

**MEETING MINUTES
BYRAM TOWNSHIP PLANNING BOARD
OCTOBER 17, 2019**

CALL TO ORDER

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

ROLL CALL

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Ms. Raffay	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
HERE		H		H	H	H	H		H	H	H
ABSENT											
EXCUSED	EA		EA					EA			
LATE											

Also present: Attorney, Kurt Senesky
Secretary, Cheryl White

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 October 3, 2019 Meeting Minutes.

A motion to approve the minutes as written was made by Mr. Kaufhold. The motion was seconded by Mr. Olson.

The following vote was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Ms. Raffay	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION				√							
SECONDED						√					
AYE		√		√		√	√		√	√	√
NAY											
ABSTAIN					√						
ABSENT	√		√					√			

Motion carried.

COMPLETENESS REVIEW

Raimo of Stanhope, Inc., 49 Route 206, Block 35 Lot 36 & Block 37 Lot 26, V-B Zone

Preliminary & Final site plan to add new structures and other site improvements.

Mr. Walsh said that the subcommittee met and reviewed the material submitted and Mr. Stoner’s report and because items of importance were not provided, such as floor plans and elevations of the proposed buildings, fire protection details, and an Environmental Impact Statement, the subcommittee recommends that this application be deemed incomplete. There was no further discussion by the Board.

A motion to deem the application incomplete was made by Mr. Walsh. The motion was seconded by Ms.

Shimamoto. The following vote was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Ms. Raffay	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION										√	
SECONDED									√		
AYE		√		√	√		√		√	√	√
NAY											
ABSTAIN						√					
ABSENT	√		√					√			

Motion carried.

CONSISTENCY REVIEW

An Ordinance amending and supplementing Chapter 240 to modify the Byram Land Use Code relative to LED Message Signs.

At the September 5th Planning Board meeting the Board recommended some changes to the draft ordinance. Mr. Olson said the Council reviewed the recommendations and agreed with those changes.

A motion to find the ordinance not inconsistent with Byram Township’s Master Plan was made by Mr. Olson. The motion was seconded by Ms. Shimamoto. The Board had no further discussion. The following vote was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Ms. Raffay	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION						√					
SECONDED									√		
AYE		√	√		√	√			√	√	√
NAY				√			√				
ABSTAIN											
ABSENT											

Motion carried.

RESOLUTIONS

2019 Municipal Stormwater Management Plan

A motion was made by Mr. Olson to approve the resolution as written. The motion was seconded by Mr. Kaufhold.

The following vote was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Ms. Raffay	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION						√					
SECONDED				√							
AYE		√		√	√	√	√		√	√	√
NAY											
ABSTAIN											
ABSENT											

Motion carried.

Z16-2019, Jeffrey Denholtz, 123 Lackawanna Drive, Block 228 Lot 307 and Block 273 Lot 307, R-5 Zone

Variance for a front yard setback to expand a dormer, to relocate a framed structure, remove a pre-existing shed, and install a driveway.

After Board discussion it was decided that two separate resolution should be provided since the applicant’s proposal was treated as two separate applications. Mr. Senesky said he will draft two separate resolutions and he will have them available for the November 7th meeting.

WOSP04-19, Avenues Recovery Center, 238 Route 206, Block 219 Lot 4, N-C Zone (formally Frogmore’s carried from September 19, 2019).

Outpatient Counseling

A motion to approve the resolution as written was made by Mr. Dixon. The Motion was seconded by Mr. Kaufhold.

The following vote was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Ms. Raffay	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION		√									
SECONDED				√							
AYE		√		√		√			√	√	√
NAY											
ABSTAIN											
ABSENT	√		√					√			

Z18-20149, Robert & Brandee Murray (d/b/a First Mile LLC), 44 Strawberry Point Drive, Block 320 Lot 14.02, R-5 Zone

Disturbance of Steep Slopes

Mr. Walsh said on Page 5, #1 language should include “to the satisfaction of the Board engineer”. Mr. Senesky will make that correction. He added that on Page 6, #4 the applicant was to install a buffer not only to the lake front but to the sides yards as feasibly possible, and to the approval of the Board Planner. Mr. Senesky said he would make those corrections.

A motion to approve the resolution with those changes was made by Mr. Walsh. The motion was seconded by Mr. Olson. The following vote was taken:

	Mr. Chozick	Mr. Dixon	Mr. Gonzalez	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Ms. Raffay	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION										√	
SECONDED						√					
AYE				√		√	√		√	√	√
NAY											
ABSTAIN											
ABSENT	√		√					√			

Motion carried.

REPORTS FROM COMMITTEES

Township Council – Mr. Olson said the Council recently approved the Stormwater Management Plan and LED/Message Board Sign Ordinance. Mr. Olson added, from an environment viewpoint the EPA made a record of decision on October 3rd that involves 11.8 million dollars for the construction and capping and water remediation at the superfund site in the East Brookwood section of Byram. Mr. Olson said at some point the Planning Board will be involved because there will be a “cap” placed over the site, so it is not disturbed. Mr. Olson said fortunately most of the area to be “capped” is under the power lines, so there should be no threat of development there anyway, however it does involve a residential zoned property, so the Board needs to be mindful of the fact there are certain requirements and condition imposed by the EPA. The record of decision came with the funding to do design work but the actual work itself will not take place for at least a year until it goes thru the EPA funding process. The EPA must give a designation of the “Value” of the site based on health and safety concerns for surrounding residents and this site ranks high because it involves drinking water and air space contamination in residential homes.

Environmental Commission – Ms. Shimamoto said the next EC meeting is on October 24. She reminded the Board that on Oct. 19 there is a trail cleanup planned for Tamarack Park Trail and prior to the clean-up, at 9:00 a.m. in Town Hall everyone in encouraged to attend a presentation about invasive species which will be given by the invasive strike team task force. She said they will discuss barberry and other invasion plants, and how to control them.

Architectural Review Committee – Mr. Morytko said that the plan is to meet with Wawa in December to review their proposed building.

Open Space - Mr. Morytko said the Forest Management Plan is updated so that all open space parcels are included in the plan. He added that the Park and Recreation Study is still ongoing.

Building Committee – Mr. Morytko added that there is no new information regarding the new municipal building and said that Shop Rite has offered to lease space which is under discussion by the Council.

BILLS

Schenck, Price, Smith and King (2 bills) \$862.50

A motion was made by Mr. Walsh to approve Mr. Senesky’s bills. The motion was seconded by Mr. Olson. All were in favor. Motion carried.

Harold Pellow & Associates, Inc. (6 bills) \$821.75

A motion was made by Mr. Walsh to approve Mr. Stoner’s bills. The motion was seconded by Mr. Olson. All were in favor. Motion carried.

RESOLUTION

EXECUTIVE SESSION

Professional Services – Planning Board Attorney

RETURN TO OPEN SESSION

OTHER BUSINESS

Mr. Stoner provided a memo to the Board stating that Anty Trucking was not in compliance with the resolution of approval. There was a Board discussion about that, and it was the decision of the Board that Anty Trucking return to discuss their phasing plan and development of the site improvements. The Board secretary will send them a letter requesting that they return in November 2019.

PUBLIC COMMENT

Chairman Shivas opened to the public. No one from the public came forward. Chairman Shivas closed to the public.

ADJOURNMENT

A motion to adjourn the meeting was made at 10.00p.m. by Mr. Walsh. The motion was seconded by Mr. Morytko. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted, *Cheryl White*