

**DECEMBER 10, 2020
MEETING MINUTES
BYRAM TOWNSHIP
SPECIAL PLANNING BOARD MEETING**

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	H	H
ABSENT											
LATE											
EXCUSED		E									

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

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, this special meeting for December 10, 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.

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, the bulletin board of the Municipal Building, on the Township website at:

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

and has been forwarded to those persons requesting notice.

FLAG SALUTE led by Chairman Shivas

RESOLUTION

SP1-2020, Tomahawk Lake, Tomahawk Trail, Block 343 Lots 1 and 2, C-R Zone

Planning Board determination that this is a permitted use in the C-R Zone.

A motion to approve the resolution as written was made by Mr. Kaufhold. 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.

OLD BUSINESS

SP1-2020, Tomahawk Lake, Tomahawk Trail, Block 343 Lots 1 and 2, C-R Zone (carried from November 5, 2020)

Amended site plan to add two new waterslides, construct a 36' X 40' retail building, and to relocate and install a 10' X 20' ticket booth.

Mr. Askin, Esq. representing Tomahawk lake said that this application involves amended site plan approval to construct two new slides, a concession building for the retail of park memorabilia, and a ticket booth on Lot 2 of Block 343, adding that the concession building requires two bulk variances.

1. To exceed the size allowed for an accessory structure; 500 sq. ft. is permitted, and a 1,440 sq. ft. (36' X 40" sq. ft.) is proposed.
2. To exceed the allowable height of an accessory structure where 15 ft. is permitted and 21.6' is proposed.

Mr. Kolody, P.E., reviewed Sheet 1 of 2 of the submitted plan revised and dated 11/07/2019, saying this revision involves the elimination of Lot 3, adding that the picnic tables on Lot 3 will be relocated to the east of the site and will not have an impact on park activities.

Mr. Kolody gave a summary of the proposed improvements saying that proposed slides are to keep the park viable and up to date, adding that in the past, when new slides were added, the number of patrons visiting the site did not increase. Mr. Kolody said the water slides must be approved by State Amusement Ride Inspectors and they must comply with State and Municipal regulations.

He said the existing ticket booth is 30 years old and in need of replacement. The proposed 10' X 20' ticket booth will be an improvement to the park. He said the concession building, which many facilities of this type have today, will be used to sell park memorabilia. He said the building will sit 40 ft. below elevation from Tomahawk Trail so it will not cause a detriment to the surrounding neighborhood or have a negative visual impact.

Mr. Kolody reviewed the site plan and changes that were made to keep traffic off the roadway. He showed how cars will enter the main access gate and cars will be stacked in a grassy area for the collection of fees, before they are directed where to park. He said the cost for park admittance is per person, and the fees are collected by the attendance. Exhibit B1, Google street view of the main entrance was displayed so show the main entrance and grassy area. Mr. Kolody said the ticket booth is for the sale of tickets for each ride. Mr. Kolody reviewed the entrance to the west of the site and said temporary fencing will be used to ensure parking does not occur on Lot 3, or anywhere on the site where parking is not permitted. He said the entrance to the west, which was usually used for employees, will allow access for 2 vehicles in width, and the stacking area will accommodate 60 vehicles until fees can be collected and then directed to a parking space., adding that this should keep vehicles off the roadway. Chairman Shivas recommended widening the main gate access drive to allow enough width for 4 vehicles to enter and then be stacked. Exhibit B2 Google street view of entrance dated August 2019 was shown. Mr. Kolody said they are limited to impervious coverage by the Highlands so adding pavement is not doable. There was a lengthy Board discussion about different alternatives that may work to keep traffic off the road.

Ms. Raffay asked Mr. Kolody to explain what process takes place when a vehicle arrives at the park. Mr. Kolody reviewed the access areas and new procedures in place to get traffic off the roadway and into the park. It was not clear to the Board that the stacking of vehicles, or the widening of lane traffic will resolve the issue. Mr. Kolody said they have incorporated some of the changes and have seen improvement. He said on high traffic days Byram Police, and special police were hired for traffic control. Lynn Wallace, partner of Tomahawk Lake, was sworn in said the last incident whereas traffic caused gridlock was due to high, unexpected temperatures, and they were unprepared. Since then, they met with Byram Police Chief Zabita and came up with a plan to improve the problem which has appeared to work. She said they hire extra attendants, open the park early, and stack vehicles in staged parking areas so fees can be collected before they are directed where to park. He said the new way the

attendant's direct people to park has also improved the situation.

Mr. Kolody said the applicant is willing to add notes to the plan, and the resolution can have language about keeping cars off the roadway. Mayor Rubenstein said that has been in many resolutions however the problem still occurs. Mr. Gleitz recommended on high traffic days using the entrance to the west and allowing vehicles to stack along the entire internal roadway. Ms. Lynn Wallace said once vehicles are inside the gate many people exit their vehicles and enter the park before they can be counted, and fees collected for their admittance. Mr. Morytko said that is an operational issue they need to resolve, and that the Board's concern is keeping traffic off the road.

There was a lengthy Board discussion about traffic problems and it was the consensus of the Board that the applicant demonstrate to this Board by way of a circulation plan that shows where people will access the park, where vehicles will be stacked, how and where are they directed to park, where and how fees are collected, and how it will improve so that a traffic backup will not occur on Tomahawk Trail or the surrounding area. Mr. Stoner said the plan should include parking spaces should be delineated on the plan, not only parking areas, and the number of patrons allowed on site.

Mr. Olson said he recently discovered information in the Historic Resource Inventory that a slave cemetery may have existed on Lot 2. Mr. Askin was not aware of this but asked that Mr. Olson send him the information and he will investigate that.

Mr. Askin said Mr. Mark Wallace, his chief witness, is having difficulty participating in the meeting, so he requested that the public hearing be carried to another date.

The applicant agreed to return to the Board with a revised plan. The applicant requested the hearing be carried to March 4, 2021. A motion to carry this application without further notice to March 4 was made by Mr. Olson. The motion was seconded by Mr. Morytko. Mr. Kolody announced that he may not be available for March 4, so the date was amended to February 18, 2021

Mr. Olson and Mr. Morytko agreed to the amendment. 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.

OPEN TO THE PUBLIC

Chairman Shivas opened to the public. Mr. Askin said Mr. Kolody has not finished his testimony so questions from the public must wait until his testimony has concluded.

Ms. Wendy Wallace had questions relating to Tomahawk Lake and was instructed to save her questions for the next public meeting on this application.

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

Mayor Rubenstein asked Ms. Hubbard if the annual notice must contain Zoom call information for the entire year. The Local Finance Notice 2020-21 was reviewed, and it was determined that the notice must contain language where the information can be found, but specific zoom information does not have to be included in the annual notice.

ADJOURNMENT

At 9:15 pm a motion to adjourn the meeting was made by Mr. Kaufhold. The motion was seconded by Mr. Walsh. All were in favor. Meeting was adjourned.

Respectfully submitted,
Cheryl White