

MEETING MINTUES OF THE BYRAM TOWNSHIP PLANNING BOARD: October 1 2026

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

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

Members Absent: Ms. Colligan, Messrs. Proctor, McElroy, Morytko

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: September 17, 2026.

Motion of Ms. Raffay to approve the minutes, second by Ms. Lewandowski.

Ayes: Mss. Raffay, DeMagistris, Lewandowski; Messrs. Mayor Rubenstein, Walsh, and Chairman Shivas

Members Abstaining: Mr. Smith

Members Absent: Ms. Colligan, Messrs. Proctor, McElroy, Morytko

None opposed. Motion carried.

EXTENSION REQUEST

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

Alexis Lazzara appeared and represented Byram Waterloo LLC for the extension request. Ms. Hubbard noted the resolution expired in June of 2026. Mayor Rubenstein confirmed they don't have any zoning or construction permits. He noted they're concerned about the site, regarding the fencing and outdoor storage of equipment, as well as pallets that arrived on site recently. He said he spoke with owner Mr. Romano yesterday, who noted the storage was leftover materials from another job site. Ms. Lazzara said they had an agreement with Starbucks that was very far along in the process. Around the time of the Board approval, Starbucks had a big infrastructure change, and they were no longer opening new stores, so they declined moving forward with Byram Waterloo LLC. Byram Waterloo LLC had another potential quick-serve business interested, so the fencing was to secure the premises. The intent of the materials and fencing was to start working on the site in the new future. Mayor Rubenstein confirmed they are not building a Starbucks. Ms. Lazzara said they want to preserve their rights under the site plan, and she acknowledged they'd need to come back to the Board. Starbucks reached back out to them recently to see what they're thinking, but the lease negotiations have stopped. Ms. Hubbard noted they don't have construction permits, so can't store construction materials on site. Mayor Rubenstein added that is a code violation. Chairman Shivas said he gets a lot of questions from people in town about the fencing, noting it doesn't look good. This is in the main area of town. To ask for an extension when there's nothing going on or planned is difficult. They need to remove

items from the site to avoid getting a summons. Ms. Lazzara said the fencing was put up for safety. They're looking to get the extension to help get another tenant. The extension expired in June, and they're asking for six months plus another year. Ms. Hubbard noted this would be two one-year extensions. Mayor Rubenstein provided Ms. Lazzara with the sections of the code that are under violation currently. Ms. Lazzara said they have a rental space next door which is their construction office. Mayor Rubenstein said the town received questions about the materials that showed up recently. Mr. Stoner noted there's no permit for the fence, and the fence and materials should be removed. They can discuss if they want to put something in front of the entrances to keep people from coming in. He noted he attended a pre-construction meeting and they were close to getting started. Ms. Raffay asked if there's a benefit to giving a one-year extension, and then coming back in June for the second one. Mr. Walsh agreed, noting if they had two years it would give them time to do what they need to do, but with one year they could come back to provide a status update. Ms. Lazzara said there's no way they'll have someone set up by June. Ms. Hubbard noted if they have a contract or lease they could be back by June. Ms. Lazzara noted they're not that close. The Starbucks lease took about eight months to negotiate. Ms. Raffay noted the benefit of a one-year extension is being able to check in, to see if things were cleaned up. Those aren't conditions of the approval, they're laws. Ms. Lazzara said they'll follow the law; if they don't, they'll get fined, so they shouldn't need to check back in. Ms. Raffay noted they don't want to go the route of a code violation. Ms. DeMagistris asked if there's hole on the property, and if removing the fencing would be an issue. Mr. Stoner noted they could add something to block the entrances. Mr. Walsh noted if they were having this discussion in June, they'd be giving a one-year extension. He asked if they've recently approved any two-year extensions. Ms. Hubbard said those are usually done retroactively. Ms. Lazzara noted they're already four months into the extension. Mayor Rubenstein asked why they didn't come in June.

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

Motion of Mr. Walsh to approve the extension through June of 2027, second by Mayor Rubenstein.

Ayes: Mss. Raffay, DeMagistris, Lewandowski; Messrs. Mayor Rubenstein, Smith, Walsh, and Chairman Shivas

Members Absent: Ms. Colligan, Messrs. Proctor, McElroy, Morytko

None opposed. Motion carried.

NEW BUSINESS

SP3-2026 Mountainside Country Store, 198 Route 206, Block 226 Lot 3, NC Zone

Application for amended site plan and signage

Rudy and Louis Coviello were sworn in at 198 Route 206, as the owners and operators of the property. Mr. Stoner noted this started in June, when it was noticed that some items on site were different than on the approved plan. There were changes to the sign, and some areas for landscaping items that were not on the plan. Mr. R. Coviello said there may be some confusion because some material they use for the company is similar to what they sell on site. It might look like they're storing things for their business, but it's active inventory that they're selling. In the spots highlighted in green on the plan, those are pre-approved on the site plan for inventory and display. In red is where they'd like to have more items to display and sell. Mr. L. Coviello said areas in front of the building aren't storage, they're displays mixed with the landscaping. Items won't pile up. He noted the back left site wasn't addressed previously, but it's a nice spot to use and to help with the traffic pattern. It works better because it's less direct sun for the flowers. There is also a flat spot that would help with the plant materials, because it's easier to get to and better for display items. They also want to

clean up the entrance that goes up the mountain. They want to pave it and the pathway up, to clean things up. It also helps move materials to the parking lot. He noted they also need to address the sign changes.

Mr. Stoner said there was an area on the right side of the building where there was landscape storage and a patio area, which is now a display area. Mr. L. Coviello said the red delineated area in the front is a planting bed, and they'll put items to sell. The items will be things that fit as a decoration to sell. There won't be piles of inventory. Mr. Stoner confirmed for the sidewalk to the left side of the building, they'll put similar items. Mr. L. Coviello said he'd like to do shelves and put annuals and flower pots. They also want to extend the fence. Mr. R. Coviello said it'd be to the corner of the building, to keep deer out, and would be 6 feet tall. Mr. L. Coviello said they'll stay behind the building with the fence, and it'll be landscaped. Chairman Shivas asked if there was a gate that was proposed. Mr. R. Coviello said it's something their attorney recommended. Mr. Stoner noted it was for security, but when he inspected, he agreed that it was interfering with the equipment. He asked about a landscape display area, and confirmed it's not just for plant material. Mr. R. Coviello said on the second tier behind the garage, there's hardscape material and plant material. There are paving stones and pavers. Next year they will have a lot more plant material as well. They were viewing "landscape materials" as anything needed for a job site, not just plant materials. Mr. L. Coviello noted there are items for Landscapes By Lou and Byram Stone, so storage in that area should also be for Byram Stone. They'd like to store paving stones, Orange Pavers, pallets of stones, stair and patio stones, plants, cement blocks, drainage stones and pipes, binned material, and other similar materials. Mr. Smith noted he doesn't have an issue with this, but it can get messy if the materials can be seen from the road. He asked if it'd be possible to limit the stone material to a specific area to keep it less visible from the road, and so the plants are more visible. Mr. L. Coviello asked about screening the area with landscaping. Mayor Rubenstein noted he doesn't care as much about that—it's a landscaping company. Mr. Walsh noted it's natural that they have these materials as part of the business. Mr. R. Coviello said having some material visible helps bring business in, so people know what's being sold. It helps bring contractors in. Mr. Walsh noted it's all the way in the back, not sitting in front. Mr. L. Coviello said most of the items will be unique, that they want to show that they sell. He noted they should pave the portion up the hill a bit too. Mayor Rubenstein noted the dirt road looks beat up. Mr. Walsh noted paving it would help with access up there. Ms. Phillip asked, for storage materials, if that included mulch or soil. Mr. R. Coviello said they've talked about bringing in bagged mulch. They don't want to change the binned area. They have sand and gravel, and their bins are full. Mr. L. Coviello said they're not sure they'd do top soil. Mr. R. Coviello said they have people who could deliver it to customers. Mr. Walsh confirmed if they did have soil or mulch it'd be in that back area. Mr. R. Coviello noted they want to make sure it doesn't wash away. Mr. Stoner noted the paving should be worked out with him.

Ms. Raffay asked what the original impervious coverage was for the property, since there are things being added. Mr. L. Coviello said they're probably not adding much more than what was approved. He noted it's probably about 800 square feet. Mr. Stoner discussed the impervious coverage. He noted they need to stay under an amount to be compliant with Highlands. Ms. Raffay asked about the patio in the front. Mr. L. Coviello said they're stepping stones in mulch. The Board discussed impervious coverage on the site. Mr. Stoner will review the calculations.

Mr. Stoner reviewed the sign updates. They added the wording for Byram Stone. Mr. R. Coviello said he talked to the zoning department about the sign, but it was about a month and he wasn't hearing back, and he didn't want to keep waiting. When he looked at the code, they were still under the amounts. Mr. Stoner noted one of

the questions is about having two business names on the sign. The Board discussed variances for the sign. Mayor Rubenstein confirmed they're two different businesses. Mr. R. Coviello said they had to split them for tax purposes, because Mr. L. Coviello and his spouse run the store, and he and Mr. L. Coviello run the landscaping. Ms. Phillips asked if this is the only sign they're asking for. Mr. R. Coviello said for now; they wanted to see about having additional signs. Ms. Phillips explained when you get approval for the signs at the Board, then you submit the sign permit with the zoning department. Mr. R. Coviello noted they didn't expect to open both businesses when they started. Mr. Stoner noted they did get variances for the sign previously. Mr. R. Coviello noted they were considering a roof sign. Mayor Rubenstein recommended they not ask for that tonight, and get a plan for the sign and come back. Mr. R. Coviello asked about putting up banners of things they sell. Temporary signs can only be up a certain amount time, so it's hard to continually advertise what they sell. He wants to put banners on the fence to show the types of tools they sell so it's visible from the road. Mr. Stoner mentioned the seasonal signs at Sunnyside. Mr. R. Coviello noted some items are good for homeowners, others are good for contractors. Mr. Walsh noted this would be part of their sign package. Ms. Raffay noted the sign updates would probably require a variance. The Board discussed allowable signs. Mr. Smith noted sometimes companies have a sign package they can provide. Ms. DeMagistris noted what the applicants have done is beautiful. Mayor Rubenstein noted they should ask for a variance for the sign. Ms. Hubbard confirmed they're asking to amend their application. Mayor Rubenstein noted the items are the sign, driveway, storage, and impervious coverage. Ms. Hubbard added the fence.

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

Motion of Mr. Walsh to approve the amended site plan application and variances, and the paving design and impervious coverage calculations subject to the review and approval of the Board Engineer, second by Ms. DeMagistris.

Ayes: Mss. Raffay, DeMagistris, Lewandowski; Messrs. Mayor Rubenstein, Smith, Walsh, and Chairman Shivas

Members Absent: Ms. Colligan, Messrs. Proctor, McElroy, Morytko

None opposed. Motion carried. Messrs. Coviello thanked the Board and professionals.

BILLS: Chairman Shivas noted there's a bill that needs his review. Maraziti and Falcon (6): \$3,078.00. A motion to approve the bills was made by Mayor Rubenstein, seconded by Mr. Walsh. All were in favor. Motion carried.

Harold Pellow (4): \$1,334.75. A motion to approve the bills was made by Mr. Walsh, seconded by Mayor Rubenstein. All were in favor. Motion carried.

REPORTS FROM COMMITTEES

Environmental Commission- Mr. Smith said there was no August meeting. Their September meeting was last week, and they had a very successful landscaping with locals event at the firehouse. About 30 people attended, and they gave away native plants. They had a wonderful speaker who provided a lot of information. They have upcoming trail-building sessions. The bobcat loop trail will be the first loop trail in Byram, and they're doing some trail-building this Saturday. They will have a forest loom and weaving event on 10/10 and 10/11 at the Roseville Schoolhouse. There is a Byram Community Energy plan in process, presented to them by the Council. They are in the middle of a signage project and trail map revisions. There was discussion about potential public awareness campaigns.

Open Space- Ms. Phillips said there's a meeting on 10/12.

Township Council- Mayor Rubenstein said there's a meeting on Tuesday.

OPEN TO THE PUBLIC

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

ADJOURNMENT

A motion to adjourn the meeting was made at 8:45 pm by Ms. DeMagistris, second by Ms. Lewandowski. All were in favor. Motion carried. The meeting was adjourned.

Submitted by Caitlin Phillips