BYRAM TOWNSHIP PLANNING BOARD AGENDA
For Thursday, November 5 2026, at 7:30 P.M.
Meeting Held at: 10 Mansfield Drive, Byram Township NJ

1. CALL TO ORDER
2. ROLL CALL
3. 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.
4. FLAG SALUTE
5. MEETING MINUTES- October 15, 2026
6. RESOLUTIONS

   Z10-2026 Rita Martino, 8 Newton Avenue, Block 36 Lot 50.01, R4 Zone
   Application for shed in the front and side yard

   Z12-2026 Lisa and Frank Maturi, 21 Tote Road, Block 137 Lot 29, R5 Zone
   Application for addition to a single-family home

7. SUBCOMMITTEE

   SP4-2026 Jefferson Lake Day Camp, 38 Jefferson Lake Road, Block 366 Lot 3.01 and Block 370 Lot 7.01, CR Zone
   Application for amended site plan

8. OLD BUSINESS

   Z04-2026 Maria Lacatena, 71 Brookwood Drive, Block 58 Lot 76, R3 Zone
   Application for a deck, pool, and shed
   ****REQUEST TO CARRY TO 01/07/2027****

   Z12-2025 Marcelo Lopez, Jans Way, Block 360 Lot 6, R2 Zone
   Application for new home construction on an unimproved roadway

9. NEW BUSINESS

   Z11-2026 Thomas Mulligan, 61 Birch Parkway, Block 307 Lot 1864, R5 Zone
   Application for enclosing existing porch

   Z09-2026 Emily and Evan Smith, 26 and 28 Hemlock, Block 286 Lots 111 and 112.01, R5 Zone
   Application for a minor subdivision
   ****REQUEST TO CARRY TO 11/19****

10. REPORTS FROM COMMITTEES

    Environmental Commission / Open Space / Township Council

11. OPEN TO THE PUBLIC
12. ADJOURNMENT

The Board Engineer and Planner are sworn in at the beginning of each year and are deemed to be under oath on a continuing basis.

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

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

ROLL CALL: Mss. Raffay, DeMagistris, Colligan; Messrs. Mayor Rubenstein, McElroy, Morytko, Smith, Walsh, Chairman Shivas
Members Absent: Ms. Lewandowski, Mr. Proctor
Also Present: Engineer Cory Stoner, 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: October 1, 2026.
Motion of Mr. McElroy to approve the minutes, second by Ms. DeMagistris.
Ayes: Mss. Raffay, DeMagistris; Messrs. Mayor Rubenstein, McElroy, Morytko, Smith, Walsh, and Chairman Shivas
Members Abstaining: Ms. Colligan
Members Absent: Ms. Lewandowski, Mr. Proctor
None opposed. Motion carried.

RESOLUTIONS
SP3-2026 Mountainside Country Store, 198 Route 206, Block 226 Lot 3, NC Zone
Application for amended site plan and signage
Mr. Stoner said they talked about signs during their meeting. He confirmed that at the meeting they were told if they want additional signs they need another approval to do so. He noted since this meeting they've added new signs. He said it's a temporary sign, but looks permanent. Ms. DeMagistris noted she thinks they take the sign in at night. Mr. Stoner confirmed the resolution doesn't talk about temporary signs.
Motion of Ms. DeMagistris to approve the resolution, second by Mr. Smith.
Ayes: Mss. Raffay, DeMagistris; Messrs. Mayor Rubenstein, Smith, Walsh, and Chairman Shivas
Members Abstaining: Ms. Colligan, Messrs. McElroy, Morytko
Members Absent: Ms. Lewandowski, Mr. Proctor
None opposed. Motion carried.

SP1-2024 Byram Waterloo LLC (Starbucks of Byram), 33 Route 206, Block 36 Lot 40, VB Zone
Extension request for application for preliminary and final site plan for development of Starbucks coffeehouse with drive-through
Chairman Shivas noted the extension is for the land, and that it will likely not be a Starbucks. Motion of Mr. Walsh to approve the resolution, second by Ms. DeMagistris.
Ayes: Mss. Raffay, DeMagistris; Messrs. Mayor Rubenstein, McElroy, Morytko, Smith, Walsh, and Chairman Shivas
Members Abstaining: Ms. Colligan

Members Absent: Ms. Lewandowski, Mr. Proctor
None opposed. Motion carried.

OLD BUSINESS

Z04-2026 Maria Lacatena, 71 Brookwood Drive, Block 58 Lot 76, R3 Zone
Application for a deck, pool, and shed
Ms. Phillips noted they have requested to withdraw this application. They will need more time to put plans together, and would resubmit when ready. Ms. Hubbard noted they need something from the applicant confirming they're withdrawing the application.

NEW BUSINESS

Z10-2026 Rita Martino, 8 Newton Avenue, Block 36 Lot 50.01, R4 Zone
Application for shed in the front and side yard
Rita Martino was sworn in as the applicant. She said back in May she had a shed, and she's requesting to put it back in the same spot because of her disability. In 2007 her husband had heart surgery, and their backyard slants downhill towards Lubbers Run. They had a shed back there, and in 2009 they had a builder put a shed closer to the garage because of his disability. They've been in Byram for 56 years, and love this town. They decided to take the existing trailer down and add a home, which was finished in 1989. She said anything they ever did, they always followed the laws and didn't break them or do something without a permit. When they got the builder to put the shed in, he told them if it was built as a temporary structure and could be moved, they didn't need a permit. When the shed burned down, they found they need a permit.

Mr. Stoner confirmed she's here to ask to rebuild the shed in the same location. He confirmed her neighbor had a fire that burned her shed down. Mrs. Martino said they had three explosions behind the shed. Seven trees needed to be removed because of this. Mr. Stoner confirmed the explosion came across the property line and caught the shed on fire. Mrs. Martino said instead of 10x12 the new shed will be 9x12. Mr. Stoner confirmed it'll be in the same location and will match the house. Mrs. Martino said she's been disabled since 2008, and wants to stay in the house. Mr. Stoner noted because it's in the front yard, it's non-conforming. There is also a side yard setback. He noted she's here to get the proper approval for the location. Mrs. Martino said they listened to the contractor and it sounded legitimate. She needs the storage in the shed. She noted they keep their snowblower in the shed or garage, and from the fire the items in the shed including the snowblower are gone. Mayor Rubenstein confirmed the shed was originally there around 2009. Mrs. Martino said the Zoning Officer, Mr. Sabatini, said he saw pictures where the shed wasn't there. It was sometime in 2009, because the hill in the back is steep. The shed was stick-built and matched the house.

Mr. Walsh asked if there were any problems with the neighbors since it was put there. Mrs. Martino said there were no problems. It enhanced the property. Mr. Walsh confirmed this is the ideal spot because other spots are too steep. Mrs. Martino explained her disabilities, and she's doing everything her husband used to do. Mr. Stoner explained that for a variance it requires a hardship for the property, and noted this lot is narrow. Mrs. Martino reiterated that the trees are gone now because of the fire. Mayor Rubenstein confirmed this occurred in May of this year. He confirmed the shed has been removed. Mrs. Martino said the siding on that side of the house needed to be removed. She added that she loves Byram because she feels like she lives in the country and everything is right around the corner. She noted she remembers when the Shoprite was built, which took about 25 years to complete, and at the opening of the store they had a huge cake that said "happy 25th."
Chairman Shivas opened to the public. No one came forward, so he closed to the public.

Motion of Mayor Rubenstein to approve application as presented, second by Ms. DeMagistris.
Ayes: Mss. Raffay, DeMagistris, Colligan; Messrs. Mayor Rubenstein, McElroy, Morytko, Smith, Walsh, and Chairman Shivas
Members Absent: Ms. Lewandowski, Mr. Proctor
None opposed. Motion carried. Mrs. Martino thanked the Board. Ms. Hubbard explained the appeal period. Ms. Phillips said she'll speak with Mr. Sabatini tomorrow about her submitting the zoning permit. The Board took a brief recess.

Z12-2026 Lisa and Frank Maturi, 21 Tote Road, Block 137 Lot 29, R5 Zone
Application for addition to a single-family home
Lisa and Frank Maturi were sworn in at 10 Mills Avenue in Port Monmouth as the applicants. Ken Fox from Fox Architectural Design was sworn in as the architect and planner for the applicants. He has testified before this Board and others, and his licenses are in good standing. He disclosed that he has a relationship with the Township of Byram, retained through a professional services agreement to work on the municipal building. He discussed this with the Board attorney and Mayor Rubenstein, and they feel he can proceed as an expert. Chairman Shivas asked for some towns where he has worked. Mr. Fox said he testified in Carney recently and that was his 101st town in New Jersey. He's also testified in Rockaway, Roxbury, and Jefferson. Chairman Shivas deemed him an expert. Ms. Hubbard confirmed no Board members have any questions or issues with the disclosure.

Mr. Maturi said he inherited his father's house, and he read some of its history. They're the third generation at the location, and he found that on August 1st, 1950, his grandparents made a $25 deposit for the summer bungalow. When his grandmother passed away, his mother wanted to live at the home full time. They tried to make it a year-round home. Mr. Maturi said the home has many flaws, and needs some renovations. He and his wife have spent the last year enjoying the property and lake, and have started landscaping. They hope to pass down the home in their family. He noted the ceilings were an issue, and the layout doesn't work well.

Mr. Fox reviewed his plans, and noted they're building completely within the existing footprint. They're adding covered porches. Chairman Shivas confirmed there is a crawlspace. Mr. Fox submitted **Exhibit A1**, a markup of page Z2 that shows the gravel driveway brought up in Mr. Stoner's report. He noted the lot is large but an irregular shape. The existing location is within the front yard. He reviewed the variances. Chairman Shivas confirmed the porch won't be screened in. Mayor Rubenstein confirmed it will be a two-bedroom house. Mr. Stoner noted he wants a condition of any approval to include approval from the County Health Department. Mr. Maturi noted they had the septic pumped last week. Mr. Fox noted the deck in the rear will be removed. The property is in the Highlands. There is a dry well behind the garage, and the roof liters go to that. They're not changing rain flow, and they'll re-pipe the liters to the existing drainage. There's no negative impact to the neighbors or zone plan. Mr. Stoner noted the gravel driveway likely existed, and grass grew over it. Mr. Maturi said when the property was surveyed there was snow on the ground so they didn't see it. Mr. Stoner noted it wasn't on the plan, and when inspected it looked new. Chairman Shivas confirmed it's stone. Mr. Stoner asked that the plan be updated to show the driveway and roof liter flow. The Board discussed the fence.

Chairman Shivas opened to the public. Jeffrey Siegel was sworn in, noting he owns a property in the area. He said he isn't against this at all. The community will enjoy having a new house and it's better for their family. He wishes them luck with this. Chairman Shivas closed to the public.

Motion of Mr. McElroy to approve the application with the conditions of the septic and the revised plans, second by Mr. Morytko. Mr. Stoner asked that the resolution speak about the existing second driveway. Ms. Hubbard confirmed they're requesting the variance for the driveway.
Ayes: Mss. Raffay, DeMagistris, Colligan; Messrs. Mayor Rubenstein, McElroy, Morytko, Smith, and Chairman Shivas
Members Abstaining: Mr. Walsh
Members Absent: Ms. Lewandowski, Mr. Proctor
None opposed. Motion carried. Mr. Maturi thanked the Board. Ms. Hubbard explained the appeal period.

BILLS: Maraziti and Falcon (1): $36.00. A motion to approve the bills was made by Mayor Rubenstein, seconded by Mr. Morytko. All were in favor. Motion carried.

Harold Pellow (3): $1,369.50. A motion to approve the bills was made by Mayor Rubenstein, seconded by Mr. Morytko. All were in favor. Motion carried.

Colliers (1): $561.25. A motion to approve the bills was made by Mayor Rubenstein, seconded by Mr. Morytko. All were in favor. Motion carried.

REPORTS FROM COMMITTEES
Environmental Commission- Mr. Smith said there is a meeting next week.
Open Space- Mr. Morytko said they met this week. Trail work is continuing for the trails grant, as is signage for trails.
Township Council- Mayor Rubenstein said they met last week and introduced an ordinance to charge more for construction permits, where the minimum fee will now be $100. There was an ordinance for the reassessment of the town. They will proceed will replacing the Fire Department's air fill station because the current one is old and failing.

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

Mayor Rubenstein noted he sees a lot of applications coming up, and confirmed it will be busy soon. Ms. Phillips noted most are residential, and one is for Jefferson Lake Day Camp. Mayor Rubenstein noted he heard the Adam Todd site will be coming in soon, and that they sold their liquor license to the golf course. Mayor Rubenstein asked who is up for re-appointments. Ms. Phillips noted it is Mr. Walsh, Ms. DeMagistris, Mr. Smith, Mr. Proctor, and Ms. Colligan. Mayor Rubenstein confirmed they are all planning to be re-appointed.

ADJOURNMENT
A motion to adjourn the meeting was made at 8:37 pm by Mr. McElroy, second by Mr. Morytko. All were in favor. Motion carried. The meeting was adjourned.

Submitted by Caitlin Phillips

Resolutions Approved at Previous Meeting

In the matter of Louis Coviello
Case No. SP3-2026
MF#5000.108

BYRAM TOWNSHIP

PLANNING BOARD

RESOLUTION OF MEMORIALIZATION

RELIEF GRANTED:	**Amended Site Plan** **Sign with two (2) business names and additional language** **Maximum size of sign face**

WHEREAS, Louis Coviello has applied to the Planning Board of Township of Byram seeking Amended Site Plan approval, and bulk variance relief, for the premises located at 198 Route 206, and known as Block 226, Lot 3 on the Tax Map of the Township of Byram which premises are in the "NC" Neighborhood Commercial Zone;

WHEREAS, by ordinance adopted by the Township Council of the Township of Byram under statutory authority, the Planning Board and Zoning Board of Adjustment were combined into one Board which Board possesses and may exercise all powers granted to the Planning Board and Zoning Board of Adjustment pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., said single Board being known as the Planning Board of the Township of Byram; and

WHEREAS, the Board, after carefully considering the evidence presented by the Applicant and having conducted a public hearing has made the following factual findings:

1. The Applicant is the owner and occupant of the subject property. The Applicant received Site Plan Approval for SP5-2020, which was memorialized on July 1,

2021, and included the construction of an accessory structure, to be no more than 16 feet in height. After construction, the accessory structure measured 19'6" (per the Memorandum from the Zoning Officer), requiring relief from Section 240-16A(4) of the Township's Zoning Ordinance, which states that the accessory structure shall not be taller than the principal structure, which is 14'2". Accordingly, the Applicant received Amended Site Plan Approval on November 7, 2024, which was memorialized on November 21, 2024.

2. Along with the Land Use Application, the Applicant submitted the following documents:
    a. As-Built Survey, prepared by Stires Associates, P.A., dated December 22, 2025.
    b. As-Built Survey, prepared by Stires Associates, P.A., dated December 22, 2025, labeled by Applicants.
    c. Portion of Site Plan, areas in question color coded with description, undated.
    d. Compliance Report from Upper Delaware Conservation District, dated September 24, 2025.
    e. Permanent Sign Permit Application, unsigned, undated.
    f. Notice of Violation, issued by Joseph Sabatini, Byram Township Manager, dated June 17, 2026.
    g. Pictures and Narratives of the Site, undated, eight (8) sheets total.
    h. Land Use Report, undated, consisting of nine (9) sheets total.
3. The Board received the following memorandum:

a. Cory L. Stoner, P.E., P.P., C.M.E., the Planning Board Engineer, dated June 10, 2026. August 4, 2026.

b. Environmental Commission, dated August 19, 2026.

4. A duly noticed public hearing was conducted on October 1, 2026, at which time Louis Coviello and Rudy Coviello, the Applicants, presented sworn testimony in support of the application. The Applicants returned to the Board to address several concerns that were raised by the Township Engineer that were in violation of the approved Site Plan. A freestanding sign was installed with two (2) business names, which was not approved by the Board. As well as, outdoor display areas that were not approved by the board.

5. The Board approved a 48" by 88" freestanding sign, with a two-foot stone veneer base, displaying the text "Byram Trading Post." The Applicants installed a 71" by 81" sign, with stone pillars, which includes two business names; "Byram Trading Post" and "Byram Stone, Mason, and Landscape Supply." Variance relief, pursuant to N.J.S.A 40:55D-70c(2) is required from Section 240-47.2.E, which states, freestanding signs shall be limited to the business name and/or logo and street address, whose area shall be not more than 32 square feet. The subject sign is 34 square feet, includes two (2) business names, and additional language describing the businesses. The Applicants amended the application to seek variance relief for the sign.

6. The Applicants testified that the outdoor storage is the store inventory, mixed into the landscaping along the front of the store. There are areas to the north of the building that the Applicants would like to utilize to display flower and flower

pots, and one on the south side of the upper area, behind the existing parking lot where the Applicants would like to display shrubs and trees. Additionally, there is an area in the upper portion of the site that is being utilized for hardscape supplies and one to the south of the building that is used for retail display.

7. The Applicants did not install the fence on the upper level of the site, with the consent of the Township Engineer, as it made the site difficult from an operational standpoint. They would like to install a 6-foot fence on the northern side of the building to match the existing fence. Finally, the Applicants would like to pave the lower portion of the path to access the upper portion of the site to improve the access and reduce the runoff into the parking lot.
8. Although the improvement do not result in an excess amount of impervious coverage, the disturbance cannot exceed 125% of the existing disturbance or they will need approval, pursuant to the Highlands Preservation Act.
9. No one from the public was in attendance at this hearing.

WHEREAS, the Board has determined that the relief requested by the Applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Township of Byram for the following reasons:

1. The Board found the witness testimony to be competent and credible. The Board determined that the relief can be granted pursuant to N.J.S.A. 40:55D-70c from Section 240-47.2.E, which states, freestanding signs shall be limited to the business name and/or logo and street address, whose area shall be not more than

32 square feet. The subject sign is 34 square feet, includes two (2) business names, and additional language describing the businesses.

2. N.J.S.A. 40:55D-70c(2) indicates that a variance may be granted where it is determined that the proposed relief advances one or more of the purposes of zoning (which purposes are set forth in N.J.S.A. 40:55D-2) and where it is further determined that the benefits of granting the variance outweigh any detriments which might result from it.
3. The Board determined that the display of inventory outside of the building was related to the nature of the retail businesses. The lawn areas are logical locations to display bird baths, flower pots, etc. The paved path will improve access to the upper level of the site and reduce the runoff into the parking lot. Finally, the signage provides the public with an explanation of the uses on the site.
4. Accordingly, the Board opined that the benefits outweigh the detriments related to relief granted. The sign will promote the free flow of traffic, assisting customers in locating the two (2) businesses and describing the nature of each use. The overall site plan improves the visual environment, as the site is well maintained with attractive landscaping and décor. The Board determined that the minor relief was not inconsistent with the Master Plan or Zoning, as the use is permitted and the improvements are related to the specific type of use.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Byram on the 1st day of October, 2026 that the approval of the within application be granted subject, however, to the following conditions:

1. The Applicants shall comply with all the conditions and standards set forth in Section 240 of the Township's Ordinances. The Applicants shall be subject to all other applicable rules, regulations, ordinances and statutes of the Township of Byram, County of Sussex, State of New Jersey, or any other jurisdiction.
2. The Applicants shall be bound to comply with the representations made before this Board at the public hearing. The representations are incorporated herein and were relied upon by this Board in granting the approval set forth herein and shall be enforceable as if those representations were made conditions of this approval
3. The Applicants shall pay all fees, costs, escrows due or to become due. Any monies are to be paid within twenty (20) days of said request by the Board's Secretary.
4. An inspection of all improvements shall be subject to the review of the Board Engineer prior to the issuance of a Certificate of Occupancy and/or the closure of zoning or construction permits.
5. The Applicants shall amend the application to seek variance relief for the size of the sign face and the content of the sign.
6. The Applicants shall submit driveway details for the paving of a portion of the path to the upper area of the site, subject to the review and approval of the Board Engineer.
7. The Applicants shall provide a revised plan to document the additional improvements to the property.

8. The limit of disturbance shall not exceed 125% of the limit of disturbance, in conformance with the Highlands Preservation Act, subject to the review and approval of the Board Engineer.

George Shivas

On motion of: Ms. DeMagistris

Seconded by: Mr. Smith

The vote on the Resolution was as follows:

AYES: Six (6): Mss. Raffay, DeMagistris; Messrs. Mayor Rubenstein, Smith, Walsh, and Chairman Shivas

NAYS: Zero (0)

ABSTAINING: Three (3): Ms. Colligan, Messrs. McElroy, Morytko

ABSENT: Two (2): Ms. Lewandowski, Mr. Proctor

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on October 15, 2026.

Caitlin Phillips

Caitlin Phillips, Planning Board Secretary

Dated: 10/16/2026
Prepared by: Alyse Landano Hubbard, Esq.

In the matter of Byram Waterloo LLC (Extension)
Case No. SP1-2024
MF 5000-0086

BYRAM TOWNSHIP

PLANNING BOARD

RESOLUTION OF MEMORIALIZATION

RELIEF GRANTED: **Extension of Preliminary and Final Site Plan, and Variance Relief**

WHEREAS, Byram Waterloo, LLC applied to the Planning Board of the Township of Byram for Preliminary and Final Site Plan, along with bulk variance relief for the premises located at 33 Route 206 and known as Block 36, Lot 40 on the Tax Map of the Township of Byram which premises are in a "VB" Village Business Zone;

WHEREAS, by ordinance adopted by the Township Council of the Township of Byram under statutory authority, the Planning Board and Zoning Board of Adjustment were combined into one Board which Board possesses and may exercise all powers granted to the Planning Board and Zoning Board of Adjustment pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., said single Board being known as the Planning Board of the Township of Byram; and

WHEREAS, the Board, after carefully considering the evidence presented by the Applicants and having conducted a public hearing approved the subject application; and

WHEREAS, based on the foregoing, the Board was requested to revisit the subject approval:

1. The Applicant is the owner of the subject property, and received Planning Board Approval to construct a coffee house with a drive through lane, that

was to be leased to Starbucks, requiring site plan approval and bulk variance relief.

2. Byram Waterloo received approval, on June 6, 2024, memorialized in a Resolution dated June 20, 2024, and published in the New Jersey Herald on June 26, 2024.
3. N.J.S.A. 40:55D-52 provides protections from changes in zoning for Final Site Plan Approval for a period of two (2) years after the date of the resolution.
4. Via a letter from Steven A. Polhamus, Esq., Associate General Counsel for RoNetco Supermarkets, Inc., doing business as Byram Waterloo, LLC, dated September 25, 2026, the Applicant requested an extension of the approval, stating that it has been delayed by circumstances outside of its control, including project-related delays, changing market conditions, and changes involving the prospective tenant.
5. At the Board meeting on October 1, 2026, Alexis Lazzara, Esquire appeared and explained to the Board that the Applicant had a lease agreement with Starbucks, but due to internal changes and decisions, Starbucks cancelled the lease agreement. The Applicant demolished the previous structure and began site work, but no zoning nor construction permits have been issued. A security fence was installed and recently, construction material and equipment were delivered to the site.
6. The site is unattractive and the Township has received some complaints regarding the appearance of the site, which is located in a busy commercial

corridor in the Township. The Applicant agreed to work with administration to clean up the property and secure it from trespassers.

7. The Applicants have requested a one-year extension of said approvals to allow time to secure a new tenant.

WHEREAS, the Board determined that, based on the information provided, the Final Site Plan Approval shall expire on June 26, 2026 and the Applicants are entitled to a one-year extension of the subject approvals to commence construction per the applicable law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Byram on the 1st day of October, 2026 that the Final Site Plan Approval, as stated herein, shall be extended for a period of one year from the date of the publication of the Resolution, to June 26, 2027.

George Shivas

On motion of: Mr. Walsh

Seconded by: Ms. DeMagistris

The vote on the Resolution was as follows:

AYES: Eight (8): Mss. Raffay, DeMagistris; Messrs. Mayor Rubenstein, McElroy, Morytko, Smith, Walsh, and Chairman Shivas

NAYS: Zero (0)

ABSTAINING: One (1): Ms. Colligan

ABSENT: Two (2): Ms. Lewandowski, Mr. Proctor

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on October 15, 2026 and is in effect for one year.

Caitlin Phillips

Caitlin Phillips, Planning Board Secretary
Dated: 10/16/2026
Prepared by: Alyse Landano Hubbard, Esq.

Byram Waterloo (Extension)
5000-086
10/12/26

4920-0990-1143, v. 1