

MEETING MINTUES OF THE BYRAM TOWNSHIP PLANNING BOARD: December 21, 2023

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

ROLL CALL:

Members Present: Mayor Rubenstein, Mss. Franco and Raffay, Messrs. McElroy, Morytko, Walsh, Chairman Shivas

Members Absent: Messrs. Serrilli, Smith, and Proctor

Also Present: Engineer Cory Stoner, Attorney Alyse Hubbard, 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

MINUTES: December 7 2023. Mr. Morytko motioned to approve the minutes, seconded by Ms. Franco.

Ayes: Ms. Franco, Ms. Raffay, Mr. Morytko, Chairman Shivas

Abstaining: Mayor Rubenstein, Mr. McElroy, Mr. Walsh

Absent: Messrs. Serrilli, Smith, and Proctor

None opposed. Motion carried.

RESOLUTION

Z24-2023 Ruth Pineiro, 72 Lynn Drive, Block 337.04 Lot 54, R-3 Zone

Approval for deck expansion

Ms. Franco motioned to approve the resolution, seconded by Ms. Raffay.

Ayes: Ms. Franco, Ms. Raffay, Chairman Shivas

Abstaining: Mayor Rubenstein, Mr. McElroy, Mr. Morytko, Mr. Walsh

Absent: Messrs. Serrilli, Smith, and Proctor

None opposed. Motion carried.

Z23-2023 Mia Costic and Stuart Marker, 2 Sleepy Lagoon Terrace, Block 297 Lots 1 and 2, R-5 Zone

Approval for pre-existing non-conforming decks

Ms. Franco motioned to approve the resolution, seconded by Mr. Morytko.

Ayes: Ms. Franco, Mr. Morytko, Chairman Shivas

Abstaining: Mayor Rubenstein, Mr. McElroy, Ms. Raffay, Mr. Walsh

Absent: Messrs. Serrilli, Smith, and Proctor

None opposed. Motion carried.

Z15-2021 Melissa and Chad Pirnos, 71 Lake Drive, Block 249 Lot 62, R-5 Zone

Resolution of Extension for approval to demolish existing dwelling and rebuild a new single-family home.

Mr. Walsh motioned to approve the resolution, seconded by Mr. McElroy.

Ayes: Mayor Rubenstein, Ms. Franco, Mr. McElroy, Ms. Raffay, Mr. Morytko, Mr. Walsh, Chairman Shivas

Absent: Messrs. Serrilli, Smith, and Proctor

None opposed. Motion carried.

NEW BUSINESS

SP7-2023 Panther Lake RV, LLC, 6 Panther Lake Campground, Block 360 Lots 23, 24, 31, 31.10, and 31.11, CR Zone

Approval for changes to pool and patio area, including bathrooms, a pavilion, cabana facilities, expansion of patio, and enhancements to lighting and landscaping

Ms. Raffay motioned to carry the application to 01/04/2024 with corrected noticing, seconded by Mr. Walsh.

Ayes: Mayor Rubenstein, Ms. Franco, Mr. McElroy, Ms. Raffay, Mr. Morytko, Mr. Walsh, Chairman Shivas

Absent: Messrs. Serrilli, Smith, and Proctor

None opposed. Motion carried.

Z16-2023 Barbara Krassner, 11 Pathfinder Trail, Block 115 Lot 6, R5 Zone

Approval for deck on an undersized lot

Mr. Morytko motioned to carry the application to 01/04/2024 with corrected noticing, seconded by Mr. McElroy.

Ayes: Mayor Rubenstein, Ms. Franco, Mr. McElroy, Ms. Raffay, Mr. Morytko, Mr. Walsh, Chairman Shivas

Absent: Messrs. Serrilli, Smith, and Proctor

None opposed. Motion carried.

Z21-2023 Paul and Theresa Kane, 3 Sandys Road, Block 404 Lot 32, R-5 Zone

Approval for expansion of driveway and addition of second driveway

Paul Kane was sworn in. He's looking to remove existing hardscaping and replace it with a paved driveway. It will be one large entrance. Mr. Stoner said the proposed second driveway was removed from the application. Mr. Kane said this was removed to make the application easier. He owns the vacant lot next to him. Ms. Hubbard confirmed the lots are combined. Chairman Shivas confirmed they're looking for a larger road entrance. Ms. Raffay asked which drawing is what's proposed. The Board reviewed the hand drawn markups. Ms. Raffay confirmed the neighbor's property is higher than theirs. They will replace the retaining wall, and it won't be higher than four feet. Mr. Stoner said they want to expand the driveway by 13 feet. He reviewed the variances. Mr. Stoner's main concern is keeping everything on his own property, keeping the retaining wall away from the neighbor. It's important to have the property line staked to make sure nothing crosses over. This could be a condition of approval. Mr. Kane said the hardscaping is like a box, and will leave the wooden retaining wall there. Mr. Stoner said the sketch shows the retaining wall is being removed. Mr. Stoner said near the roadway is a boxed, wooden area. The driveway is being extended the width of the box. Mr. Kane said he'll use Belgian block. Mr. Stoner said that has depth to it, so he needs to consider how to adjust the line for the wall's dimensions. Mr. Stoner asked about tree removal. Ms. Raffay asked why the driveway needs to be expanded. Mr. Kane said for additional parking. Ms. Raffay confirmed he gains 1-2 parking spaces by doing this. Mr. Kane said it will allow them to not park in a single file. They have four cars now. Ms. Hubbard confirmed they use on-street parking, which they use most nights. Mr. Walsh confirmed it's difficult to park there. Mr. Kane said there's a sharp turn. Mr. Walsh noted that's a safety issue. Mayor Rubenstein reviewed a street view of their property, **Exhibit B1**. He confirmed the rock wall is the neighbor's. He confirmed the railroad ties are fronted on the road, up until the stone wall. The area that's a raised bed of bushes will become pavement. Ms. Franco asked about the right-of-way—it looks like two boxes extend there. Mr. Stoner said the landscape wall is in the right-of-way. Ms. Franco asked if they could design this in a way that the opening of the driveway doesn't need a variance, and widen it after. Mr. Kane said that's been considered, but it'd still be difficult to get the top corner car out safely. It would cut into the side yard, and they have the air conditioning and oil tank there. Ms. Franco asked how deep the driveway is. Mr. Stoner said it's 37 feet from the right-of-way to the garage. Ms. Franco said the plans say 50 feet. Chairman Shivas noted the steepness of the driveway—when it's bottlenecked, it makes it difficult to move around cars, especially when it snows or is icy. Mr. Stoner said the biggest thing is topography and closeness of the house, leaving little room to maneuver. Mr. Kane said during the winter it will be stone, but it will be paved eventually. Mr. Stoner said that should be a condition of approval, to make sure it's paved. Mr. Walsh asked how his proposed driveway width compares to neighbors. Mr. Kane said his neighbor has a two-car entrance. He believes what's proposed is consistent with the neighborhood. Mr. Stoner noted because of the grade this has to be paved.

Chairman Shivas opened to the public and no one spoke so he closed to the public.

Mr. Stoner said they need the property line staked and to define the layout of the wall; because of the cut, they may need to stay 2-3 feet off. Ms. Raffay confirmed they removed the second driveway from the application. Mr. Walsh motioned to approve the application with the listed conditions, seconded by Mayor Rubenstein:

Ayes: Mayor Rubenstein, Ms. Franco, Mr. McElroy, Ms. Raffay, Mr. Morytko, Mr. Walsh, Chairman Shivas

Absent: Messrs. Serrilli, Smith, and Proctor

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

BILLS

Harold Pellow and Associates (1): \$207.00. A motion to approve the bills was made by Mayor Rubenstein, seconded by Ms. Franco. All were in favor. Motion carried.

Maraziti and Falcon (11): \$3,727.50. A motion to approve the bills was made by Mr. Walsh, seconded by Mr. Morytko. All were in favor. Motion carried.

REPORTS FROM COMMITTEES

Architectural Review Committee: Mr. Morytko said there's been no meeting.

Environmental Commission: Mr. McElroy said they met on 11/30. They're hosting a full moon hike on their first 2024 meeting night. It's their 50th anniversary next year. They're working on a conservation easement project. Mr. Stoner asked if they've worked with the Highlands on this.

Open Space: Mr. Morytko said they met on 12/11 to wrap up 2023 and look ahead to 2024. They have two openings on the committee.

Township Council: Mayor Rubenstein said they gave Mr. Bonker a plaque for his last meeting. They approved engineering costs for CO field 8. They approved the stormwater control ordinance. Mr. Stoner said it's for areas where salt is contained/covered, so it doesn't wash into the stormwater system. Ms. Phillips reminded the Board about stormwater training. Mayor Rubenstein said they're discussing a replacement for fire truck engine 1. Ms. Franco said this will be her last meeting. Mayor Rubenstein said Mr. Proctor will take Ms. Franco's place.

Zoning Report: Everyone had a copy.

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 8:20pm by Mr. McElroy, seconded by Ms. Franco. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted by Caitlin Phillips