

**MEETING MINTUES
BYRAM TOWNSHIP PLANNING BOARD
MEETING, July 15, 2021**

CALL TO ORDER

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

ROLL CALL

| | Mr. Chozick | Ms. Franco | Mr. McElroy | Mr. Morytko | Ms. Raffay | Mayor Rubenstein | Mr. Serrilli | Ms. Shimamoto | Mr. Smith | Mr. Walsh | Chairman Shivas |
|---------|-------------|------------|-------------|-------------|------------|------------------|--------------|---------------|-----------|-----------|-----------------|
| HERE | H | | | | | | | H | H | H | H |
| ABSENT | | A | A | | A | A | A | | | | |
| EXCUSED | | | | | | | | | | | |
| LATE | | | | L | | | | | | | |

Also present: Attorney Alyse Hubbard, Esq.
 Engineer Thomas Knutelsky, on behalf of Cory Stoner, P.E. C.M.E.
 Secretary Caitlin Phillips

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 06/17 and 07/01 meeting minutes.

Ms. Shimamoto motioned to approve the 06/17 minutes, seconded by Mr. Chozick. The following vote was taken:

| | Mr. Chozick | Ms. Franco | Mr. McElroy | Mr. Morytko | Ms. Raffay | Mayor Rubenstein | Mr. Serrilli | Ms. Shimamoto | Mr. Smith | Mr. Walsh | Chairman Shivas |
|----------|-------------|------------|-------------|-------------|------------|------------------|--------------|---------------|-----------|-----------|-----------------|
| MOTION | | | | | | | | √ | | | |
| SECONDED | √ | | | | | | | | | | |
| AYE | √ | | | | | | | √ | √ | √ | √ |
| NAY | | | | | | | | | | | |
| ABSTAIN | | | | √ | | | | | | | |
| ABSENT | | √ | √ | | √ | √ | √ | | | | |

Motion carried.

Mr. Morytko joined the meeting at 7:35. Mr. Walsh motioned to approve the 07/01 minutes, seconded by Mr. Morytko. The following vote was taken:

| | Mr. Chozick | Ms. Franco | Mr. McElroy | Mr. Morytko | Ms. Raffay | Mayor Rubenstein | Mr. Serrilli | Ms. Shimamoto | Mr. Smith | Mr. Walsh | Chairman Shivas |
|----------|-------------|------------|-------------|-------------|------------|------------------|--------------|---------------|-----------|-----------|-----------------|
| MOTION | | | | | | | | | | √ | |
| SECONDED | | | | √ | | | | | | | |
| AYE | | | | √ | | | | | √ | √ | √ |
| NAY | | | | | | | | | | | |
| ABSTAIN | √ | | | | | | | √ | | | |
| ABSENT | | √ | √ | | √ | √ | √ | | | | |

Motion carried.

RESOLUTIONS

SP1-2021, 16RT 206 Stanhope NJ, LLC (Skylands Surgery Center), Block 41/42 Lot 95, 109.01 & 109.02, VB Zone

Preliminary and final site plan. Proposed surgery center, doctor’s office, residential apartment, and retail/office.

Mr. Morytko motioned to approve this resolution, seconded by Ms. Shimamoto. The following vote was taken:

| | Mr. Chozick | Ms. Franco | Mr. McElroy | Mr. Morytko | Ms. Raffay | Mayor Rubenstein | Mr. Serrilli | Ms. Shimamoto | Mr. Smith | Mr. Walsh | Chairman Shivas |
|----------|-------------|------------|-------------|-------------|------------|------------------|--------------|---------------|-----------|-----------|-----------------|
| MOTION | | | | √ | | | | | | | |
| SECONDED | | | | | | | | √ | | | |
| AYE | √ | | | √ | | | | √ | | √ | √ |
| NAY | | | | | | | | | | | |
| ABSTAIN | | | | | | | | | √ | | |
| ABSENT | | √ | √ | | √ | √ | √ | | | | |

Motion carried.

Z04-2021 Robert Lovenberg, 285 Lackawanna Drive, Block 344 Lot 33.05 , R-1 Zone
Expansion of a previously approved roll-off dumpster and portable toilet business.

Mr. Morytko motioned to approve this resolution, seconded by Mr. Chozick. The following vote was taken:

| | Mr. Chozick | Ms. Franco | Mr. McElroy | Mr. Morytko | Ms. Raffay | Mayor Rubenstein | Mr. Serrilli | Ms. Shimamoto | Mr. Smith | Mr. Walsh | Chairman Shivas |
|----------|-------------|------------|-------------|-------------|------------|------------------|--------------|---------------|-----------|-----------|-----------------|
| MOTION | | | | √ | | | | | | | |
| SECONDED | √ | | | | | | | | | | |
| AYE | √ | | | √ | | | | | √ | √ | √ |
| NAY | | | | | | | | | | | |
| ABSTAIN | | | | | | | | √ | | | |
| ABSENT | | √ | √ | | √ | √ | √ | | | | |

Motion carried.

Z05-2021 Alissa Macmillan, 6 Fox Trail, Block 116 Lot 19, R-5 Zone

Approval for one existing shed and removal of the other, 2 gazebos, stone patio, hot tub, and approval for an enclosed porch.

Mr. Morytko motioned to approve this resolution, seconded by Mr. Walsh. The following vote was taken:

| | Mr. Chozick | Ms. Franco | Mr. McElroy | Mr. Morytko | Ms. Raffay | Mayor Rubenstein | Mr. Serrilli | Ms. Shimamoto | Mr. Smith | Mr. Walsh | Chairman Shivas |
|----------|-------------|------------|-------------|-------------|------------|------------------|--------------|---------------|-----------|-----------|-----------------|
| MOTION | | | | √ | | | | | | | |
| SECONDED | | | | | | | | | | √ | |
| AYE | | | | √ | | | | | √ | √ | √ |
| NAY | | | | | | | | | | | |
| ABSTAIN | √ | | | | | | | √ | | | |
| ABSENT | | √ | √ | | √ | √ | √ | | | | |

Motion carried.

NEW BUSINESS

Z08-2021 Tracee and Todd Stefanelli, 78 Glenside Trail, Block 311 Lot 2011, R-5 Zone

Approval to add a level to their single-family home.

The applicants Tracee and Todd Stefanelli of 78 Glenside Trail were joined by their father Frank Stefanelli of 4 Shadow Lane and their neighbor Patrick McGurrin of 74 Glenside Trail, and all were sworn in. Ms. Stefanelli said they'd like to add a second story, and there is a bump-out section for the kitchen. There will be two bedrooms and 2 bathrooms in the second story. Mr. Stefanelli noted that no bedrooms will be added; right now, their son lives in a small area that's a walkthrough to downstairs, and their bedroom will be used as an office. Chairman Shivas said they need to go to the Board of Health because septic systems are determined by the number of bedrooms. Mr. Knutelsky said in a condition of approval there would be a letter indicating the approval of the septic. Ms. Hubbard noted that in Mr. Stoner's memo he didn't think this would be necessary. Mr. Knutelsky added that he agrees because it'll still be a two-bedroom home. Mr. Walsh confirmed that Chairman Shivas means to get a letter from the Board of Health that they concur with this finding to avoid any issues. Ms. Hubbard said they'll need to make it a condition that these will remain offices and won't have closets. Chairman Shivas confirmed they're moving further from the street with this project. Ms. Stefanelli explained there's a screened-in porch section, so they'll put in a new foundation with concrete slabs and that will be further back. Mr. Stefanelli said the second story will be at street level because of the grade of their property. Chairman Shivas asked how this project will be accomplished due to the grading. Ms. Stefanelli said their neighbor will let them use his driveway to move the machines. Mr. Knutelsky confirmed this is the driveway to the right. Ms. Shimamoto asked where the runoff goes now and where the gutters will be pointed, and if they'd consider putting a rain garden in. She also asked if they got approval from Lake Mohawk for landscaping. Ms. Stefanelli said they're scheduled for a meeting with Lake Mohawk soon, and she looked into rain gardens to help with the landscaping. Mr. Stefanelli said the impervious coverage is being reduced slightly because when they move the footprint back 3 ft that area will become river stone. The gutters drain to the back of the house, and he doesn't know of any issues with neighbors with drainage since they're far away. Mr. Walsh asked how far the neighbors are, and Mr. Stefanelli said at least 125 yards to the house. Mr. Knutelsky corrected them saying it would be feet, not yards, based on the tax map. He noted that based on a discussion with Mr. Stoner, they agree that the amount of impervious coverage is either being maintained or reduced. He noted if gutter lines are re-directed they may have an issue with downstream impact, so there's no objection to a vegetative area, downstream pocket, or rain garden.

Mr. Knutelsky asked if there are any proposed decks, especially regarding the kitchen egress. Mr. Stefanelli said there will be steps. Mr. Knutelsky asked if there will be extensive grading; Mr. Stefanelli said they're going to try matching the existing grading. Chairman Shivas noted there's a rock wall located partially on their property; he said in the past those walls delineated properties that were then divided. He asked if the neighbor has an issue with the wall staying there; Mr. Stefanelli said he doesn't have an issue. Chairman Shivas said they only need to worry about what's on their property line, and that they'll have a note in the resolution that they're not taking responsibility for that existing wall, and there's no issue with the neighbor at this time. Mr. Knutelsky noted some items from Mr. Stoner's report, including the correction of the Zoning table with the lot disturbance. He asked about the colors they'll be using. Ms. Stefanelli said their roof is grey so they'll stick with something neutral and in line with the aesthetic of Lake Mohawk. She said there's engineered hardwood that she's been looking at, but will need to get Lake Mohawk approval. Mr. Knutelsky noted that this application falls under Highlands Exemption #5. Ms. Shimamoto asked about the side yard setback measurements. She confirmed that the shed is attached to the house; Mr. Stefanelli said it's an old stone shed that covers an oil tank. Chairman Shivas noted that's considered part of the main house. He confirmed that their gutters won't get them closer to the sidelines. Ms. Hubbard asked if there will be an agreement between the neighbor and the Stefanellis granting access to the driveway, in case there's damage. Mr. McGurrin said he's happy to sign whatever is needed; the Stefanellis have done a nice job with the property. Chairman Shivas said the contractor can help with the agreement.

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

Mr. Walsh motioned to approve this application, seconded by Mr. Chozick. Ms. Hubbard confirmed with the Stefanellis that their application has a mixture of a hardship due to the location of the home as well as that this project is beneficial. The following vote was taken:

| | Mr. Chozick | Ms. Franco | Mr. McElroy | Mr. Morytko | Ms. Raffay | Mayor Rubenstein | Mr. Serrilli | Ms. Shimamoto | Mr. Smith | Mr. Walsh | Chairman Shivas |
|----------|-------------|------------|-------------|-------------|------------|------------------|--------------|---------------|-----------|-----------|-----------------|
| MOTION | | | | | | | | | | √ | |
| SECONDED | √ | | | | | | | | | | |
| AYE | √ | | | √ | | | | √ | √ | √ | √ |
| NAY | | | | | | | | | | | |
| ABSTAIN | | | | | | | | | | | |
| ABSENT | | √ | √ | | √ | √ | √ | | | | |

Motion carried.

REPORTS FROM COMMITTEES

- Architectural Review Committee:* Mr. Morytko said there has been no applications or meetings.
- Building Committee:* Mr. Morytko said there was no meeting, but the Council will take commentary on the new municipal building at their next meeting.
- Environmental Commission:* Ms. Shimamoto said there was no meeting.
- Open Space:* Mr. Morytko said there's been no meeting.
- Township Council:* Mayor Rubenstein was absent.
- Zoning Report:* Everyone had a copy. Ms. Shimamoto confirmed there's a new Zoning Officer.

BILLS

- Law Offices of Larry Weiner (5)- \$2,790.00
A motion to approve the bills was made by Mr. Chozick. The motion was seconded by Mr. Morytko. All were in favor. Motion carried.
- Harold Pellow & Associates (7)- \$3,625.38
A motion to approve the bills was made by Mr. Chozick. The motion was seconded by Mr. Morytko. All were in favor. Motion carried.

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 8:05 by Mr. Morytko. The motion was seconded by Mr. Chozick. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted,
Caitlin Phillips