

MEETING MINTUES OF THE BYRAM TOWNSHIP PLANNING BOARD: May 21 2026

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

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

Members Absent: Mr. Proctor

Also Present: Engineer Cory Stoner, Attorney Alyse Hubbard, Planner Kristin Russell, 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: May 7, 2026.

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

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

Abstaining: Ms. Colligan, Mr. Walsh

Members Absent: Mr. Proctor

None opposed. Motion carried.

RESOLUTIONS

Z05-2026 Robert and Ewelina Wroblewski, 159 Lackawanna Drive, Block 268 Lot 756, R5 Zone

Application for garage expansion

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

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

Members Absent: Mr. Proctor

None opposed. Motion carried.

SUBCOMMITTEE

SP2-2026 Patriots Path Council Inc., 750 Waterloo Road, Block 377 Lot 2; Block 378 Lot 1; Block 384 Lot 1, OS Zone

Application for preliminary and final site plan to modify the campsite; including renovating existing structures and proposing pavilions

Mr. Walsh said this is the Boy Scout Camp near Waterloo. They have over 800 acres of property. This is a bit different; they've submitted a general development plan, with a series of proposed improvements. These include new buildings, pavilions, fields, and parking lots. They're not proposing to do all of these things now, but don't have to go to the Board for every thing they're working on. They asked for a lot of waivers, which the Subcommittee feel are justified by the fact that there's so much property. Mr. Stoner noted we call it a preliminary and final site plan, but they're treating it like a general development plan,

which we don't have in our application checklist. Ms. Hubbard said they'll have the ability to just go for zoning and building permits, and they'll have 20 years to complete the projects at whatever pace they need to get them done. Mr. Walsh asked if they can change the extent of the timeline. Ms. Hubbard noted they can't exceed 20 years, but they can ask for a timeline. Motion of Mr. Walsh to deem the application complete, second by Ms. Raffay. Ms. Phillips noted they've requested June 4th for a hearing, which they're prepared to notice for.

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

Members Absent: Mr. Proctor

None opposed. Motion carried.

NEW BUSINESS:

Z15-2025 Karma and Joseph Van Fleet, 2 Bank Street, Block 228 Lot 313.02, R5 Zone

Application for amended site plan

Ms. Phillips said this needs to be carried. Their noticing was not considered sufficient, so they'll need to redo it for the newspaper publication and the certified letters or signatures. There's not a new date for this yet, and they're working on finding an attorney to help them. Mr. Walsh confirmed they can carry this without a date. Ms. Hubbard said there's no reason to carry it to a date certain, since they need to re-notice.

Motion of Mr. Walsh to carry the application, second by Mr. Morytko.

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

Members Absent: Mr. Proctor

None opposed. Motion carried.

SP1-2026 On Time Sign and Design LLC (Vito Lombardo), 10 Route 206, Block 42 Lot 112, VB Zone

Application for amended site plan

Wade Baldwin from Lavery, Selvaggi, and Cohen represented the application. They're here for an amended site plan. He confirmed the noticing was received, and noted they were deemed conditionally complete, provided revised architectural plans were submitted. Mr. Stoner noted the revisions addressed the concerns. Mr. Baldwin noted there was a parking variance on the previous application for 19 spaces, and this is increasing the number to 24.

James Glasson from Civil Engineering Inc. was sworn in. Ms. Hubbard noted he's been in front of the Board before and confirmed his licenses are in good standing. Chairman Shivas deemed him an expert. Mr. Glasson submitted **Exhibit A1**, a colorized version of sheet 3 of 10. He noted in 2020 when they appeared for a previous application, it was thought that the property was part of the preservation area in the VB zone. There were some restrictions for coverage, which they received an exemption for. He noted there is a small addition on the rear. The only occupant in the building right now is On Time Sign and Design, which is the sign business, and Mr. Lombardo was the applicant previously with this business. The property is served by a well and sewer, and underground gas. He referenced sheet 5 of 10, and discussed the parking. Mr. Lombardo is looking to rent out the spaces to other users; the deli is no longer there. They're looking to give him more parking. Mr. Glasson submitted **Exhibit A2**, a colorized version of sheet 6 of 10. They're proposing a double row of parking in the front, and they're proposing paving in the back with right-angle parking. They're requesting a variance for parking, which gives him flexibility for the store uses. He put the proposed uses on

the plans, including retail, retail services, office business, medical office, discount store, hardware, paint, home improvement, furniture, carpet, and bank. With the deli, Mr. Lombardo felt he was restricted because of the two per thousand calculation, which is now five per thousand. Mr. Baldwin said the Planner's report notes this qualifies as a shopping center as well, which requires 4 per thousand for parking. Under this interpretation of the ordinance, they'd be complaint with the spots.

Mr. Glasson noted they're increasing their impervious coverage. They're double-stacking the parking and moving parking closer to the highway, so they've adding curbing and a curbed island. There are underground infiltration trenches to help with the runoff. The lighting changed, including pole mounted lights in the rear and front. They weren't previously concerned with lighting in the back because it was employee parking, but now there's a clockwise motion around the building so it needs to be lighted, as patrons can park in the back. For the landscaping, they've pushed it forward, and there's the infiltration trench. The freestanding sign remains in its place. They eliminated variances for the loading space size. The space sizes are deficient at 9x15, which allowed them to reach the 24 spaces. This proposal gives Mr. Lombardo the ability to not have to come to the Board every time a new user comes in, so long as the user matches the list of uses on the plan. Chairman Shivas confirmed according to guidelines, one handicap space is sufficient for the three businesses. Mr. Glasson said they have a handicap space and a van-accessible space. He noted Mr. Lombardo said he'd need three spaces for the trucks, two for the employees, and one for the potential public for his business. It allows the other units to get more parking. Chairman Shivas asked about the open space in the back. Mr. Glasson said they have to plant the wetlands buffer. Mayor Rubenstein asked Mr. Stoner about the EV charger requirements. Ms. Hubbard said it applies to preliminary plans with 25 or more spaces.

Mr. Stoner asked about the previous Highlands Exemption. Mr. Glasson said they were are 20,993, and they're at 23,854. Mr. Stoner noted the property is in the Byram Highlands Center, so it doesn't require and exemption. Mayor Rubenstein asked what the property will look like between the parking in the back and the back of the property. Mr. Glasson said grass and hedgerows. Mayor Rubenstein confirmed the row of trees in the back is there. Mr. Lombardo said he has 33 green giants in the back, and 76 pfitzer junipers. Vito Lombardo was sworn in. Mayor Rubenstein confirmed the trees are about 20 feet tall now. Mr. Lombardo noted there were trees leaning over the homes, and a lot of dead trees, but that's all cleaned up.

Mr. Stoner asked about a proposed area on the plans. Mr. Glasson said that's the door to Mr. Lombardo's business. The walkway is to that door. Mr. Stoner said the architectural plans should be updated to show this. Mr. Glasson said that's the way it exists now, and the walkway is new. Mr. Stoner confirmed it will end at the entrance to tenant 3. Mr. Glasson said the signage is the same placement and dimensions, but the landscaping will be closer. Mr. Stoner discussed the sewer allocations. He confirmed they're not changing any access points to Route 206. Chairman Shivas confirmed they received the letter from the Environmental Commission. Mr. Glasson said they requested rain gardens; they're putting in an infiltration trench, and they're planting behind it. The trench is wrapped in fabric, and there are no pipe structures; it will have stone and decorative stone on the top. Mayor Rubenstein asked about the trench depths. Mr. Glasson referred to sheet 7 for the stormwater management plan. Mayor Rubenstein confirmed it's over 5 feet deep. Mr. Stoner noted there are items in the back, like scrap metal, which should be cleaned up.

Ms. Russell confirmed regarding the parking, being subject to the 5 per thousand, is what they're saying that the two other tenant spaces, they'd allocate those 5 per thousand in full, and taking the reduction from the

signage business because that's a known entity. Ms. Raffay asked about the lights in the back. Mr. Glasson said they're mounted at 13 feet and are free-standing. They face directly down, and nothing reaches the property lines. Ms. Raffay asked about having a warmer light. Mr. Walsh asked about when they'd be on. Mr. Glasson said there's security lighting. Those operate from dusk to dawn. The light fixtures will be off at night, from 8pm to 6am. There are 5 sconces. The Board discussed the lighting on the plans, and their labeling. Mr. Glasson will update the plans so those match. Chairman Shivas asked if the list of business types on the plans are what they'll be restricted to. Mr. Glasson said he listed ones that work for the 5 per thousand. He noted the variance is for his unit. Ms. Hubbard noted they can't look at it that way because if that changes, there's not more parking, so it'd be an overall variance. Ms. Russell noted they work for the 5 per thousand on those 2 tenant spaces, but not counting all 3. Mr. Baldwin said there'd be a deficiency in the one unit. Ms. Hubbard said it's not about his unit, it's the overall site. If he leaves, the justification is that the business doesn't need more parking. Ms. Hubbard noted they could have a condition that as long as he's occupying that unit, that parking makes sense, but if that changes, they need to come back to the Board. Mr. Glasson suggested or that the other tenants conform to the 24 spaces. Mr. Morytko said he's considering if this fits into a shopping center. Mr. Smith noted if it's a shopping center, the spaces are compliant, and asked what that changes. Mr. Stoner said the idea was to put things in so that Mr. Lombardo doesn't need to go back to the Board for each tenant. The Board discussed if this would be a shopping center or they should ask for a variance. Mayor Rubenstein asked if the Board has a right to say they're not a shopping center. Ms. Russell said the definition of "shopping center" says retail or service establishment, and asked if a sign shop fits this. If not, they're saying there's not a retail or service establishment, so they wouldn't qualify as a shopping center. Ms. Hubbard said she thought in the prior resolution they said they were. Mr. McElroy said they could give him a variance for being a shopping center. Ms. Raffay said that restricts him in what can go in those stores. Mr. McElroy said it does, but not to anything he wasn't already planning to have there. He noted Mr. Lombardo will need to run his business, and if those spots don't work, the tenants aren't staying. Mr. Smith said if it's a shopping center, the parking seems lower because it's a shared building. Mayor Rubenstein asked if the applicant is asking to be considered a shopping center. Ms. Raffay agreed, saying the Board isn't deciding this—the applicant tells the Board what they want to do and their interpretation. Ms. Russell noted if they are considered a shopping center, they don't need variances now, but if they change their mind later, they need to come back. But if they deal with the variances now, and not consider themselves a shopping center, they can choose which option. The Board took a brief recess to allow the applicant to consult their professionals.

Mr. Baldwin said they're requesting the variance for the 6 spot deficiency, based on the C1 hardship of the nature of the lot. He doesn't want to tie this to his tenancy, so if the Board denies this, they request that they deem it a shopping center. Mr. Glasson said he doesn't want the 6 spaces tied to his unit, so it can be tied to the site, for any of the units, so long as they work and are logical. Ms. Hubbard said they can't straw poll the Board; they can comment. Mayor Rubenstein noted if they say 24 spots is enough, and it's close enough to what's needed, then it's Mr. Lombardo's responsibility to find tenants that are okay with this. Ms. Colligan said she's fine with a variance for this. Mayor Rubenstein noted he doesn't want to regulate parking spaces per unit. Chairman Shivas noted people can park anywhere in the lot, so you can't regulate the spaces that way. Mr. Baldwin said they'll then submit for the variance.

Chairman Shivas opened to the public. No one was present, so he closed to the public.

Motion of Mr. McElroy to approve the amended site plan with the variances, second by Mr. Morytko. Ms. Raffay confirmed that includes revisions to the plans.

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

Members Absent: Mr. Proctor

None opposed. Motion carried.

BILLS:

Harold Pellow (8): \$4,237.00. A motion to approve the bills was made by Mr. Walsh, seconded by Mr. Morytko. All were in favor. Motion carried.

REPORTS FROM COMMITTEES

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

Open Space- Mr. Morytko said they submitted a grant application to the County, and it's being reviewed.

Township Council- Mayor Rubenstein said they met two nights ago, and they certified the annual audit. There were police promotions.

Mr. Baldwin re-entered the meeting, and asked if the Board would waive the reading of the resolution. Ms. Hubbard noted the applicant waives the reading, which is their risk. Mr. Stoner noted he needs to do a resolution compliance review. Ms. Hubbard said she'll have the resolution at the next meeting.

Mayor Rubenstein said they settled an issue with the Rose properties. They discussed the police department grant. Mr. Stoner said there's FEMA mapping, and because of climate change, they've raised the height of the flood plain. When they upgrade the building, if it's over a certain percentage of the overall cost, they need to upgrade the whole building.

OPEN TO THE PUBLIC

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

Ms. Raffay asked about the lighting at the restaurant on Lackawanna. Mr. Stoner said he's talked to the owner twice, and will speak to him again.

ADJOURNMENT

A motion to adjourn the meeting was made at 8:33 pm by Mr. McElroy, seconded by Mr. Walsh. All were in favor. Motion carried. The meeting was adjourned.

Submitted by Caitlin Phillips