

## MEETING MINTUES OF THE BYRAM TOWNSHIP PLANNING BOARD: February 19 2026

This meeting was called to order at 7:30pm by Chairman Shivas.

**ROLL CALL:** Mss. DeMagistris, Raffay, Colligan; Messrs. Mayor Rubenstein, Proctor, McElroy, Morytko, Smith, and Chairman Shivas

*Members Absent:* Ms. Lewandowski, Mr. Walsh

*Also Present:* Planner Daniel Bloch, Attorney Alyse Hubbard, Secretary Caitlin Phillips

**OPENING STATEMENT:** Adequate notice of this meeting of the Byram Township Planning Board was given as required by the Open Public Meeting Act. A resolution indicating the time, date, and location of regular Board meetings for the year 2026 was forwarded to the Board's designated newspaper, posted on the bulletin boards and main doors of the Municipal Building. As of March 1, 2026, legal notices for the Planning Board will appear on the New Jersey Herald's Online publication and will be posted on the Township's Website and forwarded to the Secretary of State of the State of New Jersey.

Mayor Rubenstein read the noticing information changes.

**FLAG SALUTE:** led by Chairman Shivas.

**OATH OF OFFICE:** Daniel Bloch took the oath of office as the Board's Planner.

**MINUTES:** February 5, 2026.

Motion of Mr. Morytko to approve the minutes, second by Mayor Rubenstein.

*Ayes:* Ms. DeMagistris, Colligan; Messrs. Mayor Rubenstein, McElroy, Morytko, Smith, and Chairman Shivas

*Abstaining:* Mr. Proctor, Ms. Raffay

*Absent:* Ms. Lewandowski, Mr. Walsh

None opposed. Motion carried.

### RESOLUTIONS

Z14-2025 Robert and Julie Gockeler, 183 Forest Lake Drive, Block 360 Lot 1.01, R2 Zone

Application for tract disturbance and accessory structures, including shed, greenhouse, and chicken coop

Motion of Mr. McElroy to approve the resolution, second by Mr. Morytko.

*Ayes:* Mss. Colligan, DeMagistris; Messrs. Mayor Rubenstein, McElroy, Morytko, Chairman Shivas

*Abstaining:* Ms. Raffay, Mr. Proctor, Mr. Smith

*Absent:* Ms. Lewandowski, Mr. Walsh

None opposed. Motion carried.

**DISCUSSION ITEM:** Master Plan Consistency for Ordinance 003-2026, for Affordable Housing  
Mr. Bloch said they went through their program with the Affordable Housing and Fair Share Plan. This was accepted, with a few conditional items. One of those is updating the Affordable Housing Ordinance, to comply with the new laws and acts. They were given a model ordinance from the DCA. The Township attorney and Mr. Bloch reviewed it, and updated the ordinance. There are no substantial changes; they're updating it to be compliant. Chairman Shivas asked who the administrative agent is. Mr. Bloch said it would be the HMFA. Chairman Shivas said it seems like there are a bunch of agents,

and one is from the Township, who keeps records. Ms. Hubbard noted the housing liaison is Mr. Sabatini. Mr. Bloch said there's an administrative agent, and there's a certification that goes with it, so it's not a township employee. Chairman Shivas noted the title "administrative agent" comes up throughout this document, and he wanted to see who that is. Mr. Bloch said the town can choose who to hire to do this work, and Byram hired the NJ Housing and Finance Mortgage Agency, who offers that as a service. Chairman Shivas noted if you don't like what the person handling this is doing, they can go to the district. Mr. Bloch noted that would be appealing it, and it's through the DCA. Ms. Raffay confirmed the Board is reviewing this to determine if the Ordinance is not inconsistent with the Master Plan. Then it goes back to the Council to adopt. Ms. Hubbard noted it was introduced at the Council on Tuesday. She asked about how much input can be provided. Mr. Bloch said there are a few things that are optional in the model ordinance. Other than that, it needs to be consistent with the law. Mayor Rubenstein noted if the Board finds it inconsistent, the Council could still pass it. Chairman Shivas noted the Council would then write a letter acknowledging they know it's not consistent, and state why they're proceeding. Mr. Bloch noted this is not a zoning ordinance, but it is a kind of Land Use Ordinance, and involves housing. It doesn't involve zoning, so it's not inconsistent with that portion of the Plan. Mr. Proctor confirmed it doesn't change any of the rules about first floor residential on commercial properties. Mr. Bloch said this has to do with how affordable housing is monitored and made available. Ms. Raffay noted that's administrative tasks. Chairman Shivas noted it applies if people come to the Board and they need to know how many units need to be affordable housing.

Motion of Mr. Morytko that this ordinance is not inconsistent with the Master Plan, second by Ms. Raffay.

*Ayes:* Mss. Raffay, Colligan, DeMagistris; Messrs. Mayor Rubenstein, Proctor, McElroy, Morytko, Smith, Chairman Shivas

*Abstaining:* Ms. Raffay, Mr. Proctor, Mr. Smith

*Absent:* Ms. Lewandowski, Mr. Walsh

None opposed. Motion carried.

**DISCUSSION ITEM:** Application amendments

Ms. Hubbard said a recent applicant has inconsistencies with some signatures, which caused them to look at how the signatures are formatted in the application, in that some are for the property owner and some are for the applicant. Some of those need to be amended. Chairman Shivas said there should be something like an index, to help guide applicants on what parts are needed for their specific applications. Businesses may hire a lawyer, but some residents might not understand how to fill this out. Ms. Hubbard noted without the instruction pages, people have to fill out everything that's there. There's a lot to read, but not a lot to fill out. Ms. Colligan confirms that Ms. Phillips tells residents what they need to do. Ms. Phillips noted it's a lot to read, but it's helpful if people have questions and they can refer back to it. Ms. Hubbard said they could do a letter that explains what pages to fill out. Chairman Shivas said if Ms. Phillips is out of the office, there's no one that backs her up, so no one could explain the application. Ms. Hubbard confirmed the Board is okay making these changes. Mr. Proctor confirmed the property owner still has a signature spot for if there's a renter. Ms. Phillips said there's a required signature for the property owner, to consent to the filing of the application.

Chairman Shivas said he needs the Board's recommendations to the Council. He knows Airbnb is a main concern to address. He needs to send this by April 1<sup>st</sup>.

## **REPORTS FROM COMMITTEES**

Environmental Commission- Mr. Smith said there's a meeting next week.

Open Space- Mr. Morytko said there's a meeting next month.

Township Council- Mayor Rubenstein said they introduced the ordinance that was just discussed. They introduced the quarry license for Tilcon and the junkyard license for Raimos. Tilcon will have ongoing blasting. Raimos said their work will be done this year. They did not get a junkyard license from North Jersey Auto Wreckers, because they sold in September to Hudson Farms, so it will no longer be a junkyard. There are changes to the healthcare to hopefully relieve the budget for this year. There was a pre-application meeting with the DEP about the dog park and other improvements at CO Johnson Park. They were told they don't have a problem with the application, but the dog park will be an issue. The application was shared with the Threatened and Endangered Species Group, to see the impact. In September, there was a sighting of a copperhead snake on the parcel. If they want the dog park there, there needs to be fencing that is secure and tall enough that a snake can't get through or over it. There would need to be an additional fence during construction, to keep snakes out of the construction area. There also needs to be signage that says there are copperhead snakes. They need a certified herpetologist on site during construction. When a sighting happens, the person fills out a form, it's sent to DEP, and it's evaluated for legitimacy. Mr. McElroy confirmed the dog park is about an acre. Mayor Rubenstein said this would increase the cost of the park. They need a snake-impervious fence, and there are concerns of a dog being bitten by a snake.

## **OPEN TO THE PUBLIC**

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

## **ADJOURNMENT**

A motion to adjourn the meeting was made at 8:00 pm by Mr. McElroy, seconded by Mr. Proctor. All were in favor. Motion carried. The meeting was adjourned.

Submitted by Caitlin Phillips