

MEETING MINTUES OF THE BYRAM TOWNSHIP PLANNING BOARD: January 15 2026

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

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

Members Absent: Mr. Morytko

Also Present: Engineer Cory Stoner, Attorney Alyse Hubbard

*Ms. Raffay filling in for roll call

FLAG SALUTE: led by Chairman Shivas

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, and posted on the bulletin boards and main doors of the Municipal Building.

OATHS OF OFFICE: Mss. Anneliese DeMagistris and Karen Lewandowski, and Messrs. Richard Proctor, George Shivas, and Andrew McElroy took their oaths of office.

REORGANIZATION

Nomination of Chair: Mr. Proctor motioned to nominate George Shivas, seconded by Ms. DeMagistris. No other nominations were made.

Ayes: Mss. Raffay, DeMagistris, Colligan, Lewandowski; Mayor Rubenstein; Messrs. Proctor, McElroy, Smith, Walsh, and Chairman Shivas

Absent: Mr. Morytko

Nomination of Vice-Chair: Mr. Proctor motioned to nominate Marie Raffay, seconded by Mr. McElroy. No other nominations were made.

Ayes: Mss. Raffay, DeMagistris, Colligan, Lewandowski; Mayor Rubenstein; Messrs. Proctor, McElroy, Smith, Walsh, and Chairman Shivas

Absent: Mr. Morytko

Nomination of Attorney: Mr. Proctor motioned to nominate Alyse Hubbard, seconded by Ms. Colligan. No other nominations were made. All were in favor, none opposed.

Nomination of Engineer: Mr. Proctor motioned to nominate Cory Stoner, seconded by Mayor Rubenstein. No other nominations were made. All were in favor, none opposed.

Nomination of Planning Consultant: Mr. Proctor motioned to nominate Daniel Bloch, seconded by Ms. Colligan. No other nominations were made, and they were closed. All were in favor, none opposed.

Nomination of Secretary/Administrative Officer: Mr. Proctor motioned to nominate Caitlin Phillips, seconded by Ms. DeMagistris. No other nominations were made, and they were closed. All were in favor, none opposed.

Nomination of Newspaper: Mr. Proctor asked how the new legislation affects this. Ms. Hubbard said it goes into effect March 1st. They will need to do another resolution appointing an online publication that will be used by the Board and applicants. The newspaper has to meet certain criteria, and they need to certify that. They still need to publish a newspaper for today for the Board to have jurisdiction. Mr. Proctor confirmed they used the Herald and Sunday Herald last year. He motioned to nominate the New Jersey Herald and the Sunday Herald, seconded by Mr. McElroy. No other nominations were made. All were in favor, none opposed.

Resolution PB1-2026 Annual Notice of the Calendar Dates of the Scheduled Regular Meetings of the Byram Township Planning Board

Resolution PB2-2026 Authorizing Contract for Professional Legal Services

Resolution PB3-2026 Authorizing Contract for Professional Engineering Services

Resolution PB4-2026 Authorizing Contract for Professional Planning Services

Resolution PB5-2026 Appointing Secretary of the Board

Resolution PB6-2026 Designation of Newspaper for Notices

Resolution PB7-2026 Adopting Rules of Procedures of the Planning Board
Rules and regulations for the Board

Ms. Hubbard said these resolutions can be done as a group. Mayor Rubenstein motioned to pass all the resolutions from PB1 to PB7, seconded by Mr. Proctor. All were in favor.

COMMITTEE APPOINTMENTS

Chairman Shivas said he will move these to the next meeting, but those on it last year are still on until he gets the information together.

MINUTES: December 18, 2025.

Motion of Mr. McElroy to approve the minutes, second by Mr. Proctor.

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

Abstaining: Mr. Walsh

Absent: Mr. Morytko

OATHS OF OFFICE: Cory Stoner took his oath of office as the Board Engineer.

NEW BUSINESS

Z11-2025 David and Cindy Lisk, 41 Meteor Trail, Block 162 Lot 46, R5 Zone

Application for addition on single-family dwelling

David Lisk was sworn in as the applicant, in Bridgewater. James Glasson was sworn in as the Engineer from Civil Engineering in Budd Lake. His record is intact, and Chairman Shivas deemed

him an expert. Mr. Glasson said they are seeking renovations at a house on the lake. They purchased the house in 1998. Mr. Lisk said the house is older and a log cabin type. They want to make it better to live in. They're planning to come up here more often. Mr. Glasson submitted **Exhibit A1**, a colorized version of sheet 2 of 3. They are located in a Highlands Preservation area, but fall under exemption 5 because the home pre-existed the Highlands Act in 2004. It's a two-story, two-bedroom home. He reviewed the setbacks. The property is heavily planted. There's grass near the waterfront, and a concrete bulkhead at the lake. There are flower beds around the property. The property looks to be one story from the road, but is two stories from the lake side because there's a walkout basement. There is a change in grade of 22 feet from the road to the lake. There's a utility pole nearby and the property is served by a well.

Mr. Glasson submitted **Exhibit A2**, a colorized version of sheet 3 of 3. The footprint doesn't change, so the only change is the setbacks to the soffits. The left side has a soffit near the porch area that sits over the basement door. They are going to raise the roof. The living space on the first floor is shielded from sunlight, so they're proposing open ceilings to give light to areas of the home. There will be a small loft area for storage. They're also looking to change the front door, to the left side of the house. This will move the walkway to the front door area. There are no changes to the utilities or septic system. They sent plans to the County Health Department, and they had a septic inspection done, so it complies. They received approval from the Health Department in November. He reviewed the variances. The number of stories is increasing. Mr. Glasson submitted **Exhibit A3**, of photos of the property.

Ms. Raffay asked if the roof liters are changing. Mr. Glasson said they're moving, but no real runoff changes. There are plantings, so no runoff issues. There's no additional coverage. Mr. Stoner confirmed the runoff goes to the flower beds, and doesn't run to the lake or neighbors. Ms. Raffay noted it looks like the chimney is being removed—will there be mini-splits? Mr. Lisk said they'll heat it with electric. Chairman Shivas confirmed they'll use silt fencing during construction to protect the lake. He explained there's a rule for lakefront buffering. Mr. Glasson said there's a concrete bulkhead and not a lot of lawn. He referred to picture 2, to show the bulkhead and access to the docks. If they did plant something it'd block the lake. The walkout to the lake is relatively flat. Mayor Rubenstein asked what the grade-to-peak height is on the lake side. Mr. Glasson said the peak elevation is 119, so the walkout is 93. Mr. Walsh asked if the increase from the soffits is from the design. Mr. Glasson said it's to give them a decent soffit; the real increase is over the porch, which could be cut back if needed. Mr. Smith asked Mr. Stoner about his report; Mr. Stoner said the façade height should be 28.5. Mr. Smith confirmed the height is conforming, it's the stories that need the variance. Mr. Stoner asked if the third story is shown. Mr. Glasson said the area in the roof line is the third story. Mr. Stoner noted Meteor Trail is narrow. Mr. Glasson said they have two parking spots. At the end of the street, they have parking near the well. Mr. Stoner asked that they don't block the road with equipment and materials. Mayor Rubenstein noted a lot of these items are in the right-of-way. There are stone walls and a garden. The Board discussed the right-of-way area. Ms. Hubbard said they can't memorialize any of this, but they can acknowledge it. Chairman Shivas asked about the rock wall. Mr. Lisk said there's one that's decorative. Ms. Hubbard noted it looks like there are three walls. Mr. Walsh said it doesn't seem like anything has changed on the north side. Nothing is being proposed in that area. Mayor Rubenstein asked about the sequence of construction. Mr. Glasson said the foundation wall along the road side will need to

be corrected. Mayor Rubenstein confirmed they are not bringing the house down to foundation. Mr. Glasson said this is a renovation. Mayor Rubenstein noted if it seems like it needs to go the way of new construction, they should stop, and reach back out.

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

Motion of Mr. Smith to approve the application as presented, seconded by Ms. Colligan. Mr. Walsh noted there's an additional variance for the lakefront buffer. Mr. Proctor asked if they could go to the right of the dock. There are plantings almost up to the lake. Mr. Lisk said they could plant some things. Mayor Rubenstein noted it should be to the Engineer's satisfaction.

Amended motion of Mr. Smith to approve the application with a 15-foot planting bed to the west side of the dock, to the Engineer's satisfaction, seconded by Ms. Colligan.

Ayes: Mss. Raffay, DeMagistris, Colligan, Lewandowski; Mayor Rubenstein; Messrs. Proctor, McElroy, Smith, Walsh, and Chairman Shivas

Absent: Mr. Morytko

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

Z13-2025 Matthew Malloy, 22 Mayne Avenue, Block 29 Lot 294.01, R4 Zone

Application for addition on single-family dwelling

Jennifer and Matthew Malloy were sworn in as the applicants. Ann Sears was sworn in as the architect, in Sparta. Ms. Sears has been a licensed architect in New Jersey since 2000. She has appeared in front of this Board, and her license is in current and in good standing. Chairman Shivas deemed her an expert. Ms. Sears said the applicants are looking to square off the back of the house. They are also adding an entryway and covered porch. They need side yard variances. The lot is narrow, and they're not increasing what they currently have. The house is slightly askew. She reviewed the setbacks. The house is and will remain a two-bedroom house. They're looking to add storage spaces and an entry area. They want to expand their bathroom, office, and have a dining area. The roof will be taken off, reframed, and replaced. There are and will be gutters. The gutter volume increases slightly. The gutters will not drain to the neighbors. Chairman Shivas confirmed the gutters are on the front and back. He asked about the sheds in the back, one being close to the property line, and another where a piece is on their property. Mr. Malloy said that second one is their neighbor's shed. It's been there a long time. Ms. Sears said the other one they plan to keep but not do anything with it. Chairman Shivas recommended asking for the shed while they're here. Mr. Malloy said it was existing when they bought the house in 2005. He's not sure if they got the variance. Mr. Stoner confirmed the playhouse is being removed. He noted the shed is existing non-conforming, so if they needed to replace it, they'd need a variance. Mr. Stoner asked about the shed in the back; he confirmed that will be removed. Mayor Rubenstein asked about the fence, confirming it's the neighbor's. Mrs. Malloy said they've had the septic pumped but not tested. Mr. Stoner said they should get a certification. Mayor Rubenstein said they have open building permits, from 2023 for gas conversion for a water heater and pressure test. This needs to be closed out before a zoning permit can be issued.

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

Motion of Mr. McElroy to approve the application, seconded by Ms. DeMagistris.

Ayes: Mss. Raffay, DeMagistris, Colligan, Lewandowski; Mayor Rubenstein; Messrs. Proctor, McElroy, Smith, Walsh, and Chairman Shivas

Absent: Mr. Morytko

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

BILLS:

Harold Pellow (4): \$957.50. A motion to approve the bills was made by Mr. Walsh, seconded by Ms. Lewandowski. All were in favor. Motion carried.

Colliers (1): \$477.50. A motion to approve the bills was made by Mr. Walsh, seconded by Mr. Proctor. All were in favor. Motion carried.

REPORTS FROM COMMITTEES

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

Open Space- Mayor Rubenstein said they met Monday. They will go for a grant for a loop trail. This would include Tamarack trail between Tamarack and C.O Johnson park, up through Cranberry Overlook, across CAD's property, across Hudson Farms, and back to C.O Johnson Park. They are negotiating with the property owners.

Township Council- Mayor Rubenstein said he was sworn in for another four years. Thomas Dellicker is the new Chief of Police. Ms. Raffay said they have new police officers. Mr. Proctor was appointed Deputy Mayor.

RESOLUTIONS

Z26-2023 Alex Rubenstein, 2 and 8 Carpenter Road, Block 237 Lots 519, 521, 522, R3 Zone

Extension of approval for 8 Carpenter Road; application for minor subdivision, site plan for a single-family dwelling, and site plan construction of a new single-family dwelling

Mayor Rubenstein stepped down from this portion of the meeting.

Alexander Rubenstein requested an extension for 8 Carpenter Road. He noted they forgot about the expiration date, because they were waiting for the DEP for a year and a half, for an LOI for wetlands.

Motion of Mr. McElroy to the approve the resolution for extension, seconded by Mr. Walsh. Ms. Raffay confirmed this is the property she is within 200 feet of.

Ayes: Mss. DeMagistris, Colligan, Lewandowski; Messrs. Proctor, McElroy, Smith, Walsh, and Chairman Shivas

Abstaining: Mayor Rubenstein, Ms. Raffay

Absent: Mr. Morytko

None opposed. Motion carried.

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 8:32 pm by Mr. McElroy, seconded by Mr. Proctor. All were in favor. Motion carried. The meeting was adjourned.

Submitted by Caitlin Phillips