Route 206, Block 42 Lot 110, VB Zone
Interior renovations and addition of exterior elevator.

https://byrampdtwp.sharepoint.com/:f/s/PlanningBoard/Ehb-7ZWagL1Gmp-RDvHyI6EBLXUIOJLeQCB7EbGReQLF_Q?e=b5WwpR

SP6-2021 Matthew Akerman, 34 Route 206, Block 40 Lot 15, VB Zone

Variances for outdoor storage, conducting wood sales, and using land for a non-permitted use.

<https://byrampdtwp.sharepoint.com/:f/s/PlanningBoard/EkjeIwv5bBFHpmER0ix1ZMUBwBCM3mrxANStumqzy7fWDg?e=qUtjNb>

6. **MINUTES**

Approval of the August 5th, 2021 Meeting Minutes

7. **NEW BUSINESS**

Z09-2021-Colleen Table and Mark Rooney, 10 Ka Ton Nah Trail, Block 144, Lots 130.01, R-5 Zone

Proposed second story to a single-family dwelling.

<https://byrampdtwp.sharepoint.com/:f/s/PlanningBoard/Eq14kVwMNUjOkdA-Co1J4s4B4h3Mc3xd9lUKhIMSLYxfgA?e=nNbYsl>

Z10-2021 Peter Smith, 9 Weasug Trail, Block 187 Lot 1, R5 Zone

Approval for an existing shed's repairs and maintenance.

https://byrampdtwp.sharepoint.com/:f/s/PlanningBoard/Es4h6dUwGk5Hvd0hURkVA14BQ9d_808athFmN25z0ZNCxQ?e=t2CvWR

8. **REPORTS FROM COMMITTEES**

Architectural Review Committee

Building Committee

Environmental Commission

Open Space
Township Council
Zoning Report

9. BILLS

Law Offices of Larry Weiner (6)- \$1,710.00

10. OPEN TO THE PUBLIC

11. ADJOURNMENT

Next Meetings: 09/02—George Bukos

09/16—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, August 5, 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 Thomas Knutelsky, on behalf of Cory Stoner, P.E. C.M.E.
 Secretary Caitlin Phillips

OPENING STATEMENT

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

COMPLETENESS REVIEWS

SP3-2021 Nielsen Nissan, 59 US Route 206, Block 34 Lot 17, VB Zone
 Approval of existing conditions, signage, and tent sales.

Mr. Walsh noted that Nielsen Nissan came before the Board in 2019 with an incomplete application, deemed so because of lack of signage details and striping areas. With this current application, they will need these items, as well as landscape and lighting details.

Mr. Walsh motioned to deem this application incomplete for these reasons, seconded by Ms. Shimamoto. The following vote was taken:

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

Motion carried.

SP4-2021 DeRosa Enterprises, 262 Route 206, Block 216 Lot 2, NC Zone

Merging of 2 lots into a single lot, and use variance for expansion of existing marina for service and sales.

Mr. Walsh explained that the applicant’s goal is to merge the existing lot with the lot to the north, which would be used for the existing business and its storage, as well as extra parking. He noted that there would be no additional disturbance because the lots are already completely disturbed. Their site plan needs additional information on the key map, they need additional information on the wetland and riparian buffers, as well as existing and proposed landscaping, building and floor plans and elevations, fire protection details, an Environmental Impact Statement, and a deed of the existing lot to make sure there wouldn’t be any issues merging the two.

Mr. Walsh motioned to deem this application incomplete because of the seven outstanding items, seconded by Ms. Shimamoto. The following vote was taken:

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

Motion carried.

WOSP4-2021 PNC Bank, 32 Route 206 North, Block 40 Lot 16, VB Zone
 Requested Site Plan waiver to add ADA parking spaces.

Mr. Walsh explained PNC is trying to bring their site into ADA compliance. There was a minor inconsistency on the plan; Ms. Shimamoto noted she looked into the code for van-accessible parking spaces. In the site plan it's correct, but the details have it incorrect, so they need to update the details to have it match the site plan.

Mr. Walsh motioned to approve this waiver as requested with the condition of that minor update, seconded by Ms. Shimamoto. The following vote was taken:

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

Motion carried.

MINUTES

Approval of the 07/15 meeting minutes.

Mr. Smith motioned to approve the 07/15 minutes, seconded by Mr. Chozick. The following vote was taken:

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

Motion carried.

RESOLUTIONS

Z08-2021 Tracee and Todd Stefanelli, 78 Glenside Trail, Block 311 Lot 2011, R-5 Zone
 Approval to add a level to their single-family home.

Ms. Shimamoto motioned to approve this resolution, seconded by Mr. Chozick. The following vote was taken:

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

Motion carried.

OLD BUSINESS

SP1-2020, Tomahawk Lake, Tomahawk Trail, Block 343, Lots 1 & 2, C-R Zone
 Amended site plan to add two new water slides, to permit parking on Lots 1 & 2, to install a 10' X 20' ticket booth, and to construct a 36' X 40' building for retail sales.

Chairman Shivas announced that this application has been moved to 10/07. Ms. Hubbard noted it is because they failed to notice everyone that required noticing. She noted they will be carried to a date certain, and they only need to notice the utilities that were missed.

Mr. Chozick motioned to carry this application to 10/07 with no further noticing other than what is required, seconded by Mr. Walsh. The following vote was taken:

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

Motion carried.

REVIEW ITEM: Amended Resolution for SP2-2019, Anty Trucking

Chairman Shivas explained that on the most recent resolution for Anty Trucking, it is stated that they can't get a building permit unless they meet the requirements of the sewage authority, for which they haven't made an application to determine if any more EDUs are required. They want to build the pole barns, which don't have plumbing. The Board is reviewing the amended resolution that would allow them to build the pole barns but not occupy them until the EDU issue is resolved.

Mr. Lavigne spoke on behalf of Anty Trucking and confirmed this information. He noted that they want to get on the contractor's schedule, which can't occur until they have the permits. With the shortage of building supplies, the longer they wait, the more expensive the pole barns will be. Chairman Shivas confirmed this recommendation would mean the pole barns can be built, but not occupied for storage.

Mr. Chozick motioned to approve this amended resolution to allow permits to be obtained while still requiring the sewerage issue to be resolved, seconded by Mr. Walsh. Ms. Raffay asked if there is a possibility that the buildings get built without getting the proper EDUs; she wants to make sure the buildings can be occupied. Ms. Hubbard noted that they could come back, seeking additional relief if needed. Mr. Lavigne added they could remove the office trailer so the additional EDUs wouldn't be needed, if the Board decided against the amendment. The following vote was taken:

	Mr. Chozick	Ms. Franco	Mr. McElroy	Mr. Morytko	Ms. Raffay	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: Ms. Shimamoto said there was no meeting.

Building Committee: Mayor Rubenstein said there was no meeting.

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

Open Space: Mayor Rubenstein said there is a meeting next Monday.

Township Council: Mayor Rubenstein said there is no meeting.

BILLS

Harold Pellow and Associates (16)- \$4,717.91

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

Law Offices of Larry Weiner (8)- \$3,000

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

OPEN TO THE PUBLIC

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

ADJOURNMENT

A motion to adjourn the meeting was made at 7:50 by Ms. Shimamoto. The motion was seconded by Mr. Chozick. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted,
Caitlin Phillips

**Zoning Report
July 2021**

Permitting

Zoning permits approved	12 Total
-Typical, variance not required	12
-post-resolution to begin work	
-for C.O. or C.A.	
Zoning permits denied	0
Site plan waivers/change of tenant	2
Highlands determinations	0
COVID-19 Special Permits	0
<u>Investigation of Violations</u>	
-Initial contact letter	5
- notices of violation (NOVs)	3
-zoning cases cleared	1 (with action dates), 2 still pending with court
-summonses issued	0
-signs removed from roadway	0

**BYRAM TOWNSHIP PLANNING BOARD
BILL LIST FOR August 19, 2021**

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

<u>LAW OFFICE OF LARRY WIENER</u>	DATE	AMOUNT
Inv. 2021-54 Planning Board- emails, phone calls, attendance at 08/05 meeting	8/10/2021	\$270.00
Inv. 2021-55 Tomahawk Lake- emails & phone calls	8/10/2021	\$225.00
Inv. 2021-56 Anty Trucking- emails, phone calls, amended resolution	8/10/2021	\$690.00
Inv. 2021-57 Stefanelli- review application and prepare resolution, phone calls	8/10/2021	\$300.00
Inv. 2021-58 Schuffenhauer- Review documents, phone calls	8/10/2021	\$75.00
2021-59 Wawa- emails, review resolution	8/10/2021	\$150.00
Larry Wiener Total		\$1,710.00

<u>LATINI & GLEITZ, PLANNING</u>	DATE	AMOUNT
Paul Gleitz total		\$0.00

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

<u>GRAND TOTAL</u>	\$1,710.00
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