

**MEETING MINUTES  
BYRAM TOWNSHIP PLANNING BOARD  
NOVEMBER 7, 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	EA	H
ABSENT											
EXCUSED											
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 17, 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										EA	

Motion carried.

**COMPLETENESS REVIEW**

McDonalds Corporation, 90 Route 206, Block 226 Lot 14, V-B Zone  
New LED and Message Board Signs.

Ms. Shimamoto said the subcommittee met and reviewed the application and supporting documents and made a motion to deem the application complete and set a hearing date of December 19, 2019. Ms. Shimamoto added that the subcommittee believes a variance for exceeding the number of signs allowed on the site may be required. The committee also recommended that the applicant review Byram’s sign ordinance because it is the determination of the committee that the proposed signs do not meet the regulations in Byram’s sign ordinance and additional variances may be required.

The motion was seconded by Mr. Morytko. 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**

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.

Chairman Shivas said the second bullet on page 1 should indicate a side yard setback of 1 foot vs. a front yard setback, and on page 2, #2 should read Lake Lackawanna, not Lake Hopatcong. Mr. Dixon pointed out that on page 7, Condition # 6 he did recall the Board requiring the applicant to submit a floor plan. Mr. Senesky will revise the resolution however the errors were not so critical that the Board cannot vote. A motion to approve the resolution with the corrections discussed 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.

Z17-2019, Jeffrey Denholtz, Lackawanna Drive, Block 273 Lot 307, R-5 Zone

Variance to relocate a framed structure, remove a pre-existing shed, and install a driveway.

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

**OLD BUSINESS**

SP4-2018, Tomahawk Lake, Inc., Tomahawk Trail, Block 343 Lots 1, and 2, C-R Zone (carried from September 5, 2019)

Amended site plan with variances to construct a 36’ X 40’ concession stand, to add overflow parking areas on grass, and to install two new waterslides.

Chairman Shivas told the Board that Tomahawk Lake withdrew their application and told the Board secretary they will submit a new application in the future.

**RESOLUTION**

Executive Session – Professional Services – Planning Board Attorney

A motion to go into closed session at 7:45 p.m. was made by Mr. Olson. The motion was seconded by Mr. Kaufhold. All were in favor. Motion carried.

A motion to return to open session at 9:00 p.m. was made by Mr. Olson. The motion was seconded by Mr. Kaufhold. All were in favor. Motion carried.

**REPORTS FROM COMMITTEES**

Township Council - The Council discussed the company, which is part of co-op, for the scanning of documents. They will begin scanning the construction, zoning, and planning board files and the entire process should take about 18 months.

Environmental Commission – Ms. Shimamoto had nothing to report.

Architectural Review Committee – Mr. Morytko said the committee is meeting with Wawa next week.

Open Space – No meeting was held.

Building Committee – Nothing new to report.

Zoning - Mr. Dixon provided the October 2019 Zoning Report:

- 8 Zoning permits were issued.
- 1 Zoning permit denied.
- 26 Notice of Violations were issued.
- 33 Violations were cleared.
- 9 Summons were issued.
- 8 Signs were removed from the roadway.

**BILLS**

Harold Pellow & Associates (7 bills) \$1,553.65

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

Latini & Gleitz (7 bills) \$3,180.00

A motion to approve Mr. Gleitz’s bills was made by Mr. Chozick. The motion was seconded by Mr. Olson. 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 9:30p.m. by Mr. Kaufhold. The motion was seconded by Mr. Olson. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted,  
Cheryl White