

**MEETING MINTUES
BYRAM TOWNSHIP PLANNING BOARD
JANUARY 23, 2020**

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											
EXCUSED							EA				
LATE											

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

MEETING MINUTES

A motion to approve the January 9, 2020 meeting minutes as written was made by Mr. Morytko. The motion was seconded by Mayor Rubenstein. 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.

RESOLUTION

Z19-2019, Scott Norberg, 3 Trout Brook Road, Block 54 Lot 26, R-4 Zone

Variances to construct a 960sq. ft. accessory structure (garage) in the front yard.

A motion to approve the resolution as presented was made by Mr. Olson. The motion was seconded by Mr. Chozick.

Mr. Olson asked if the resolution should contain a condition that the second floor of the garage cannot be used as living space. He wants to be sure it does not become a bedroom or living space now, or in the future. Mr. Gleitz said adding it as a condition would be another layer of protection but did not believe it was necessary. Chairman Shivas said there is language in the body of the resolution stating such and added that it was the applicant’s testimony it would only be used for storage and if that changed the applicant would be required to return to the Board. The Board agreed.

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.

Mr. Gleitz P.P., and Mr. Cory Stoner, P.E., C.M.E., took their oaths to provide professional services in connection with the Byram Township Planning Board for the year 2020.

NEW BUSINESS

McDonalds Corporation, 90 Route 206, Block 226 Lot 14, V-B Zone

New LED and Message Board Signs

Mr. Brian Wolfson, Esq., representing the applicant introduced Mr. Tiago Duarte, P.E. from Dynamic Engineering, and he was sworn in. He provided his education and experience to the Board and the Board accepted him as an expert in his field.

Mr. Duarte reviewed the site details with the Board saying that Mc Donald’s is located on a pad site within the Shop Rite Plaza Lot. Mr. Duarte said the building is 3,900 sq. ft., and McDonald’s is not proposing any changes to the building. He said the existing building has one single drive-thru lane, and nationwide McDonald’s Corporation is modernizing their sites by installing L.E.D. menu boards and a pre-browser menu board. Mr. Duarte said 70% of McDonald’s current sales is by drive-thru business. Mr. Duarte said the current pole mounted menu board is 38.7 sq. ft., static based with changeable print, and is back lite. He said McDonald’s is proposing a pole mounted, 19.7 digital menu board, that is similar to a television screen, and will offer better visibility for customers, better illumination and changes to the menu board are easier. Mr. Duarte said they also propose a 9.8 sq. ft. pre-browser menu board which will afford the car in the rear an opportunity to view the menu board prior to ordering and will improve the overall efficiency of the drive-thru lane. Mr. Duarte said in total the menu board and pre-browser board will be 29.5 sq. ft. whereas 30 sq. ft. is permitted. Mr. Duarte said the overall height complies, and will be no more than 6 ft., he added that by Byram’s

ordinance three signs are permitted on the site and only two are proposed.

Mr. Duarte talked about the message duration saying that the menu board will change three times per day and the pre-browser menu board is adjustable and can change every 7.5 seconds, but the applicant will comply with Byram’s ordinance and it will only change every two minutes. Mr. Gleitz asked if there is a transactional portion on the menu board sign. Mr. Duarte said yes, it is less than 6 sq. ft., and Mr. Gleitz reiterated that Byram’s ordinance allows for 6 sq. ft. portion of a larger board to change with each order, and Mr. Duarte confirmed that this portion of the menu board will change more frequently since it is per transaction. Speaking about illumination he said the screens have a light sensor saying that Byram’s ordinance permits 8,000 nits and the maximum illumination on either screen is 2,500 nits. Mr. Duarte said the signs are operational during hours of operation only and reviewed the facilities hours saying the lobby is open 6:00 a.m. to 10:00 p.m. and the drive thru is open Monday and Tuesday 5:30 a.m. to 11:00 p.m. and Wednesday, thru Saturday 4:00 a.m. 11:00 p.m. and noted that McDonald’s will comply with no more than 500 nits at night. Mr. Duarte added that the sign background is black, not white. Mr. Duarte testified that the signs will not fade in or out, there will be no animation, or video and this proposal complies with all aspects of Byram’s regulations.

Mr. Gleitz reiterated that the testimony of the applicant is that they will comply with Byram’s regulations both in terms of luminance and with the operation of both the menu boards. Mr. Wolfson said agreed.

The Board had no more questions. Chairman Shivas opened to the public. No one from the public came forward. Chairman Shivas closed to the public.

A motion to approve this request was made Mayor Rubenstein. The motion was seconded by Mr. Olson. 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.

REPORTS FROM COMMITTEES

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

Building Committee – Mr. Morytko said the next meeting is on Feb. 4 which will be a joint meeting with the governing body and the building committee. He said that Byram’s website offers information about the new municipal building project if anyone is interested.

Environmental Commission – Ms. Shimamoto said the meeting is tonight and they are reviewing the application for ground solar mounted panels which will be before the Board in February.

Open Space – Mr. Olson said the next meeting is Feb. 10, 2020.

Township Council – The Mayor reported that Chief Zabita is retiring and they will be swearing in Ken Burke as Chief, Brian Morland will be promoted to Lieutenant, and Tom Dellicker will be promoted to Sergeant. He encouraged everyone to attend. He added that at that meeting JCP&L will provide a discussion about response time during service during emergencies.

BILLS

Law Office of Larry I. Wiener (1 bill) 375.00

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

Schenck, Price, Smith & King, LLP (5 bills) \$1,126.50

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

PUBLIC COMMENT

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

ADJOURNMENT

A motion to adjourn the meeting was made at 8:00 p.m. by Mr. Kaufhold. The motion was seconded by Mr. Gallagher. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted,
Cheryl White