

**MEETING MINTUES
BYRAM TOWNSHIP PLANNING BOARD
MEETING, September 2, 2021**

CALL TO ORDER

Chairman Shivas 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	H	H	H
ABSENT											
EXCUSED											
LATE											

Also present: Attorney Alyse Hubbard, Esq.
 Engineer Cory Stoner, P.E. C.M.E.
 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

MINUTES

Approval of the 08/19 meeting minutes.

Mr. Smith motioned to approve the 08/19 minutes, 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.

NEW BUSINESS

Z11-2021-George Bukos, 5 Brookwood Drive, Block 54, Lots 20, R-5 Zone

To keep an existing shed that doesn't meet right and rear yard setbacks.

George Bukos of 5 Brookwood Drive was sworn in. Mr. Bukos explained he wanted to fix his shed that's been there since 1999 when he bought the house. He repaired the roof and added siding to where there used to be chicken fencing. He'd like to leave the shed where it is; he doesn't have a lot of space. Chairman Shivas asked if he made the shed any bigger than it was; Mr. Bukos said he added to what was there before, meaning the chicken wire turned into siding. Ms. Hubbard confirmed that where the chicken wire was, he enclosed the bottom. Chairman Shivas confirmed the peak on the shed was already there, and that the shed is used for tools and bike storage. Chairman Shivas noted that the shed is too close to the rear and side yards; Mr. Bukos noted the shed is in the original location. There was discussion regarding the required setbacks for differently sized sheds. The Board looked at Mr. Stoner's report to confirm the details. Mr. Stoner noted Mr. Bukos doesn't meet the requirements either way.

Chairman Shivas asked if the shed uses electricity; Mr. Bukos said yes, he's an electrician and ran electricity from the house to the shed; there is no water used in the shed. Ms. Raffay asked about the shed shown on the survey, confirming it's the original structure. Mr. Bukos discussed the submitted photos, helping to show the orientation of the shed. Ms. Hubbard confirmed the door is facing west. Mr. Stoner confirmed the peak was the original part of the shed. Mr. Morytko confirmed this work was done in early 2000; he added the roof the same time as the shingles. Mr. Smith confirmed no work has been done to the shed since then. Chairman Shivas asked if it was a chicken coop originally. Mr. Bukos said the coop was there but no chickens. Mr. Smith asked about the fenced in area. He confirmed that fence is gone now so it's an open backyard. Ms. Hubbard asked about the existing fence, confirming it's on the eastern property line.

Ms. Shimamoto reviewed the submitted survey and said the shed in the survey and in the pictures look different; the coop switched to the other side. She also asked about the coop, confirming it didn't

Page 1

have a roof, just wire. Mr. Chozick said the survey doesn't reflect what's there now, so that's what they need to know. Chairman Shivas said because he made the shed bigger, he needs a permit. Mayor Rubenstein asked how Mr. Bukos knew where the property line is. Mr. Bukos measured off the fence. Mr. Stoner's concern is where the actual property lines are, to make sure the shed is on his property.

Chairman Shivas opened to the public. Catherine Freericks of 6 Brookwood Drive was sworn in. She bought her house 30 years ago and at that time there was a shed and wire chicken coop to the side. Mr. Bukos moved in in 1999 and fixed the shed, putting siding and a roof on. She doesn't object to the shed. Emirjon Mankollari of 7 Brookwood Drive was sworn in. The shed doesn't bother him, but he's received complaints from the applicant on his own property. Ms. Hubbard confirmed this is a neighbor complaint, and stated the Board is here to address the shed. Chairman Shivas closed to the public.

Mr. Walsh said he's okay with Ms. Raffay's earlier suggestion of using the survey and providing a hand-drawn indication that's been scaled, to give the Board a better idea of what would be approved. Chairman Shivas said he'd recommend getting an updated survey to make sure everything is correct. Ms. Raffay said she's ok with the shed where it is now, but wants to have the measurements memorialized. There was a discussion about the measurements for surveys. Mayor Rubenstein confirmed the fences near the property line haven't moved. Mr. Stoner noted the measurements are on the provided sketch; these were done off the fence line. Mr. Bukos said that is his fence. Ms. Raffay said in one of the photos there is a gutter on the back of the shed, and measurements are done from the overhang, calling the provided measurements into question. Mr. Chozick said under the circumstances the best option is getting a survey. Mr. Stoner said it'd take about a month or two to get this done.

Mayor Rubenstein motioned to carry this application to 11/04, seconded by Mr. Walsh. Chairman Shivas said he needs to submit the survey at least 5 days prior to the meeting. Mayor Rubenstein noted he doesn't need further noticing. 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: Mr. Morytko said there was no meeting.

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

Environmental Commission: Ms. Shimamoto said they reviewed applications and made comments. There will be an invasive species day in October; invasive plants and bugs will be discussed.

Open Space: Mr. Morytko said there is a meeting on October 11th.

Township Council: Mayor Rubenstein said they have a meeting next week.

BILLS

Law Offices of Larry Weiner (5)- \$915.00

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

OPEN TO THE PUBLIC

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

ADJOURNMENT

A motion to adjourn the meeting was made at 8:22 by Mr. McElroy, seconded by Mr. Chozick. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted,
Caitlin Phillips