

**MEETING MINTUES
BYRAM TOWNSHIP PLANNING BOARD
MEETING, October 7, 2021**

CALL TO ORDER

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

ROLL CALL

	Mr. Chozick	Ms. Franco	Mr. McElroy	Mr. Morytko	Ms. Raffay	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
HERE	H	H		H		H	H	H	H	H	
ABSENT											
EXCUSED			E		E						E
LATE											

Also present: Attorney Alyse Hubbard, Esq.
 Engineer Cory Stoner, P.E. C.M.E.
 Planner Paul Gleitz, P.P. AICP
 Secretary Caitlin Phillips

OPENING STATEMENT

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.

COMPLETENESS

SP4-2021 DeRosa Enterprises, 262 Route 206, Block 216 Lot 2, NC Zone

Merging of 2 lots into a single lot and use variance for expansion of existing marina for service and sales.

Ms. Shimamoto said the Subcommittee met prior to this meeting to discuss the application, and have found it complete. They would like the proposed outdoor storage delineated, and provide the total number of boats, or designate an area on the plan for the storage. Mr. Walsh said they will need DEP permitting. Mr. Stoner noted they requested an EIS waiver, which was granted because they stated they'd apply for DEP permits.

Ms. Shimamoto motioned to deem this application complete and schedule their hearing for 11/18, seconded by Mr. Morytko. The following vote was taken:

	Mr. Chozick	Ms. Franco	Mr. McElroy	Mr. Morytko	Ms. Raffay	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION								√			
SECONDED				√							
AYE	√	√		√		√	√	√	√	√	
NAY											
ABSTAIN											
ABSENT			√		√						√

Motion carried.

SP7-2021, Suez Water, Block 43 Lots 206.02, R-5 Zone

Approval for a temporary structure for a water treatment system.

Ms. Shimamoto said the Subcommittee met prior to this meeting to discuss this application and found it to be complete, so they Board will hear their presentation tonight.

Ms. Shimamoto motioned to deem this application complete, seconded by Mr. Serrilli. The following vote was taken:

	Mr. Chozick	Ms. Franco	Mr. McElroy	Mr. Morytko	Ms. Raffay	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION								√			
SECONDED							√				
AYE	√	√		√		√	√	√	√	√	
NAY											
ABSTAIN											
ABSENT			√		√						√

Motion carried.

RESOLUTIONS

Z12-2021 Dustin Lovenberg, 151 Lake Drive, Block 250 Lot 135, R-5 Zone

Addition to a single-family dwelling and proposed garage.

Mayor Rubenstein motioned to approve the resolution, seconded by Mr. Smith. The following vote was taken:

	Mr. Chozick	Ms. Franco	Mr. McElroy	Mr. Morytko	Ms. Raffay	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION						√					
SECONDED									√		
AYE	√	√				√	√	√	√	√	
NAY											
ABSTAIN				√							
ABSENT			√		√						√

Motion carried.

NEW BUSINESS

SP7-2021, Suez Water, Block 43 Lots 206.02, R-5 Zone

Approval for a temporary structure for a water treatment system.

Mark Peck, an attorney of the Florio Perrucci Law Firm, spoke on behalf of Suez Water. They’re looking to add a shed to the property with water treatment within to meet new DEP water quality standards. This was discussed at the Council in August, but no one from Suez was there to represent the application at that time. Mr. Peck reviewed the relief they’re requesting.

Eugene DeStefano of Mott MacDonald was sworn in; he has a BA and MA in civil engineering and is a licensed professional engineer in New Jersey, and has been practicing water design and improvements for 30 years. He was deemed an expert in front of other Boards including Coltsneck and Franklin Lake. Mr. Walsh deemed him an expert. Mr. DeStefano noted that he is showing poster boards to the Board members and also has a colleague showing the same images to the public from a different angle. They showed Exhibit A1, a cover sheet of their plan. Mr. DeStefano showed Exhibit A2, a blow-up of the plan submitted to the Board, showing the existing features including the well facility along the property line, the existing water-booster and pumps, and the water storage tank. Mr. DeStefano showed Exhibit A3, showing the proposed new work, including the shed to store the new temporary treatment system, made of wood. They’ve also found a location for the permanent treatment building, which will be in a new application submitted to the Board later this year. Ms. Hubbard asked if the temporary structure will be removed with the equipment. Mr. DeStefano said it will need to remain until the permanent one is operational, projected to be 15 months. Mr. Walsh asked if the shed is attached to the existing building. Mr. DeStefano said it’s directly abutting it but it’s free-standing. Mr. Walsh confirmed there won’t be access from the building. Mr. Stoner asked why a temporary structure is being requested rather than just building a permanent structure. Mr. DeStefano said Suez is looking to have this in by November, and this treatment needs to be done by the end of this year. Permits to the DEP have already been submitted. Mayor Rubenstein asked, from a regulatory perspective, what happens if this isn’t done by the end of the year. Mr. DeStefano said there could be a violation for the contaminant level and the need for public notification. Mr. DeStefano showed Exhibit A4, the architectural designs. This showed a rendering of the shed; there is a light at the front of the building which would only be on for maintenance, and would use a switch. He showed the inside of the shed with the treatment units. Mr. DeStefano noted there should be no noise from the mechanical equipment. Mr. DeStefano showed Exhibit A5 and explained that the media life for the system is about 500 days, and Suez would change the media out at around 75% of the time to make sure operations are functional. Ms. Hubbard asked how this is monitored. Mr. DeStefano said there will be daily checks on site.

Mr. Peck turned to Mr. Stoner’s report to discuss the construction. Mr. DeStefano said there are minimal materials being brought to the site, and they’d work within the confines of the property. There will be a fence to accommodate the new structure, and the shed will be installed on a 12-inch mat, careful to not disturb the slope. Mr. Stoner noted there will be some excavation needed, and asked how this will be done since the lot is tight. Mr. DeStefano said they may need to do hand-digging, and acknowledge their confines and won’t go past their property line. He confirmed the pipes will be buried.

Mr. Walsh opened to the public. Jack Moran asked about Exhibit A5, confirmed those are ion-exchanged, and asked if they’d be swapping them out using a truck going in and out. Mr. DeStefano said only when the media is exhausted at 75%, which would be about once a year. Mayor Rubenstein confirmed the amount of traffic generated wouldn’t be largely increased. Mr. Moran asked how they’ll know when the equipment is depleted. Mr. DeStefano said there will be sampling, and would be dependent upon performance and time. Mr. Walsh closed to the public.

Daniel Bloch of Colliers Engineering and Design was sworn in. He is a licensed planner in New Jersey and has practiced for 15 years, and has testified in front of Boards before, and his license is in good standing. Mr. Peck asked Mr. Bloch to review the variances; he went through Exhibit A3 to

show the site plan and the variances requested. He noted this would be a C1 hardship because of the narrowness of the lot and its topography. The proposed location is the best spot so it is kept out of the way. He said a C2 variances would also be appropriate, because they're improving the health and safety of the community by cleaning the water. He doesn't think there is any detriment to this project in terms of noise, light, or general elements of the structure. He stated this is a permitted use in the zone and that this is consistent with the Master Plan. Mr. Gleitz didn't have any objections to this testimony.

Mr. Walsh opened to the public. Mr. Moran asked if there is something bad about the water at this time. Mr. Bloch said they're getting close to the new standard and want to make sure they're not passing into non-compliance. Mr. Moran said the current levels look to be over at this time. Mr. Bloch said his understanding is that it's not over now but is projected to be in the next quarter. Mr. Walsh closed to the public.

Mr. Peck said this would help prevent high levels of contaminants in the water supply. Mayor Rubenstein asked if it's possible to approve this with a time limit for the permanent structure. Mr. Peck said they'll be back before the Board in 2022 for the permanent structure. Ms. Hubbard asked if the temporary could be permanent if they didn't come back. Emad Sidhom of 200 Lakeshore Drive, the Director of Engineering for Suez was sworn in. He's been with Suez 25 years and the Director of Engineering for 11 years. He's a registered professional engineer as well. He said this is temporary because the DEP allowed this system to be added, but need to go for a full-scale system later. Mayor Rubenstein confirmed the temporary system will expire, which is why they need to come back for a permanent structure. They have no intention of keeping both systems. This temporary structure cannot be long-term because of DEP restrictions.

Mr. Walsh opened to the public. Mr. Moran confirmed the DEP restrictions are 1 year from the date of application. Mr. Walsh closed to the public.

Mr. Chozick motioned to approve this application as submitted, seconded by Mayor Rubenstein. The following vote was taken:

	Mr. Chozick	Ms. Franco	Mr. McElroy	Mr. Morytko	Ms. Raffay	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION	√										
SECONDED						√					
AYE	√	√		√		√	√	√	√	√	
NAY											
ABSTAIN											
ABSENT			√		√						√

Motion carried.

Mr. Peck asked if they could apply for permits at their own risk and proceed in advance of the resolution; Ms. Hubbard said there is a 45 day appeal period and they can proceed at their own risk.

OLD BUSINESS

SP1-2020, Tomahawk Lake, Tomahawk Trail, Block 343, Lots 1 & 2, C-R Zone

Amended site plan to add two new water slides, to permit parking on Lots 1 & 2, to install a 10' X 20' ticket booth, and to construct a 36' X 40' building for retail sales.

Mr. Askin of Askin and Hooker reminded the Board of the details of this application. He noted that each summer around 100 people are hired to work at the company and they've been involved in the community for a long time. Their last appearance in front of the Board was online in 2020. At that time the Board determined the use of the water park was permitted and the water slides are not a change of use. A large discussion item was the traffic control, and since then a traffic control plan was submitted by the engineer Mr. Kolody. Mr. Askin said they're seeking 2 C Variances for a pavilion for retail operations.

Michael Kolody was sworn in and his licenses are in good standing, for professional planner, land surveyor, and professional engineer. He has been Tomahawk Lake's engineer since 2000 and visited the property many times, including earlier this day. He presented the 2 new water slides, noting people like new attractions which don't increase the number of patrons, which then implies there will not be an increase in traffic. To alleviate the traffic issues on busy days, they're implementing a traffic control plan. The plan is updated to have the traffic go one way so that traffic doesn't build up on the road, but rather be directed to parking stations. They have the ability to stack 174 cars, between the four main areas. Area 1 would hold 16 cars, Area 2 would hold 60 cars, Area 3 would hold 76, and Area 4 would stack 22 cars. They haven't needed to use Area 3 yet. Mr. Stoner confirmed that Area 3 is used for storage cars as they check in but they won't park there. Mayor Rubenstein confirmed from the west gate, that's one way into the site, and towards what's marked at 5, that's two-way. Ms. Hubbard confirmed what's marked as 2 is a two-way road as well. Mr. Kolody said people coming in the west

gate would park on that side, and if things were backed up between 2, 3, and 5 they'd be sent down 3. Mayor Rubenstein confirmed area 3 was not used years ago, demonstrating that now there is more internal queuing that wasn't there before. They moved the ticket collection to help queue people.

Mr. Kolody said they're trying to order the site and determine capacity, and in previous records it was noted that 1,050 cars were allowed on the site. Ms. Hubbard asked if it was a typical operational year with COVID. Mr. Kolody said it's not a typical year; so many people were going to outdoor facilities that places became overloaded. He also noted to consider the weather; if the weather is bad on holiday weekends, there will be less people; if days are hot, things will be more crowded. Mr. Walsh asked if the use of the police is discussed in the traffic control plan. Mr. Kolody said it does clarify this use. Mr. Stoner said a note on the plan states the traffic will be directed by the police chief, and he's not sure that should be included. Mr. Kolody said when the new plan was being drafted, the police chief requested this be outlined. Mayor Rubenstein added that the site plan should reference the traffic control plan in the notes. Mr. Kolody noted that the control plan doesn't mean they're expecting a change in the amount of traffic on the site, they're just organizing it.

Mr. Kolody went on to the structures being proposed, including the 2 water slides, and an accessory building, which will replace some of the sales trailers. The existing trailers are old and small, so there's little room for storage. The accessory building will be a more formal area, and will help them sell souvenirs. It's also designed to help the pedestrian traffic flow that's there now, to direct existing customers to the parking areas. The water slides are independent, and would most impact the property in the variety of activities present to customers. They don't have detailed plans on their construction yet, and need to go through the state amusement division for approval. Mr. Askin confirmed this part of the Department of Community Affairs. Mr. Gleitz confirmed there is no change in the area or design on the slides since they were reviewed last. Mr. Kolody said they will not go over the limits of the property; to keep themselves within the limits they're removing some of the paving on site.

Mr. Kolody reviewed the septic system. They have a treatment works permit on the property, valid since 2016. They're not increasing the flow, and never had an incident except for one of the systems, a seepage pit, failed due to old age. They're adding portable toilets as a back-up in case of another system failure, which are kept on site. Ms. Hubbard confirmed they're not always there; some are on trailers that are brought where needed. Mr. Kolody said they're not needed to meet the treatment works approval, but they'll file their plan with them so they're current. They renew every year with the treatment works group. They have full maintenance staff, and enter into a contract with someone to clean them. Mr. Stoner asked how many patrons the treatment works is approved for, confirmed for 1,530 people. He confirmed this is sized properly for the facility. This is based on the number of patrons per vehicle and the amount of time spent on site. The 1,530 number is listed on the treatment works permit, updated 01/31/2021. Mr. Stoner asked how the 1,530 allowed for the septic relates to the 815 parking spaces. Mr. Kolody said it depends on the number of patrons per vehicle. Mr. Gleitz explained that there's a disconnect between the septic, patron, and parking numbers that needs to be explained. Mr. Kolody said the number of patrons per car is 2.5; this number is given by the National Park Service for their facilities use. Patrons bring their own food, so there are coolers in their car that take up space. Mr. Chozick said amusement parks are more family-oriented so there would be more people attending in a car. He asked if they count cars or people. Mr. Kolody said they charge per person. Mayor Rubenstein asked how they determine when the park is full. Mr. Kolody said the facility is old and there is grass parking, so it's hard to make the numbers line up. Ms. Hubbard noted that at some point capacity is exceeded. Mr. Askin asked if the treatment works limits the number of people. Mr. Kolody said the stay is typically 6 hours, so there are adjustments made on each consideration. In the last 5 years there hasn't been a septic issue. Mayor Rubenstein asked Mr. Stoner if treatment works takes portable toilets into consideration, and Mr. Kolody confirmed it does.

Mr. Gleitz noted that this application has a lot of prior approvals that reference older discussions, so it's important to get quantifiable details. Mr. Walsh agreed, saying they need to know where the maximum capacity is coming from. Mayor Rubenstein said he's concerned about how to enforce this; he thinks they can control the parking, so that should be how to quantify this. Mr. Chozick agreed, saying when there's overflow into the street is when this would need to be considered full. Mr. Walsh agreed saying they couldn't enforce septic, but the number of cars can be tabulated. Mr. Morytko asked if the parking would ever exceed the septic. Mr. Gleitz noted that they'd never approve a house if the septic didn't accommodate the bedrooms, because the Board has a responsibility to public health and safety. Mr. Smith said counting cars may also be difficult because some people have cars that can fit 8 people. Mr. Walsh agreed, saying there are likely more cars going in with 8 people than there are with 2, so the average shouldn't be 2.5. Ms. Franco noted that they charge per person, so they should know what the count is. Ms. Hubbard asked if they keep track of this. Mr. Gleitz said at fairs there are people at multiple entrances with clickers that total up their numbers. Mr. Kolody said from the engineering standpoint, the treatment works is the basis. Mr. Chozick said they shouldn't base this capacity on the septic because the business has seasonal operations, so it's not a daily-basis consideration. Mr. Kolody said the soils out there are pervious so they recover quickly, which helps if the system failed.

Mr. Stoner confirmed they'll leave the septic up the DEP and treatment works. Ms. Hubbard said she's concerned with the number of people because if there was a safety issue that required evacuation, there needs to be structure.

Mr. Gleitz turned to the water slides, asking the heights of those. Mr. Kolody said they would exceed the maximum height, and they don't need a variance for that. The Board discussed the height requirements for the slides. Mr. Gleitz asked that they add a zoning compliance chart. He asked if they operate at night; Mr. Kolody said they're open no later than 9 pm, and there's no fugitive light. Mr. Stoner asked about employee parking across the town line in Hopatcong, and if they have approval for that. Mr. Kolody said the town didn't address that issue; it's a maintenance facility with its own septic system. The town is aware of it and the issue was never raised. Mr. Stoner confirmed it's not in violation for the use at that site for parking. Ms. Hubbard asked what the proposed building is replacing. Mr. Kolody said the ticket office building right now is too small, so it will be enlarged, and the trailer will be removed. Mr. Morytko asked about the concession stand; Mr. Kolody said there are 3 trailers between the concession stand and where the new one will be. Ms. Hubbard confirmed the one-story stand only serves food, and includes bathrooms. Mr. Walsh said they need to know which trailers are being removed. Ms. Shimamoto asked if there is a principle building; and if not, why would the new building not be considered as the principle so it's not the accessory structure. Mr. Kolody said they're all accessory. Ms. Shimamoto said in other applications they have applicants list and number the structures so everything is explained. That way the Board has an as-built so they know what's approved for future reference. Mr. Walsh asked about the slides, saying it should be three new slides; the double slide should be considered separately. Mr. Smith agreed, saying it's two slide structures but three slides. Ms. Hubbard noted that the structures need to be testified to so it's in the record. Mr. Morytko cited the police memo and its discussion of the traffic control. Mr. Kolody said the traffic plan discusses the police concerns. Mayor Rubenstein said in the memo, they ask for the authority of the chief of police for on site enforcement.

Mr. Walsh opened to the public. Janice Faraone of 101 Tomahawk Trail noted that over the weekends it is packed, so she asked if the plan for the new parking spaces will get people into the site more quickly, particularly in the morning. Mr. Kolody said by providing 174 places to queue on their way in, it would eliminate the overflow into the road. Mayor Rubenstein confirmed those are queueing spaces, not parking. Mr. Kolody said this new plan also gives the police more authority to control the overflow on the roads. Mr. Walsh closed to the public.

Mark Wallace was sworn in. His father purchased Tomahawk lake in 1956, and they're a mom and pop business and plan to continue that way; next year will be their 70th anniversary. Mr. Wallace said there was an ordinance passed for July 4th regarding parking. They worked with the last four police chiefs (Gutwerk, Rafferty, Zabita, and Burke), and could let cars in as long as they can be parked. Their hours of operation are 10-5 during the week, and 9-6:30 on the weekend. They stack the cars on their property and work with ticket collectors to keep people moving. On July 4th they start at 5:30 am to keep the lines moving. He noted there are 6 portable toilets, 4 being permanent, and all 6 being out on July 4th. They used the company Noah's Ark to clean these out weekly, and they are maintained by the Tomahawk Lake staff when the cleaning company isn't there. They would also use these if the power went out. They want the gift shop because they have a trailer right now, and the objects are viewed through a window rather than a store. They'd use the gift shop to sell tickets as well. Their office currently is too small, and they want to tear that down and remove the ticket trailer, and build an office with AC and windows. Ms. Hubbard confirmed the trailers on the plan and their uses. Mr. Askin confirmed one trailer is being removed, which will be the ticket trailer.

Mr. Walsh asked them to discuss the procedure to open the west gate. Mr. Wallace said in 2019 they opened it in 7:30 in the morning, and they're ready to have it open when it's needed. Mayor Rubenstein asked why they wait for the police to tell them to open the gate. Mr. Wallace said most of the time it's not necessary and the west gate isn't used. Mr. Wallace said the slides don't open until 10 am, which is when the lifeguards go on duty, so even when the parking opens early the park itself doesn't change hours. Mayor Rubenstein noted that the slides are not as big a concern as the traffic flow. They can't impose on the neighborhood around the business. Ms. Shimamoto noted that she's concerned about the parking in relation to the arcade near the stream. They'd like the applicant to reconsider that location because it's so close to the water. There's nothing preventing any issues with the water at this time, and recommend at least landscaping to guard the water. Mr. Wallace said they only really park there for July 4th, and they have railroad ties. Mr. Kolody said the site plan from the 80s indicated parking there, and confirmed there's always been parking there.

Mr. Walsh confirmed that they don't count patrons or cars. Mr. Wallace said there are 12 collectors on July 14th and they're taking the money from the cars coming in. Mayor Rubenstein said they could track the number by looking at their revenue records; Mr. Wallace said it doesn't come out that way. Mr. Wallace said he'd take the estimate of the 1,050 cars in the resolution. Mr. Kolody's estimate of 812 was from his calculations, not from physically measuring out the spots. Mr. Gleitz suggested to remove the numbers from all the other estimates, and reference the prior approval. The Board discussed

ideas for documenting parking. Mr. Morytko asked how this is different than establishing parking requirements for restaurants. There still needs to be traffic control and circulation details. Ms. Hubbard noted that quantifying this is not impossible, it's just not practiced at Tomahawk Lake, because other places use cell phones, tickers, hourly check-ins, etc. to help keep track of patrons. She said if a number is established, there can be a count of patrons every so often to make sure they're in compliance. Mr. Smith asked if they're required to file an evacuation plan. Mr. Wallace said if it rains heavily, people quickly leave and the gates are open; there's also a side gate near 153 Tomahawk Trail for ambulance and police. Mr. Smith asks how long does it take to get people to leave; Mr. Wallace said maybe an hour. Mr. Kolody pointed out that the Fire Department reviewed the traffic control plan and had no issues. Ms. Shimamoto said it's not just fire but other events that could cause an evacuation. Mr. Smith added that if there was an evacuation plan, it would have a number and certain requirements they could reference. Mayor Rubenstein noted all that's changing is the traffic control, so the previous resolution could be the basis for their capacity limit. Mr. Gleitz said they could comment about the previous resolution and note a conservative estimate was provided, and the site closes when parking capacity is complete.

Mr. Walsh opened to the public, and no one spoke so Mr. Walsh closed to the public.

Mayor Rubenstein asked that a lot of the previous resolutions reference other previous ones, and wants to make sure the current conditions are listed in a new resolution. Mr. Walsh said that goes along with needing an updated site plan. Ms. Hubbard said they'd just reference other resolutions if there are any prior approvals. Mr. Wallace said they'd work on the gift shop right away. Mr. Walsh asked if the Board would feel comfortable voting on all of this prior to these added documents and changes being submitted, including the as-built survey detailing all the items on the property. Mr. Stoner confirmed the Board is okay with what's on the site today. Mayor Rubenstein said he's comfortable with what's discussed and using the resolution to lay out conditions for the professionals to review. Mr. Stoner confirmed the as built survey will show what's there and what's being added. The last time a survey was done was 1981. Mr. Gleitz noted that fields shrink over time. Mr. Kolody said providing a full, legal survey of the property would cost more than the improvements. He would verify that the structures are all there and mark everything, but doesn't want to obtain a new survey. Mr. Gleitz asked if they could do lots 1 and 2 at a scale of 100; Mr. Kolody agreed. Mr. Stoner said they should also reference where the information came from. Mr. Gleitz said they could also have a photo log to document the structures, which would take a lot less time and money, as a supplement to the revised plans. Mayor Rubenstein confirmed they'd give permission for them to fly a drone over the property. Mr. Walsh asked if it'd be possible for a resolution to be drafted with what is being discussed now. Mr. Kolody said it'd take about 2 months to submit the requested items. Ms. Hubbard asked if she could write a resolution that pre-dates the revised plans. Mr. Stoner said he thinks this can be done; they wouldn't be able to satisfy resolution compliance until after the resolution anyway.

The Board reviewed the discussed conditions for parking, emphasizing that it's up to the police chief to determine when capacity has been met. Mr. Chozick added that all parking has to be accommodated on site. Ms. Shimamoto said people also used to park along the road on the property, so it should be addressed that there should be no parking on access-ways. Ms. Hubbard summarized the conditions that were discussed, including notes on the plans have to indicate the traffic control plan; the police department mention has to be on the traffic control plan; the site plan will be updated to reference the traffic control and vice versa; they need approval from DCA for the slides; a zoning compliance chart will be added to the site plan; the conditions from the police department memo; plots 1 and 2 will have an updated site plan with a photo log and aerial being submitted; recognition of the parking capacities discussed; all patron parking must be on site.

Mayor Rubenstein motioned to approve this application as submitted with these conditions Ms. Hubbard listed, seconded by Mr. Chozick. The following vote was taken:

	Mr. Chozick	Ms. Franco	Mr. McElroy	Mr. Morytko	Ms. Raffay	Mayor Rubenstein	Mr. Serrilli	Ms. Shimamoto	Mr. Smith	Mr. Walsh	Chairman Shivas
MOTION						√					
SECONDED	√										
AYE	√	√		√		√	√	√	√		
NAY										√	
ABSTAIN											
ABSENT			√		√						√

Motion carried.

REPORTS FROM COMMITTEES

Architectural Review Committee: Ms. Shimamoto said there was no meeting.

Building Committee: Mr. Morytko said there was no meeting.

Environmental Commission: Ms. Shimamoto said there's nothing to report.

Open Space: Mr. Morytko said there's a meeting Monday and they'll discuss the dog park and trails grant.

Township Council: Mayor Rubenstein said Stanhope has an application to the land use board for seven apartments and commercial space. The stormwater will be kept on site, and Mr. Stoner checked out their plans and will make sure no additional stormwater affects Byram.

BILLS

Law Offices of Larry Weiner (2)- \$1,770.00

A motion to approve the bills was made by Mayor Rubenstein. The motion was seconded by Mr. Chozick. All were in favor. Motion carried.

Vogel, Chait, Collins, Schneider (2)- \$1,361.25

A motion to approve the bills was made by Ms. Franco. The motion was seconded by Mr. Chozick. All were in favor. Motion carried.

OPEN TO THE PUBLIC

Mr. Walsh opened to the public. David Pinkham of 22 Beech Street asked to clarify the Environmental Commission’s work to restrict impervious coverage. Ms. Shimamoto said they’re still working on a presentation for the Mayor and Council. They’re still proceeding with this project. Mr. Walsh closed to the public.

ADJOURNMENT

A motion to adjourn the meeting was made at 11:00 pm by Mr. Chozick. The motion was seconded by Mr. Morytko. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted,
Caitlin Phillips