MEETING MINTUES OF THE BYRAM TOWNSHIP PLANNING BOARD: July 16 2026

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

ROLL CALL: Mss. Raffay, Colligan, DeMagistris, Lewandowski; Messrs. Mayor Rubenstein, McElroy, Smith, Walsh, and Chairman Shivas
Members Absent: Messrs. Proctor, Morytko
Also Present: Engineer Matt Morris, 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, and posted on the bulletin boards and main doors of the Municipal Building. Starting on March 1, 2026, all legal notices of the Planning Board shall be posted on the website of the Township of Byram. A link to the website location was forwarded to the Secretary of State of the State of New Jersey. All applicant notices shall be published on an online publication that meets the statutory requirements of NJSA 35:1-1.

FLAG SALUTE: led by Chairman Shivas.

MINUTES: June 18, 2026.
Motion of Ms. Colligan approve the minutes, second by Mr. Smith
Ayes: Mss. Raffay, Colligan, DeMagistris, Lewandowski; Messrs. Morytko, Smith, Walsh, and Chairman Shivas
Abstaining: Messrs. Mayor Rubenstein, McElroy
Members Absent: Messrs. Proctor, Morytko
None opposed. Motion carried.

RESOLUTIONS
<u>Z03-2026 Mike and Faith Pedersen, 30 South Shore Road, Block 383 Lot 2.05, OS Zone</u>
Application for a use variance, for an expansion of a nonconforming structure, for home alterations
Motion of Mr. Smith to approve the resolution, second by Ms. Lewandowski.
Ayes: Mss. Raffay, Lewandowski; Messrs. Smith, Walsh, Chairman Shivas
Abstaining: Mss. Colligan, Ms. DeMagistris; Messrs. Mayor Rubenstein, McElroy
Members Absent: Messrs. Proctor, Morytko
None opposed. Motion carried.

SUBCOMMITTEE
<u>WOSP1-2026 Salt Bar LLC, 109 Route 206, Block 70 Lot 9, VB Zone</u>
Application for deck and stair replacement
Mr. Walsh said they are making in-kind replacements to the exterior, including the stairs and pergola. There's no parking, lighting, landscaping, structural, seating, circulation, or stormwater changes. Ms. Raffay noted they provided revised plans. Motion of Mr. Walsh to approve the waiver of site plan, second by Mr. McElroy.
Ayes: Mss. Raffay, Colligan, Ms. DeMagistris, Lewandowski; Messrs. Mayor Rubenstein, McElroy, Smith, Walsh, and Chairman Shivas
Members Absent: Messrs. Proctor, Morytko
None opposed. Motion carried.

NEW BUSINESS:

Z17-2025 Brian Lenker, 88 Lee Hill Road, Block 298 Lot 2201, R5 Zone

Application for conversion of a garage into a single-family dwelling
Mayor Rubenstein recused from the application, as there is a D variance requested. Mr. McElroy recused from this application due to a conflict. Ms. Hubbard noted Mr. Lenker has seven voting members.

Brian Lenker was sworn in as the applicant, in Sparta. He noted he appeared in front of the Board in 1989, for approval to build the current structure on the corner of Lee Hill and East Shore. He's been involved with Lake Mohawk for a number of years. He has a local business in Andover, the Window Genie. He noted he is an attorney, but not a land use attorney. He is looking to change the existing garage into a home above the garage. He wanted to design something that would fit within the existing landscape. This would also address the current non-conforming use, making it into a residential dwelling, being more consistent with the Master Plan. The existing first floor would remain the same, because there is a vault built in to this area. He doesn't rent out the garage. There are cars and a trailer stored in the garage. There is an existing stairwell to the second floor. This project will help him clean out storage, which will then become part of the living area. There would then be a stairway to the third floor, used for an office and hobbies. He noted he collects brass trains. He also wanted to make sure he built something that his kids would live in. They want to put an elevator in the back. They have Bernese Mountain dogs, who have trouble walking as they get older, so want this to help them get up to another floor.

Mr. Lenker discussed the height with Mr. Morris. Mr. Lenker noted the footprint is not changing, but they require a septic system. He realizes he will need an approval from the County. His engineers believe they can put the tanks as proposed. To do this work, they need to come up Ranger Trail and use the bridle path. Chairman Shivas asked if trees need to be removed to put the septic in. Mr. Lenker is not sure; it's subject to the test holes. He will also need to remove any dead trees.

Ms. Hubbard noted this is a corner lot with three road frontages. He has five front yards, including East Shore and Lee Hill, there's a right-of-way to the south, and there's an angle at the corner for the bridle path. Mr. Lenker said the bridle path was there since the 1920s, it's in the Lake Mohawk deeds, and people are allowed to walk on the path. The Board discussed the setbacks and frontages. Mr. Walsh asked if the Board should consider them front yards since that setback is harder to meet, so may help with the application.

Ms. Hubbard noted his wall goes into the neighboring property, and asked if Mr. Lenker has an easement with the neighbor. Mr. Lenker said no; the neighbor speaks with him when he has people over. He could move the wall if needed. Ms. Hubbard noted the neighbor could give him an easement, if they don't want to move it. Mr. Lenker said he can talk to him, and if they can't, then he can move the wall. He said that corner had been used, until the 4-way stop was put in, as a bus pickup for school. Parents would park their cars on his driveway, and that space was used to turn their cars around. Mr. Walsh asked the impact of the wall on the application. Ms. Hubbard noted parking is considered, and he needs to confirm there's sufficient parking. Mr. Lenker said he can fit multiple cars.

Ms. Raffay asked what's there currently. Mr. Lenker said it's a 3-car private garage, used to store vehicles and a trailer. There's no principle structure. Ms. Raffay asked about the size and how the proposed would fit into the character of the neighborhood. Mr. Lenker said the structure's base will not be any bigger than the concrete pad already there; they're going straight up. There is a door on the right, so he wants to add an overhang. Ms. Raffay said the footprint in the back is changing because of the elevator and deck. She confirmed there's no area past the deck to hang outside. Mr. Lenker said his architect recommended the deck area for exit purposes, and there's nothing back there since the property goes straight up. Ms. Raffay asked about outdoor storage. Mr. Lenker said everything will be enclosed, and the trailer will likely go away. He plans to add a generator. The Board discussed accessory structure requirements. Chairman Shivas noted he'll need something to help with the exhaust of the furnace. Mr. Lenker said the furnace would be on the first floor. Ms. Hubbard asked if the proposed work would impede neighbors' views for light and air. Mr. Lenker said no; everyone else on Lee Hill has a view of the woods, and those on Ranger Trail or Glenside are higher. Ms. Hubbard asked if the architecture will be similar to those in the area. Mr. Lenker said some homes are the original Lake Mohawk type. It would fit fine with the homes on Ranger Trail. The ones on Lee Hill are smaller. He tried to design something that would fit. Mr. Walsh confirmed the use as a residence is more consistent with the neighborhood than just as an accessory structure. Ms. Raffay said she's uncomfortable with the story height, because of the area it's in. The house next door is shorter. Did he consider moving it back at all, such as taking the top floor and adding it to the second floor, so it wouldn't be as tall? Mr. Lenker said the depth behind the garage would then have trees be taken down, changing the landscaping. Ms. Raffay reviewed the topographic information. Mr. Lenker said the first floor is 10 feet, the second floor is eight feet, and the third floor goes from nine to ten feet. Ms. Raffay asked if there's a way to remove height from the first and third floors. Mr. Lenker said no; there's a vault on the first floor that's already there and is 10 feet. He doesn't want to tear the entire building down. The second floor is a traditional 8-foot. The next floor needs a certain height for things to accommodate the train models. There's no attic. Mr. Smith asked about the height change on the plans from 2.5 to 3 stories. Mr. Lenker said he hasn't changed from the three stories. Mr. Morris said the 2.5 stories comes from the engineering plans, which were then corrected. Mr. Smith asked about the driveway width. Mr. Morris noted there was an approval in 1989, and there's no proposed changes. Chairman Shivas noted he was there when this was approved in 1989 and this is there today the way it was built. His only concern is the height, but there are other large houses around the area. It's not standing out from the neighborhood. Mr. Lenker discussed the dedication of the area. Ms. Raffay asked about drainage. Mr. Lenker said he doesn't have water issues, and doesn't want to pave. Putting in the tanks will make him re-landscape.

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

Chairman Shivas noted the Lake Mohawk Association needs to approve this. Ms. Raffay asked about County Health Department approval. Mr. Lenker said he's coming here first. Ms. Hubbard added the County Planning Board. Mr. Lenker discussed the wall. Mr. Walsh said they could acknowledge the wall, and the applicant agreed to make an effort to remediate this.

Motion of Mr. Walsh to approve the application as amended, acknowledging the shared wall, and that as needed Mr. Lenker will work with the neighbor to remediate this situation; subject to any other approvals including County Planning Board and Board of Health, and the Lake Mohawk Country Club, second by Ms. Ms. DeMagistris.
Ayes: Mss. Colligan, Ms. DeMagistris, Lewandowski; Messrs. Smith, Walsh, and Chairman Shivas
Nays: Ms. Raffay
Members Abstaining: Mr. McElroy
Members Absent: Messrs. Mayor Rubenstein, Proctor, Morytko

None opposed. Motion carried. Mr. McElroy reentered the meeting.

BILLS:
Colliers (2): $2,996.25. A motion to approve the bills was made by Mr. Walsh, seconded by Mr. McElroy. All were in favor. Motion carried.

Maraziti and Falcon (5): $2,214.00. A motion to approve the bills was made by Mr. Walsh, seconded by Ms. Colligan. All were in favor. Motion carried.

REPORTS FROM COMMITTEES
Open Space- Mx. Phillips said they had a meeting on Monday and discussed ideas for signs and what vendors to use, and general updates on invasive species removal.
Township Council- No one was here to represent this.
Environmental Commission- Mr. Smith said there's a native plant event on September 12th, likely at the firehouse.

OPEN TO THE PUBLIC
Chairman Shivas opened to the public. No one was present, so Chairman Shivas closed to the public.

ADJOURNMENT
A motion to adjourn the meeting was made at 9:00 pm by Mr. McElroy, seconded by Ms. Colligan. All were in favor. Motion carried. The meeting was adjourned.

Submitted by Caitlin Phillips