

**MEETING MINUTES
BYRAM TOWNSHIP PLANNING BOARD
DECEMBER 19, 2019**

CALL TO ORDER

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

ROLL CALL

	Mr. Chozick	Mr. Dixon	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
ABSENT											
EXCUSED		EA									
LATE							L				

Also present: Attorney, Kurt G. Senesky, Esq.
Engineer Cory Stoner, P.E., C.M.E.
Secretary, Cheryl White

STATEMENT BY CLERK

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

MINUTES

Approval of the December 5, 2019 Meeting Minutes.

A motion to approve the minutes as written was made by Mr. Kaufhold. The motion was seconded by Mr. Morytko.

The following vote was taken:

	Mr. Chozick	Mr. Dixon	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

SP6-2019, Stanhope Nissan LLC, 59 Route 206, V-B Zone

Amended site plan seeking additional parking for vehicle inventory.

The subcommittee met and reviewed the material submitted, along with Mr. Stoner’s report and it was determined to deem the application incomplete for the following reasons: The applicant failed to obtain a Highlands Applicability Determination, and violations occurring on the property were not addressed, specifically signage.

In addition to the above the Board will require the following items for consideration for the hearing of this application such as the method of striping/delineating parking spaces in the gravel areas and Planning Testimony to outline reasons for granting variances.

A motion to deem the application incomplete was made by Mr. Walsh. The motion was seconded by Ms. Shimamoto. The following vote was taken:

	Mr. Chozick	Mr. Dixon	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

Z20-2019, John & Jennifer Riedener, 14 Briar Lane, Block 365.02 Lot 7, R-4 Zone

Variances to erect a 6-foot fence in the front yard.

A motion to approve the resolution as presented was made by Mr. Walsh. The motion was seconded by Ms. Shimamoto.

The following vote was taken:

	Mr. Chozick	Mr. Dixon	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.

At 8:00 p.m. Ms. Raffay joined the meeting.

NEW BUSINESS

McDonalds Corporation, 90 Route 206, Block 226 Lot 14, V-B Zone – Carried to January 23, 2020

New LED and Message Board Signs

A motion to carry this application to January 23, 2020 was made by Mr. Morytko. The motion was seconded by Mr. Olson. The following vote was taken:

	Mr. Chozick	Mr. Dixon	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.

REPORTS FROM COMMITTEES

Architectural Review Committee – Mr. Morytko said no meeting was held.

Building Committee – Mayor Rubenstein said no meeting was held.

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

Open Space – Mr. Morytko said the Park and Recreation Plan is ongoing. Mr. Olson added that survey is complete saying that the Council received a draft copy of the Recreational Economic Development Plan.

Mr. Morytko reported that by way of a grant the township attempted to hire a company to remove Ash trees however all bids received were too high. Lastly, Mr. Morytko reported that the Open Space committee will have new members beginning 2020.

Township Council – Mayor Rubenstein said two new ordinances were passed this week, Ord. #16-2019, having to do with 5G. and Ord. 17-2019 which deals with the strip of land between the edge of pavement and the property line saying the maintenance of any landscaping, trees, rock walls, etc., in the Right of Way will now be the responsibility of the home owner. This prompted board discussion and the Mayor said there may be some changes to the ordinance in the future with regards to trees in the R.O.W. Lastly, the Mayor reported that the Dec. 17th Council meeting was the last meeting for Mr. Olson, Ms. Kash and Mr. Gray, and that new Council appointments will be on Jan. 07, 2020.

BILLS

Chairman Shivas said that the bill from Vogel, Chait and Schneider relating to Quick Chek sewer transfer should be removed from the PB bill list. He believes it is a bill the Council should approve. The Board agreed.

Law Office Larry I. Wiener, (3 bills \$1,080.00)

A motion to approve Ms. Landano Hubbard’s bills was made by Mr. Olson the motion was seconded by Mr. Kaufhold. All in favor. Motion carried.

Schenck, Price, Smith & King, LLP (1 bill) \$249.00

A motion to approve Mr. Senesky’s bills was made by Mr. Olson. The motion was seconded by Mayor Rubenstein. All were in favor. Motion carried.

PUBLIC COMMENT

Chairman Shivas opened to the public.

Jack Moran, 7 East Waterloo Road wanted to know if Planning Board review, and public notice would be required if a private water company is expanding water service to other homes. Mr. Stoner said as far as the township he would be involved since he is the township engineer and a road opening permit would be required however other governmental agencies would be involved such as the DEP/BPU, and engineering work done by the Army Core of engineers. Mr. Olson added that the draft plans, along with a cost review will be submitted to the EPA and until the plans are finalized it is a proprietary document adding that this board would not be involved. Mr. Moran’s also has concerns relating to the iso rating for fire hydrants, and where they will be located. Mr. Olson said at some point the EPA will hold public meetings.

Mr. Moran asked about status on a second access from the East Brookwood section of Byram. Mr. Moran said during the Liquor Factory public hearings the property owner agreed to an easement on his property to allow for an emergency access and he wanted to know if that offer has expired. Mr. Senesky said it was part of a resolution of approval, so it does not expire. Mr. Olson said Mr. Stoner was charged with performing a cost analysis study to review several emergency access points from this development and the different obstacles each access point may face.

Lastly Mr. Moran asked if the township must follow its own rules if they are doing work or an improvement on township property. Mr. Senesky said no, they are exempt from local regulations however they are not exempt from federal government regulations. Mr. Moran inquired because of a guardrail in poor condition located at the well house on Brookwood Road. Mr. Stoner said the replacement of the guardrail would have to meet the FHWA requirements, and because this parcel is small, that presents several issues. Mr. Olson said Mr. Sabatini is looking at other ways to secure the well house such as large planters to replace the guardrail, which will also offer an aesthetic improvement. Mr. Moran had no more questions and he thanked Mr. Senesky for his work with Byram and wished him a happy retirement. No one else from the public came forward. Chairman Shivas closed to the public.

Chairman Shivas recognized Mr. Senesky’s with a plaque honoring his 22 years of support and guidance to the Byram Township Council and Planning Board and the Board thanked him and wished him well. Ms. Raffay and Mr. Walsh thanked Mr. Senesky for his dedication and support he has offered Byram and the Board overall shared the same sentiments and wished him a happy retirement.

Mr. Senesky said his feelings are bittersweet and enjoyed this board saying that this board is one of his favorite boards, the members are very engaged and informed, and it has been his pleasure. Mr. Olson reiterated his appreciation for guidance and support Kurt has offered.

ADJOURNMENT

A motion to adjourn the meeting was made at 8:35 p.m. by Mr. Kaufhold. The motion was seconded by Ms. Shimamoto. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted, *Cheryl White*