

**MEETING MINUTES  
BYRAM TOWNSHIP PLANNING BOARD  
NOVEMBER 21, 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	H
ABSENT											
EXCUSED			EA								
LATE								L			

Also present: Attorney, Alyse Landano Hubbard, Esq.  
**Engineer Cory Stoner**  
 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 November 7, 2019 Meeting Minutes.

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

**NEW BUSINESS**

Z19-2019, Scott Norberg, 3 Trout Brook Road, Block 54 Lot 26, R-4 Zone

Variance relief to construct a 960 sq. ft. accessory structure (garage) in the front yard.

Mr. Scott Norberg, owner was sworn in and said he is proposing a 960 sq. Ft. two vehicle garage with a loft for storage. He said the garage will not only be used to store his vehicles, it will also provide storage for his children’s toys, yard equipment, holiday décor, and space for a work bench. He said he has a small ranch with little storage space and the garage will allow him to remove unsightly sheds that are on his property.

Many of the board members agreed the structure is too large and will look out of place with the house. Several members offered various options such as reducing the size of the structure or pushing the structure back towards the rear of the property or adding a breezeway that connects the house to the garage. Mr. Norberg did not want to reduce the size of the structure saying that one of his vehicles is a full-size pick-up truck and he would prefer to keep the size he has proposed. He said pushing the structure back is not an option because a deck and pool are in that area, however Mr. Norberg was receptive to connecting the home to the garage. Ms. Shimamoto pointed out that connecting the garage to the home would eliminate many variances and, aesthetically look better. Ms. Shimamoto pointed out that this proposal requires variances for a structure in the front yard, a front yard setback, permission to exceed the numbers of stories allowed for an accessory structure, to exceed allowable maximum building height for an accessory structure and to allow an accessory structure having an area of greater than 400 sq. ft. Mr. Norberg agreed with the board and said he will talk to a professional to see what can be done.

A motion to carry this application to January 9, 2020, without further notice was made by Mr. Olson. 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.

Mr. Olson and Mayor Rubenstein stepped down for this matter.

**OLD BUSINESS**

SP2-2019, Anty Trucking Inc., Block 226 Lot 16, 9 Lackawanna Drive, IPR Zone

To discuss the status of the phasing plan which was part of a condition of approval in May 2019.

Mr. Michael Lavigne, attorney representing Anty Trucking said that Mr. Dominick Antonucci, owner and applicant was requested to return to the board to discuss the status of the phasing plan which was part of the May 2019 condition of approval. Mr. Lavigne said Phase 1 is 90% complete and he introduced Mr. Antonucci to discuss his future goals. Mr. Antonucci was sworn in and said a mortgage commitment has been obtained and ownership of the lot should be completed by the end of this year. Mr. Antonucci said that the trucking and rigging operation has been moved to the site and is in full operation. He said the mold remediation and water proofing is complete, and the signage and landscaping of trees and bushes along Lackawanna Drive is complete. The only item outstanding from Phase 1 would be landscaping around the existing building and Mr. Antonucci said he is waiting until he completes the façade improvements. Mr. Antonucci said that initially, as part of Phase 2, he was going to paint the building but later learned that the cost to repaint and maintain the building is comparable to the cost of siding the building. Mr. Antonucci said that the siding would be metal, and they will use the same color that was previously approved by the ARC. He said he ordered the material and once received the installation should be done in about five or six weeks. Mr. Antonucci said he may also reconsider the proposed addition to the existing building since the current office is workable, however he said the loading dock is essential and will be done in the Spring of 2020. He said no work has been done to the area where the new accessory buildings are proposed. He said he was waiting for the beaver dam to be removed, which has occurred and noted that all flooding on the site is gone. Mr. Antonucci said he may change the two proposed accessory structure to one metal framed building but is aware that he must return to the Board if that is the case. After board discussion it was decided to eliminate the phasing plan and that all site improvements will be completed by June 30, 2020.

Mr. Stoner said when work begins on the right side of the site to call him so he can perform an inspection on the berms. Mr. Antonucci agreed.

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

Mr. Walsh made a motion to amend the resolution to eliminate the phasing of site improvements and to replace with “all site improvements must be completed by June 30, 2020 and if any changes to the approved plan occur, Mr. Antonucci will return to the board. 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.

Mr. Olson and Mayor Rubenstein returned to the dais.

**REPORTS FROM COMMITTEES**

Architectural Review Committee – Mr. Morytko said they met with representatives from Wawa and reviewed the proposed building. He added that the ARC welcomed a new member, Andrew McElroy.

Building Committee – Mr. Morytko said the meeting is on December 2.

Environmental Commission – Ms. Shimamoto had nothing to report.

Open Space – Mr. Morytko said the Park and Recreation plan update is available on-line on Byram’s website.

Township Council – Mayor Rubenstein said that on November 18 the Council had the second reading for the new LED/Message Board Ordinance. He added that the Council determined that leasing space from Shop Rite for municipal offices is not economically feasible.

**RESOLUTION FOR EXECUTIVE SESSION**

Planning Board Attorney – Professional Services

A motion to go into closed session at 9:10 p.m. was made by Mr. Olson. The motion was seconded by Mr. Morytko. All were in favor. Motion carried.

**RETURN TO OPEN SESSION**

A motion to return to open session at 10:00 p.m. was made by Mr. Walsh. The motion was seconded by Mr. Olson. All were in favor. Motion carried.

**BILLS**

Schenck, Price, Smith and King, LLP (4 bills) \$1,599.00

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

**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 10:30 p.m. by Mr. Olson. The motion was seconded by Mr. Kaufhold. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted, *Cheryl White*