

BYRAM TOWNSHIP PLANNING BOARD AGENDA
For Thursday, February 15 2024, at 7:30 P.M.
Meeting Held at: 10 Mansfield Drive, Byram Township NJ

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **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.
4. **FLAG SALUTE**
5. **MEETING MINUTES-** February 1, 2024
6. **RESOLUTIONS**
 - Z26-2023 Alex Rubenstein, 2 and 8 Carpenter Road, Block 237 Lots 519, 521, 522, R3 Zone
Resolution amendment for approval for minor subdivision, site plan for a single-family dwelling, and site plan construction of a new single-family dwelling
 - Z16-2023 Barbara Krassner, 11 Pathfinder Trail, Block 115 Lot 6, R5 Zone
Approval for deck on an undersized lot
 - Z30-2023 Davia Maida, 68 Sleepy Hollow Road, Block 406 Lot 103, R4 Zone
Approval for gazebo within setback to house
 - Z29-2023 Ziad Jalbout, 60 Birch Parkway, Block 308 Lot 1831.02, R5 Zone
Approval for addition to home, relocation of entryway, and proposed porch
7. **NEW BUSINESS**
 - SP6-2023 Tomahawk Lake, 155 Tomahawk Trail, Block 343 Lots 1, 2, and 3, CR Zone
Application for amended site plan approval to include Lots 3 and 4 into the site plan for parking, and modify a ticket office for larger square footage
****CARRIED TO 03/21/2024****
 - Z25-2023 Ryan Tiernan, 11 Ranger Trail, Block 300 Lot 2345, R5 Zone
Approval for ex post facto work on driveway
****CARRIED TO 03/21/2024****
 - Z02-2024 Catherine Trader, 55 North Shore Road, Block 157 Lot 272, R-5 Zone
Approval for concrete pad and propane tanks in the side setback
 - SP8-2023 Byram Car Wash, 56 Route 206, Block 365 Lot 1.01, VC Zone
Approval for replacement of vacuums and monument sign
8. **BILLS**
 - Harold Pellow and Associates (7): \$2,245.00
9. **REPORTS FROM COMMITTEES**
 - Architectural Review Committee
 - Environmental Commission
 - Open Space
 - Township Council
 - Zoning Report
10. **OPEN TO THE PUBLIC**
11. **ADJOURNMENT**

The Board Engineer and Planner are sworn in at the beginning of each year and are deemed to be under oath on a continuing basis.

CALL TO ORDER: Chairman Shivas called the meeting to order at 7:30 p.m.

ROLL CALL:

Members Present: Ms. Raffay, Messrs. Proctor, Morytko, Serrilli, Walsh, and Chairman Shivas

Members Absent: Mayor Rubenstein, Messrs. McElroy and Smith

Also Present: Engineer Cory Stoner, Attorney Alyse Hubbard, 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

COMMITTEE APPOINTMENTS

Chairman Shivas said Mr. Walsh will lead the Site Plan subcommittee, and Ms. Raffay, Mr. McElroy, and Mr. Serrilli will also be on it.

MINUTES: January 18 2024. Mr. Proctor motioned to approve the minutes, seconded by Ms. Raffay.

Ayes: Ms. Raffay, Messrs. Proctor, Morytko, Serrilli, and Chairman Shivas

Abstaining: Mr. Walsh

Absent: Mayor Rubenstein, Messrs. McElroy and Smith

None opposed. Motion carried.

RESOLUTIONS

Z26-2023 Alex Rubenstein, 2 and 8 Carpenter Road, Block 237 Lots 519, 521, 522, R3 Zone

Approval for minor subdivision, site plan for a single-family dwelling, and site plan construction of a new single-family dwelling

Mr. Morytko motioned to approve the resolution, seconded by Mr. Serrilli.

Ayes: Messrs. Morytko and Serrilli, Chairman Shivas

Abstaining: Ms. Raffay, Messrs. Proctor and Walsh

Absent: Mayor Rubenstein, Messrs. McElroy and Smith

None opposed. Motion carried.

SP7-2023 Panther Lake RV, LLC, 6 Panther Lake Campground, Block 360 Lots 23, 24, 31, 31.10, and 31.11, CR Zone

Approval for changes to pool and patio area, including bathrooms, a pavilion, cabana facilities, expansion of patio, and enhancements to lighting and landscaping

Mr. Proctor motioned to approve the resolution, seconded by Mr. Serrilli.

Ayes: Ms. Raffay, Messrs. Proctor, Morytko, Serrilli, and Chairman Shivas

Abstaining: Mr. Walsh

Absent: Mayor Rubenstein, Messrs. McElroy and Smith

None opposed. Motion carried.

Zo8-2022 Jose Quinones, 187 Lackawanna Drive, Block 264 Lot 280, R-5 Zone

Extension request for construction of a deck

Mr. Proctor motioned to approve the resolution, seconded by Ms. Raffay.

Ayes: Ms. Raffay, Messrs. Proctor, Morytko, Serrilli, and Chairman Shivas

Abstaining: Mr. Walsh

Absent: Mayor Rubenstein, Messrs. McElroy and Smith

None opposed. Motion carried.

NEW BUSINESS

Zo2-2024 Catherine Trader, 55 North Shore Road, Block 157 Lot 272, R-5 Zone

Approval for concrete pad and propane tanks in the side setback

Ms. Phillips noted the newspaper did not publish the legal notice prior to the ten day mark. Mr. Proctor motioned to carry the application to 02/15, seconded by Mr. Morytko.

Ayes: Ms. Raffay, Messrs. Proctor, Morytko, Serrilli, and Chairman Shivas

Abstaining: Mr. Walsh

Absent: Mayor Rubenstein, Messrs. McElroy and Smith

None opposed. Motion carried.

Z16-2023 Barbara Krassner, 11 Pathfinder Trail, Block 115 Lot 6, R5 Zone

Approval for deck on an undersized lot

The applicant was not present, so Chairman Shivas noted they would revisit this application later in the meeting.

Z30-2023 David Maida, 68 Sleepy Hollow Road, Block 406 Lot 103, R4 Zone

Approval for gazebo within setback to house

David Maida was sworn in. Mr. Maida has a 16x12 gazebo 2.5 feet from the side of the house and about 17 feet from the property line. He can't move it away from the house because then there would be a setback issue, it would be too close to the septic tank, and block the gate. This is the only level spot on the property—the only other spot is on top of his property, everywhere else is sloped and there's a leech field. It's also easier to access where it is. Ms. Raffay confirmed the leech field is behind the house, about 100 feet from the side of the house, and it's a level part of the property. Mr. Maida said where the gazebo is, the septic tanks are about 7-8 feet away; if the gazebo was moved, it would be less than five feet from them. The two tanks are in the side yard. He got a permit for the patio over the summer. Mr. Proctor asked about the pavers; Mr. Stoner said they're impervious. Mr. Proctor confirmed the patio area is sloped toward the side and front of the property, and the water is still on his property. Mr. Stoner said the grade drops off to the left towards Sleepy Hollow. He reviewed his report and confirmed the back yard slopes. Chairman Shivas confirmed the septic has a pump system. Mr. Stoner confirmed the gazebo blends in to the side of the house. Mr. Walsh confirmed the configuration and topography drives the placement.

Chairman Shivas opened to the public and no one spoke so he closed to the public.

Mr. Proctor motioned to approve the application, seconded by Mr. Serrilli.

Ayes: Ms. Raffay, Messrs. Proctor, Morytko, Serrilli, Walsh, and Chairman Shivas

Absent: Mayor Rubenstein, Messrs. McElroy and Smith

None opposed. Motion carried. Ms. Hubbard explained the appeal period.

Z29-2023 Ziad Jalbout, 60 Birch Parkway, Block 308 Lot 1831.02, R5 Zone

Approval for addition to home, relocation of entryway, and proposed porch

Ziad Jalbout was sworn in as the applicant, as well as Sergio Chavarria as the architect in Stanhope. Mr. Chavarria has worked in Lake Mohawk, Newton, Bergen County, Essex County, Bloomfield, Belleville, and Nutley; he was deemed an expert, and his license is in good standing. Mr. Chavarria said they're looking to expand the existing house; it's a one-story ranch now. They want a partial add-a-level. The front of the house has no formal entrance, so they proposing to re-align it. They need relief for the front encroachment; the current entrance has steps with no platform, so it's dangerous to open the door. The porch would help with this hazard, and it being a covered porch, there would be a roof for inclement weather. The porch is 7x4. Chairman Shivas confirmed the porch just has a roof, not sides.

Mr. Chavarria said they're not planning to change the number of bedrooms. He noted currently the septic is too close; they are discussing with the County about the proper location. Chairman Shivas confirmed there's no leech field. Mr. Chavarria said replacing the septic will improve the house. Mr. Stoner confirmed an approval should be subject to approval from the County for the septic. Mr. Chavarria said they received a letter from the County Board of Health confirming they're using a gravity system. Mr. Stoner confirmed the design is already being prepared. The County letter was submitted as **Exhibit A1**. Ms. Raffay confirmed the County approved them for 3 bedrooms. Mr. Chavarria said in the documents for this property, it shows this was listed as a 3 bedroom; they're not planning on having 3 bedrooms, just two. Mr. Chavarria said they're discussing with Candice Morgan at the County what the best placement is. Ms. Raffay confirmed the location may change depending on the Board of Health approval. Mr. Stoner said before building permits are issued, they should show where the existing and proposed septic are. He confirmed they're on city water; this is in the right corner. It won't interfere with construction. Mr. Chavarria said they presented plans to the Lake Mohawk commission in November, and they've received an approval. Ms. Raffay asked about the revision date for the plans. The Board discussed which version of the plans should be used. Mr. Chavarria said the revision includes the basement plan, and confirms measurements. Ms. Hubbard confirmed the original date of sheet A-0 is 11/13/2023, revised 01/18/2024. Mr. Stoner confirmed the only difference is the basement plan and the third sheet being removed. Mr. Chavarria added the corrected table indicating the front setback. Chairman Shivas confirmed the basement isn't changing other than removing the fireplace.

Mr. Chavarria said the upper level is like a principal bedroom in setup. Chairman Shivas confirmed that area is all open; part of the roof is cathedral ceilings, and there is a part with a loft at the top. Mr. Stoner said the plans need to be provided that show revisions of the location of the utilities, septic, and waterline. He noted they're close to maximum height; they should get a height certification as a condition of approval. Mr. Chavarria asked how they'd measure the height; Mr. Stoner said it's from the exposed foundation. Mr. Stoner asked about the decks around the house. Mr. Chavarria said some are being removed; the one with the steps on the east side is of no use. They're not doing anything with the deck in the rear of the house yet. Mr. Stoner said if the deck is replaced in kind it'd likely be okay, but if reconfigured, there may be setback issues. Chairman Shivas confirmed they'll grade out the area where the decks will be removed. Mr. Chavarria said regarding the septic system, the lower-

tiered deck will have to be opened so they can run a pipe to the system. They're not planning to alter the deck, just rebuilding back to same. Mr. Chavarria noted they can't get into plans for the deck now since it wasn't part of this application. He reviewed the environmental commission's comments. There is a bulkhead and existing vegetation. **Exhibit A2** was submitted, a photo of the property from the lake. Chairman Shivas noted they don't need a variance for this but they're like to help the lake. Mr. Jalbout said they intend to build a proper wall, and for now they'll put native plants there. He said no trees are being removed for the construction. Chairman Shivas noted with the septic they may have to. Mr. Jalbout said they may give up some part of the parking to not cut the trees. Mr. Chavarria said the current gutters are booted at the four corners; they go underground. They're not changing the outflow. Ms. Raffay noted the railroad ties in the back yard. Mr. Chavarria said it would be as close to the house as possible. Ms. Raffay asked if the basement-level deck is being removed. There was discussion about the foundation, height, and façade.

Chairman Shivas opened to the public and no one spoke so he closed to the public.

Ms. Hubbard reviewed the conditions including: approval from the County health department for the septic, showing the utilities on the plans, submit approval from the Lake Mohawk Association, submit the plans electronically, make plan corrections, obtain a height certification from a licensed professional, and put plantings along the lakefront. Mr. Stoner confirmed with the walkout basement that's three stories; they need a variance. Mr. Morytko motioned to approve the application with the conditions and additional variance, seconded by Mr. Serrilli.

Ayes: Ms. Raffay, Messrs. Proctor, Morytko, Serrilli, Walsh, and Chairman Shivas

Absent: Mayor Rubenstein, Messrs. McElroy and Smith

None opposed. Motion carried. Ms. Hubbard explained the appeal period. The Board took a five-minute recess.

BILLS

Harold Pellow and Associates (10): \$3,570.00. A motion to approve the bills was made by Mr. Walsh, seconded by Mr. Morytko. All were in favor. Motion carried.

Maraziti Falcon (12): \$3,132.50 A motion to approve the bills was made by Mr. Walsh, seconded by Ms. Raffay. All were in favor. Motion carried.

REPORTS FROM COMMITTEES

Architectural Review Committee: Mr. Morytko said there's been no meeting.

Environmental Commission: Mr. McElroy was not present.

Open Space: Mr. Morytko said there's a meeting later this month.

Township Council: Mr. Proctor said they had a special meeting for the Completely Inclusive Playground. They had a few people show up in support. He noted if anyone supports the park they can go on the township website; there is a link to write a letter of support to help the grant application, which is due 02/07.

EXTENSION REQUEST

Z19-2022 Kevin and Kate Grey, 25 Carpenter Road, Block 238 Lot 508, R-3 Zone

Extension request for new single-family home

Mr. Proctor motioned to approve the extension, seconded by Mr. Morytko.

Ayes: Ms. Raffay, Messrs. Proctor, Morytko, Serrilli, Walsh, and Chairman Shivas

Absent: Mayor Rubenstein, Messrs. McElroy and Smith

None opposed. Motion carried.

Mr. Stoner noted for the Council meeting next week, they will have the quarry license and Raimos. There was a license approved for North Jersey Auto Wreckers about 3-4 months ago; North Jersey changed ownership. Raimos is under construction; they built most of the roadway improvements. He noted along Netcong Avenue, there's a building that they've asked to make some changes to. Mr. Stoner recommended they come back to the Board for an amendment. Ms. Hubbard noted this is more an amended site plan than a site plan waiver.

NEW BUSINESS

Z16-2023 Barbara Krassner, 11 Pathfinder Trail, Block 115 Lot 6, R5 Zone

Approval for deck on an undersized lot

Barbara Krassner was sworn in. She needs a variance because her property is under 10,000 square feet. Ms. Hubbard confirmed it's an expansion of a nonconforming structure. Chairman Shivas noted her shed is too close to the property line as well. Ms. Krassner said the deck is about 16x12. Chairman Shivas noted this is a corner lot, so there's no rear yard. The Board discussed the rear versus a side yard, what variances are needed, and if the stairs are part of the deck. Chairman Shivas noted it doesn't look like she needs a variance for the deck.

Chairman Shivas opened to the public and no one spoke so he closed to the public.

Mr. Walsh motioned to approve the application, seconded by Mr. Serrilli.

Ayes: Ms. Raffay, Messrs. Proctor, Morytko, Serrilli, Walsh, and Chairman Shivas

Absent: Mayor Rubenstein, Messrs. McElroy and Smith

None opposed. Motion carried.

OPEN TO THE PUBLIC

Chairman Shivas opened and closed to the public.

ADJOURNMENT

A motion to adjourn the meeting was made at 9:05pm by Ms. Raffay, seconded by Mr. Serrilli. All were in favor.

Motion carried. The meeting was adjourned.

Respectfully submitted by Caitlin Phillips

Resolutions Approved at Previous Meeting

In the matter of Alexander Rubenstein
Case No. Z26-2023
MF#5000.087

BYRAM TOWNSHIP
PLANNING BOARD
RESOLUTION OF MEMORIALIZATION

RELIEF GRANTED: Minor Subdivision
Grade of Driveway

WHEREAS, Alexander Rubenstein has applied to the Planning Board of the Township of Byram seeking approval for a Minor Subdivision and bulk variance for premises located at 2 and 8 Carpenter Road, and known as Block 237, Lots 519, 521 and 522 on the Tax Map of the Township of Byram which premises are in a “R-3” Residential Zone;

WHEREAS, by ordinance adopted by the Township Council of the Township of Byram under statutory authority, the Planning Board and Zoning Board of Adjustment were combined into one Board which Board possesses and may exercise all powers granted to the Planning Board and Zoning Board of Adjustment pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., said single Board being known as the Planning Board of the Township of Byram; and

WHEREAS, the Board, after carefully considering the evidence presented by the Applicant and having conducted a public hearing has made the following factual findings:

1. The Applicant is the owner of all three lots that comprise the subject property in Block 237. The Applicant is proposing to subdivide the lots and merge a

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portion of Lot 521 with Lot 519 and the remainder with Lot 522. Additionally, there are related road dedications and vacations, as well as easements, that will result in two (2) buildable lots. Pursuant to N.J.S.A. 40:55D-70c, variance relief is required from the following section of the Township's Zoning Ordinance:

- a. Section 240-40B(4) – no driveway shall exceed a grade of 2% within 20 feet of the right-of-way; the proposed driveway for Block 237, Lot 19 will not meet the grading requirements.
2. The Applicant submitted the following documents along with the Application for a Variance/Lot Line Adjustment:
- a. Proposed Residential Development and Minor Subdivision for Alex Rubenstein, prepared by Wilson Engineering, PLLC, dated October 4, 2023, consisting of 8 sheets.
 - b. Architectural Plan for Residence for 4 Carpenter Road, Block 237, Lot 521, prepared by Andesign, LLC, dated January 1, 2024, consisting of one sheet, (this Plan notes the incorrect street number and Lot Number, to be corrected.)
 - c. Architectural Plan for Residence for 2 Carpenter Road, Block 237, Lot 522, prepared by Andesign, LLC, dated January 1, 2024, consisting of one sheet.
 - d. Subdivision Plan prepared by Darmstatter, Inc., dated October 4, 2023, consisting of one sheet.

- e. Composite Boundary and Topographic Survey, prepared by Darmstatter, Inc., dated May 24, 2023, consisting of one sheet.
 - f. Project Description in narrative form, along with Zoning Tables for Lots 519 and 522, and six (6) photos of the property, totaling seven (7) pages, unknown preparer and undated.
 - g. Highlands Exemption Determination Application initially dated September 26, 2023, and signed on November 7, 2023.
3. The Board received a memorandum from Cory L. Stoner, P.E., P.P., the Planning Board Engineer, dated January 12, 2024.
4. The following were marked for identification:
- a. A-1- Overall Site Plan, sheet 3 of 8 on the Wilson Engineering Plans, dated October 24, 2023, with cross hatch indicating the proposed right-of-way dedication to the Township and the driveway easement hand drawn during the hearing.
5. A duly noticed public hearing was conducted on January 18, 2024, at which time Alexander Rubenstein, the Applicant, and Eric Wilson, P.E., the project engineer, who was accepted as an expert engineer, presented sworn testimony in support of the application. The Applicant is the owner and occupant of Block 234, Lot 1.04, which is located to the south of the subject parcels, on the opposite side of Deer Trail. The Applicant individually purchased three (3) adjacent lots in Block 237, which are irregularly shaped. Block 237, Lot 522 consists of a residential dwelling on 35,328 square feet, with a driveway and detached garage. The home is in disrepair, but the foundation can be
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utilized for the construction of a new home. Block 237, Lot 521, which is 27,668 square feet of vacant property, is non-conforming and Lot 519, which is 67,058 square feet is also vacant land, and consists of pockets of bedrock.

6. Carpenter Road is to the North of Lots 519, and 521, with a small portion of Lot 522 fronting on Carpenter Road. Lot 522 is a corner lot, with two sides fronting on Partridge Road, adjacent to the cul-de-sac, with another frontage on a paper street known as Deer Trail. Finally, Lot 519 is a through lot, with its second frontage on Deer Trail as well. There is an oddly shaped area that is part of the Partridge Road right-of-way between the western lot line of Lot 522 and the paved roadway of Partridge Road. The northern property lines of all three (3) streets encroach into the Carpenter Road right-of-way, as a result of the paved roadways following a natural, drivable curve and the right-of-way following the “jagged” line of the property line.
7. The subject proposal includes dividing Block 237, Lot 521 into two parcels and merging the land into the adjacent lots: resulting in conforming, buildable lots. Only one bulk variance is required for this project, on Lot 522, for the grade within the first 20 feet of the driveway. The proposal includes right-of-way dedications along Carpenter Road to correct the encroachments of the lot into the paved roadway. Additionally, the Applicant will seek approval from the Township Council to vacate Deer Trail to be merged to the newly created subdivision, as well as the vacation of a portion of the right-of-way adjacent to the cul-de-sac, which contains the driveway for Lot 522. A combination of these actions by the Applicant and the Township will result in creating

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conforming lots and fixing the lot lines and right-of-way lines for a better layout of the area. Finally, there is a driveway that runs across the southeastern corner of Lot 522, for which an easement must be granted to allow it to remain and service the existing garage on Lot 1.02.

8. The Chairman raised a concern about the vacation of Deer Trail eliminating the possibility of the owner of Block 237, Lot 517 having driveway access to Partridge Road. The Applicant testified that there is currently no means of access or the possibility of constructing a roadway through the paper street, but agreed to notified the owner of the Council Meeting when the vacation would be considered for public comment.
9. A chicken coop is proposed on Lot 522, which would be located in the front yard, requiring variance relief. Accordingly, the Applicant has agreed to relocate the accessory structure so that is not within the front yard on Partridge Road.
10. In response to Mr. Stoner's report, dated January 12, 2024, Mr. Wilson testified to the existing and proposed conditions on the Overall Site Plan. He noted that Lot 519 consists of slopes that are bedrock and constrict the buildable areas on the property. The proposed dwelling will be sited in between the sections of bedrock, with limited disturbance to the steep slopes. There will be no disturbance of slopes greater than 25%.
11. Due to the limited site disturbance, the project is not a major development pursuant to the New Jersey Department of Environmental Protection, however the Applicant has applied for a Letter of Interpretation as to the 50-foot

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riparian buffer and will construct rain gardens with a drain pipe for groundwater recharge to collect the stormwater runoff before it flows onto Carpenter Road from Lot 519. Additionally, the driveway will be pitched so that the runoff does not flow toward the roadway. A retaining wall is proposed around the new three-bedroom septic field on the eastern side of the dwelling and a new well is proposed to the western side of the dwelling.

12. The proposed dwelling on Lot 522 will be reconstructed on the existing foundation, serviced by a new septic system located next to the driveway, and the existing well on the northern side of the lot. Driveway access is from Partridge Road, with the slope of the driveway paved and the open flat area is existing gravel, both of which will remain as is unless repairs are needed. A small portion of the driveway, near the septic field, will be restored to grass.
13. Tree removal will be limited to the areas where the dwellings will be constructed, and the septic systems installed. The foundations will be fixed to the bedrock, without basements, but possibly crawl spaces.
14. The property is located in the Highlands Preservation Area, requiring a Municipal Highlands Exemption Determination. Mr. Stoner opined that the construction of the new dwelling will qualify for a Highlands Exemption #2 which permits the construction of single-family dwellings that do not result in the ultimate disturbance of one acre or more of land or a cumulative increase in impervious surface by one-quarter acre or more.
15. There was no one from the public in attendance for this hearing.

WHEREAS, the Board has determined that the relief requested by the Applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Township of Byram for the following reasons:

1. The Board found the witness testimony to be competent and credible. The Applicant established the necessary criteria to grant subdivision approval. Further, variance relief can be granted pursuant to N.J.S.A. 40:55D-70c from Section 240-40B(4) of the Township's Land Use Ordinance which states that no driveway shall exceed a grade of 2% within 20 feet of the right-of-way; the proposed driveway for Block 237, Lot 19 will not meet the grading requirements.
2. N.J.S.A. 40:55D-70c(1) indicates that a variance may be granted under its "hardship" provisions, with the hardship being related to the exceptional narrowness, shallowness, shape of the property, unusual topographic conditions or by reason of the location of the existing structures on the property. Under the c(2) subsection, variance relief may be granted where it is determined that the proposed relief advances one or more of the purposes of zoning (which purposes are set forth in N.J.S.A. 40:55D-2) and where it is further determined that the benefits of granting the variance outweigh any detriments which might result from it.
3. The subject lots are irregularly shaped, with more than one front yard, and pockets of bedrock, which contribute to the ability to develop the lots without the need for variance relief. The Applicant was able to limit the amount of

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disturbance and tree removal based on the location of the homes and the design and layout of property. The addition of the right-of-way dedications and the vacations of portion of Partridge Road and Deer Trail result in an overall layout for the area. However, the driveway for Lot 522 cannot meet the required grade based on the slopes and the current location. Accordingly, the Board determined that relief could be granted without a substantial detriment to the surrounding area. The proposed development is not inconsistent with the Zone Scheme or the Master Plan.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Byram on the 18th day of January 2024 that the approval of the within application be granted subject, however, to the following conditions:

1. The Applicant shall comply with all the conditions and standards set forth in Section 240 of the Township's Ordinances.
2. An inspection of all improvements shall be subject to the review of the Board Engineer prior to the issuance of a Certificate of Occupancy and/or the closure of zoning or construction permits.
3. The Applicant shall be bound to comply with the representations made before the Board at the public hearing, which are incorporated herein and were relied upon by the Board when granting this approval. Same shall be enforceable as if they were conditions of approval.
4. The Applicant shall comply with the reports submitted by the Township's Professionals and Commissions.

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5. Payment of all fees, costs, and escrows due shall be paid within twenty (20) days of said request by the Board's Secretary.
6. Pursuant to Section 45-23 of the Township's Ordinances, the variance granted herein shall expire in one year unless construction has commenced.
7. Revised Plans shall be submitted to reflect the following changes, subject to the review and approval of the Board Engineer:
 - a. Relocate the chicken coop so that it is not located in the front yard.
 - b. Provide details of the chicken coop, the height of which shall not exceed 15 feet.
 - c. Revise notes to accurately reflect the proposed septic system plans.
 - d. Depict the location of the right-of-way dedications for Carpenter Roads.
 - e. Depict the location of the driveway easement on Lot 522.
 - f. Depict the location(s) of the rain gardens to collect the stormwater runoff on Lot 519.
 - g. Provide details for the grading of the driveway on both lots.
 - h. Details for the retaining wall on Lot 519 shall be provided on the plans.
8. Applicant shall provide a copy of the Septic System Plans to the Board Engineer for review and approval.
9. Applicant shall seek the vacation of the Deer Trail Right-of-Way from the Township Council.

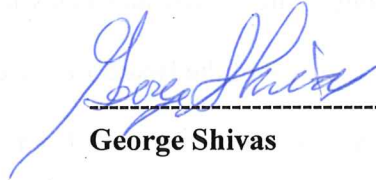
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10. Applicant shall seek the vacation of a portion of the Partridge Road Right-of-Way from the Township Council.
11. Applicant shall prepare a roadway dedication for a portion of Carpenter Road.
12. Applicant shall provide the following deeds to the Board Engineer, Board Attorney and the Township Attorney for review and approval prior to recording same with the Sussex County Clerk:
 - a. Vacation Deed for a portion of the Partridge Road Right-of-Way.
 - b. Vacation Deed for Deer Trail Right-of-Way.
 - c. Dedication of a portion of the Rights-of-Way for Carpenter Road.
 - d. Subdivision Deed dividing Block 237, Lot 521 into two tracts.
 - e. Perimeter Deed for Block 237, Lots 519, which includes a portion of Lot 521, the Deer Trail and Partridge Road Right-of-Way Vacations and the Carpenter Road Dedication.
 - f. Perimeter Deed for Block 237, Lots 522, which includes a portion of Lot 521, the Deer Trail Right-of-Way Vacation and the Carpenter Road Dedication.
13. The Architectural Plans shall be updated to indicate that the existing dwelling is located on Block 537, Lot 519, with the proper street address.
14. Applicant shall record a Deed Restriction for the proportionate cost of the potential improvements to Carpenter Road, if the Deeds for the other improved lots along Carpenter Road include a Deed Restriction.
15. Approval of the well on Lot 519 from the Sussex County Health Department.

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16. Approval for the new septic systems on Lot 519 and Lot 522 from the Sussex County Health Department.
17. A rain garden shall be constructed on Lot 519 to control the stormwater runoff from the proposed building. The design and construction of same shall be subject to the review and approval of the Board Engineer.
18. Applicant shall obtain permits and approval from the Byram Township Construction Department.
19. Applicant shall have the limits of the steep slopes disturbance staked prior to the state of construction. There shall be no disturbance of slopes in excess of 25%.
20. Applicant shall notice the Owner of Block 237, Lot 517 of the public hearing for the vacation of the Deer Trail right-of-way 10 days prior to the meeting.
21. All tree removal shall be consistent with the notes on the plan.
22. The driveway on Lot 519 shall be graded to promote stormwater flow from the east side of the driveway to the west side of the driveway and into the swale that exists to the west of the driveway.
23. Applicant shall consent to the entirety of Deer Trail to be dedicated and merged with Lots 519 and 522.
24. Applicant shall participate in a Pre-construction meeting with the Board Engineer.
25. Applicant shall obtain approval from the Upper Delaware Soil Conservation District.

26. Applicant shall confirm the new property address and Block and Lot numbers with the Township's Tax Assessor prior to the filing of the subdivision and related deeds.


George Shivas

On motion of: Mr. Morytko

Seconded by: Mr. Serrilli

The vote on the Resolution was as follows:

AYES: Three (3): Mr. Morytko, Mr. Serrilli, Chairman Shivas

NAYS: Zero (0)

ABSTAINING: Three (3): Mr. Proctor, Ms. Raffay, Mr. Walsh

ABSENT: Three (3): Mayor Rubenstein, Mr. McElroy, Mr. Smith

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on February 1, 2024.

Caitlin Phillips

**Caitlin Phillips, Planning Board
Secretary**

Dated: 02/02/2024

Prepared by: Alyse Landano Hubbard, Esq.

{369267.DOC.1}12

In the matter of Panther Lake RV, LLC
Case No. SP7-2023
MF#5000.020

BYRAM TOWNSHIP

PLANNING BOARD

RESOLUTION OF MEMORIALIZATION

RELIEF GRANTED: Preliminary and Final Site Plan Approval

WHEREAS, Panther Lake RV, LLC has applied to the Planning Board of the Township of Byram seeking Preliminary and Final Site Plan Approval to expand the pool deck area and construct amenities, including new bathrooms and a pavilion, for premises located at 6 Panther Lake Road, and known as Block 360, Lots 23, 24, 31, 31.10, 31.11 on the Tax Map of the Township of Byram which premises are in a “CR” Commercial Recreation Zone;

WHEREAS, by ordinance adopted by the Township Council of the Township of Byram under statutory authority, the Planning Board and Zoning Board of Adjustment were combined into one Board which Board possesses and may exercise all powers granted to the Planning Board and Zoning Board of Adjustment pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., said single Board being known as the Planning Board of the Township of Byram; and

WHEREAS, the Board, after carefully considering the evidence presented by the Applicant and having conducted a public hearing has made the following factual findings:

1. The Applicant was represented by John Ursin, Esq.

{369315.DOC.1}1

2. The Applicant is the owner of the subject property, on which it operates an existing campground on Panther Lake. The Applicant is proposing the following improvements:

- a. Remove the existing bathroom building and related septic.
- b. Expand the existing pool deck.
- c. Remove the existing pool building.
- d. Construct a pavilion.
- e. Construct two shade pergolas.
- f. Construct three shade cabanas.
- g. Construct a pool equipment storage building.
- h. Construct new bathrooms, with septic tanks and disposal system.
- i. Construct a turf play area.
- j. Remove the existing fencing.
- k. Construct a new decorative fence.

3. The Applicant submitted the following documents in addition to the Application for a Variance/Lot Line Adjustment:

- a. Preliminary and Final Major Site Plan, prepared by Engineering & Land Planning Associate, Inc., dated February 8, 2023, revised through September 9, 2023, consisting of eight (8) sheets.
- b. Architectural Plans, prepared by hqw Architects, dated July 07, 2023, consisting of two (2) sheets.

4. The Board received a memorandum from:

{369315.DOC.1}2

- a. Cory L. Stoner, P.E., P.P., the Planning Board Engineer, dated November 10, 2023, Engineering Review.
 - b. Cory L. Stoner, P.E., P.P., the Planning Board Engineer, dated June 3, 2023, Highlands Exemption Determination.
 - c. Chief Kenneth Burke, Byram Township, Department of Police, dated January 16, 2024.
 - d. Environmental Commission, dated October 17, 2023.
 - e. Autumn Sylvester, P.P., Director of the Sussex County Division of Planning and Economic Development, dated January 2, 2024, Site Plan Exemption.
 - f. Kirit Amin, Supervisor, Bureau of Environmental, Engineering & Permitting, State of New Jersey, Department of Environmental Protection, dated July 14, 2023, Treatment Works Approval, No. 23-0143.
5. A duly noticed public hearing was conducted on January 18, 2024, at which time Brent Crebs, the property manager for Panther Lake Campground (the “Campground”), and John Hansen, P.E., the site engineer, who was accepted as an expert engineer, presented sworn testimony in support of the application. The property is an existing campground on 141 acres, comprised of five (5) lots that fronts on Route 206 and Panther Lake, within the Highlands Preservation Area. The campground is serviced by well water and septic

{369315.DOC.1}3

systems. The property is located in the Commercial Recreation Zone and is primarily surrounded by residential zones and Tamarack Park.

6. The site has been the subject of eight (8) prior land use approvals since 1982, namely:

- a. 1982 – Site Plan Approval for 437 camp sites.
- b. 1989 – Site Plan Approval for the elimination of an ice house and the construction of a general store.
- c. 1986 – Site Plan Approval for the construction of a pool.
- d. 1997 – Site Plan Approval for the construction of an administrative office and a game room.
- e. 2009 – Minor Subdivision Approval
- f. 2011 – Waiver of Site Plan approval for a Playground.
- g. 2022 – Waiver of Site Plan application filed and withdrawn.
- h. 2023 – Waiver of Site Plan granted for the construction of a fence.

7. The subject application is limited to upgrading and modernizing the pool area, however, the Applicant submitted an overall site plan to establish a baseline of what is currently existing on the Campground.

8. The pool is located 1200 feet from Route 206, with a change of elevation, so that it is not visible to motorists. The pool and existing shed will remain, but the proposal includes expanding the pool patio and constructing a structure with multiple bathrooms. Additionally, a pavilion, two (2) pergolas and four (4) canopies are proposed, one for the entrance to the pool, as well as a play

{369315.DOC.1}4

area, all enclosed by a new 6' high, decorative aluminum fence with multiple gates. Planters and security lighting are proposed within the pool area. There will also be security lighting outside the bathroom building, and the pool is accessed via existing gravel paths.

9. The existing bathroom, which is not within the pool area, and has no clear access path, will be removed. A Treatment Works Approval ("TWA") from the New Jersey Department of Environmental Protection ("NJDEP") was received on January 10, 2024, for a new septic that can service 250 people per day.
10. The bathroom building will be accessible from both the pool area and the Campground when the pool area is closed. Three (3) bathrooms have direct access from the rear of the building, one (1) has direct access from the pool area, and one (1) bathroom, which complies with the requirements of the Americans with Disabilities Act ("ADA"), has dual access which can be locked out from both sides. An outdoor shower is proposed on the bathroom building, which will drain into an independent drainage system constructed for the pool area to control the runoff before it enters the septic system.
11. Mr. Crebs testified that the current owners purchased the property in November of 2020 and are investing money in enhancing the guest experience by improving the customer service, the security and the amenities on the Campground. The current owners also own three (3) other campgrounds in the United States. Many of the sites are occupied by seasonal guests, who rent

{369315.DOC.1}5

a site from April 1 to October 31, and contribute to the area. The current facilities are in need of upgrades to meet the needs of the campers.

12. The pool is currently surrounded by a small concrete patio in the middle of a grassy area, which creates issues for both maintenance and health concerns. Campers have to walk through the grass area to get to the existing bathrooms, which are not ADA compliant. The proposed improvements will enhance both the aesthetics and functionality of the campground, as well as provide shade and privacy for campers utilizing the pool. The mechanical shed will remain but existing fencing will be removed.

13. There was some confusion and inconsistencies with the site plans and the architectural plans, which the Applicant agreed to revise and resubmit for review and approval by the Board Engineer.

14. There are three (3) residential dwellings located on the property; one is occupied by the property manager, one is occupied by the maintenance manager, and the third is a rental property that functions independent of the Campground, located on Block 360, Lot 31.11 with separate access than the Campground.

15. Development in the Commercial Recreation District must comply with the following requirements set forth in Section 240-58 of the Township's Code:

- a. Section 240-58A(1) – the use must be located on a tract of land greater than 20 acres, the proposed improvements are on a tract of land approximately 141 acres, so the criteria is met.

{369315.DOC.1}6

- b. Section 240-58A(2) – no structure shall be constructed closer than 100 feet to any public thoroughfare nor 100 feet from any property line, there are existing structures that do not meet this criteria, but they are not the subject of this application.
- c. Section 240-58A(6) - grounds and camping sites shall be limited to seasonal operation between April 1 and October 31. Applicant presented testimony that the Campground Complies.
- d. Section 240-58C - there shall be a minimum ground cover density as prescribed by the New Jersey Campground Code. Applicant presented testimony that the Campground Complies.
- e. Section 240-58E – off-street parking areas shall be provided to ensure one-hundred-percent off-street parking to all participants at all times. The Board Engineer opined that this condition has been met.
- f. Section 240-58F - there shall be no residential use within the C-R District, except that there shall be permitted on any lot, parcel or tract located within the C-R District one residential quarters for an owner, watchman or caretaker and his or her family. Applicants testified to the use and occupancy of the residential structures, which are pre-existing on the site.

16. Based on Mr. Stoner’s Letter dated June 2, 2023, the application is acceptable under Highlands Exemption #4 and was approved.

{369315.DOC.1}7

17. During the public portion of the meeting, Betty Ann Crawford, who resides at 14 Rosemarie Lane, which also fronts on Panther Lake, raised questions and concerns about the Campground and presented sworn testimony to the Board. Ms. Crawford explained that Panther Lake is a small lake within the Township and she is concerned about the possibility of year-round residential units, the demographics of the campers, the contractors that would be on-site, tree removal and the allegation of gun fire coming from the Campground. Mr. Ursin responded that the year-round rentals that he expected she was referring to are being replaced with campsites, guns are not tolerated on the Campground and only dead trees will be removed from the property.

18. There were no other members of the public present at the hearing.

WHEREAS, the Board has determined that the relief requested by the Applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Township of Byram for the following reasons:

1. The Board found the witness testimony to be competent and credible. The Board has determined that the site plan conforms with the zoning ordinance and the applicable provisions of the site plan ordinance, noting that the site will continue to be used in accordance with the applicable provisions of the Municipal Land Use Law.
2. The Application satisfies several purposes of the Municipal Land Use Law, N.J.S.A. 40:55D-2, specifically: (a) to guide the use of land to promote public

{369315.DOC.1}8

health, safety, morals, and general welfare; (g) to provide sufficient space for a variety of recreational uses to meet the needs of all New Jersey citizens; and (i) to promote a desirable visual environment through creative development techniques.

3. Additionally, the proposal is consistent with the goal of the Master Plan to promote recreation and eco-tourism as a means of economic development.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Byram on the 1st day of February 2024 that the approval of the within application be granted subject, however, to the following conditions:

1. The Applicant shall comply with all the conditions and standards set forth in Section 240 of the Township's Ordinances. The Applicant shall be subject to all other applicable rules, regulations, ordinances and statutes of the Township of Byram, County of Sussex, State of New Jersey, or any other jurisdiction.
2. The Applicant shall be bound to comply with the representations made before this Board by the Applicant, and its professionals, at the public hearing. The representations are incorporated herein and were relied upon by this Board in granting the approval set forth herein and shall be enforceable as if those representations were made conditions of this approval
3. The Applicant shall comply with the reports submitted by the Township's Professionals and Commissions.
4. Payment of all fees, costs, escrows due or to become due. Any monies are to be paid within twenty (20) days of said request by the Board's Secretary.

{369315.DOC.1}9

5. Applicant shall submit a Certificate that taxes are paid to date of approval to the Board Secretary.
6. An inspection of all improvements shall be subject to the review of the Board Engineer prior to the issuance of a Certificate of Occupancy and/or the closure of zoning or construction permits.
7. Prior to occupancy, the owner/tenant shall first obtain a Certificate of Occupancy from the Township of Byram Construction Department.
8. Prior to the issuance of any construction permit, the Applicant shall file with the Board Secretary and the Township Engineer an affidavit verifying that the Applicant is in receipt of all necessary agency approvals other than the municipal agency having land use jurisdiction over the development and shall supply a copy of any approvals received.
9. All terms and conditions set forth by the Planning Board shall be shown on the Preliminary and Final Major Site Plans within 30 days of the adoption date of this resolution. Any changes requested by outside agencies shall be incorporated into the plans prior to a preconstruction meeting that shall be held with the Township Engineer.
10. Prior to construction, including site work activity, a preconstruction meeting shall be required to include the Town's representatives, the Applicant and its engineers and contractors. Prior to said meeting, the Applicant shall have posted inspection fees in the amount of five (5) percent of the estimated cost of improvements, as

{369315.DOC.1}10

prepared by the Developer's Engineer and approved by the Township Engineer and in accordance with N.J.S.A. 40: 55D-53.4.

11. The Septic System shall be constructed pursuant to the TWA Permit No. 23-0143 issued from NJDEP.
12. Construction shall be completed in accordance with the permit obtained from the Upper Delaware Soil Conservation District.
13. Architectural Plans shall be updated to clearly show the location of the fences, both existing to be removed and proposed, subject to review and approval by the Board Engineer.
14. Site Plan shall be updated to reflect the proposed improvements, as consistent with the Architectural Plans, subject to review and approval by the Board Engineer.
15. Site Plan shall be updated to show all tax lots, including Lot 31.10 and 31.11 on the tax maps, subject to the review and approval of the Board Engineer.
16. Site Plan shall be updated to reflect that the Campground operates seasonally, from April 1 to October 31.


George Shivas

On motion of: Mr. Proctor

Seconded by: Mr. Serrilli

The vote on the Resolution was as follows:

{369315.DOC.1}11

AYES: Five (5): Mr. Proctor, Ms. Raffay, Mr. Morytko, Mr. Serrilli, Chairman Shivas

NAYS: Zero (0)

ABSTAINING: One (1): Mr. Walsh

ABSENT: Three (3): Mayor Rubenstein, Mr. McElroy, Mr. Smith

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on February 1, 2024.

Caitlin Phillips

**Caitlin Phillips, Planning Board
Secretary**

Dated: 02/02/2024

Prepared by: Alyse Landano Hubbard, Esq.

{369315.DOC.1}12

In the matter of Jose Quinones (Extension)
Case No. Z08-2022
MF 5000-005

BYRAM TOWNSHIP
PLANNING BOARD
RESOLUTION OF MEMORIALIZATION

RELIEF GRANTED: Extension of Variance Relief

WHEREAS, Jose Quinones applied to the Planning Board of the Township of Byram for permission to construct a new roof and deck requiring variance relief for the premises located at 187 Lackawanna Drive and known as Block 264, Lot 280 on the Tax Map of the Township of Byram which premises are in a “R-5” Zone;

WHEREAS, by ordinance adopted by the Township Council of the Township of Byram under statutory authority, the Planning Board and Zoning Board of Adjustment were combined into one Board which Board possesses and may exercise all powers granted to the Planning Board and Zoning Board of Adjustment pursuant to the Municipal Land Use Law, N.J.S.A. 40:55B-1, et seq., said single Board being known as the Planning Board of the Township of Byram; and

WHEREAS, the Board, after carefully considering the evidence presented by the Applicant and having conducted a public hearing the subject application was approved; and

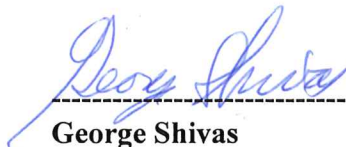
WHEREAS, based on the foregoing, the Board was requested to revisit the subject approval:

{369311.DOC.1}1

1. The Applicant is the owner of the subject property, and received Planning Board Approval, to construct a new roof and replace the existing deck, requiring variance relief from the Township's Zoning Ordinance. The approval was granted on May 19, 2022, memorialized in a Resolution dated June 2, 2022, and published in the New Jersey Herald on June 8, 2022.
2. The Applicant submitted a request via email on January 18, 2024, seeking an extension of variance approvals that explained that the project has been delayed because the Applicant was completing the construction himself and was limited in the time he had to work on the project.
3. Section 45-23 of the Township's Ordinances provides that any variance granted that permits the creation or alteration of a structure shall expire unless construction has commenced within one year from the date of publication of the resolution.
4. The Applicant has requested a one-year extension of said approval.

WHEREAS, The Board determined that, based on the information provided, the Variance Approval expired on June 8, 2023 and the Applicant is entitled to a one-year extension of the subject variance approvals to commence construction.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Byram on the 18th day of January 2024 that the variance approvals shall be extended for a period of one year from the date of the publication of the Resolution, to June 8, 2024.



George Shivas

{369311.DOC.1}2

On motion of: Mr. Proctor

Seconded by: Ms. Raffay

The vote on the Resolution was as follows:

AYES: Five (5): Mr. Proctor, Ms. Raffay, Mr. Morytko, Mr. Serrilli, Chairman Shivas

NAYS: Zero (0)

ABSTAINING: One (1): Mr. Walsh

ABSENT: Three (3): Mayor Rubenstein, Mr. McElroy, Mr. Smith

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on February 1, 2024 and is in effect for one year.

Caitlin Phillips

**Caitlin Phillips, Planning Board
Secretary**

Dated: 02/02/2024

Prepared by: Alyse Landano Hubbard, Esq.

{369311.DOC.1}3

In the matter of Kevin and Kate Grey (Extension)
Case No. Z19-2022
MF 5000-053

BYRAM TOWNSHIP
PLANNING BOARD
RESOLUTION OF MEMORIALIZATION

RELIEF GRANTED: Extension of Variance Relief

WHEREAS, Kevin and Kate Grey applied to the Planning Board of the Township of Byram for permission to construct a single-family home requiring bulk variance relief for the premises located at 25 Carpenter Road and known as Block 238, Lot 503 on the Tax Map of the Township of Byram which premises are in a “R-3” Residential Zone;

WHEREAS, by ordinance adopted by the Township Council of the Township of Byram under statutory authority, the Planning Board and Zoning Board of Adjustment were combined into one Board which Board possesses and may exercise all powers granted to the Planning Board and Zoning Board of Adjustment pursuant to the Municipal Land Use Law, N.J.S.A. 40:55B-1, et seq., said single Board being known as the Planning Board of the Township of Byram; and

WHEREAS, the Board, after carefully considering the evidence presented by the Applicant and having conducted a public hearing the subject application was approved; and

WHEREAS, based on the foregoing, the Board was requested to revisit the subject approval:

{369580.DOC.1}1

1. The Applicants are the owners of the subject property, and received Planning Board Approval to construct a single-family home, requiring variance relief from the following Sections of the Township's Zoning Ordinance:
 - a. Section 240-53.C(2) – Minimum Front Yard Setback: 75 feet is required, 38 feet was approved.
 - b. Section 240-53.C(7) – Maximum 2½ Stories of Building Height permitted, 3 stories was approved.
 - c. Section 240-98.C – Disturbance of Critical Slopes Greater than 25% is prohibited, 19.8% of Critical Slopes disturbance was approved.
2. The approval was granted on January 19, 2023, memorialized in a Resolution dated February 2, 2023, and published in the New Jersey Herald on February 8, 2023.
3. The Applicant submitted a request via email on January 22, 2024, seeking an extension of variance approvals, which explained that the Applicants encountered an unexpected life event that required their focus and was their priority financially.
4. Section 45-23 of the Township's Ordinances provides that any variance granted that permits the creation or alteration of a structure shall expire unless construction has commenced within one year from the date of publication of the resolution.
5. The Applicant has requested a one-year extension of said approval.

WHEREAS, the Board determined that, based on the information provided, the Variance Approval shall expire on February 8, 2024 and the Applicant is entitled to a one-year extension of the subject variance approvals to commence construction.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Byram on the 1st day of February 2024 that the variance approvals, as stated herein, shall be extended for a period of one year from the date of the publication of the Resolution, to February 8, 2024.



George Shivas

On motion of: Mr. Proctor

Seconded by: Mr. Morytko

The vote on the Resolution was as follows:

AYES: Six (6): Mr. Proctor, Ms. Raffay, Mr. Morytko, Mr. Serrilli, Mr. Walsh, Chairman Shivas

NAYS: Zero (0)

ABSTAINING: Zero (0)

ABSENT: Three (3): Mayor Rubenstein, Mr. McElroy, Mr. Smith

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on February 1, 2024 and is in effect for one year.

Caitlin Phillips

**Caitlin Phillips, Planning Board
Secretary**

Dated: 02/02/2024

Prepared by: Alyse Landano Hubbard, Esq.

{369580.DOC.1}3

Byram Township Planning Board
Bills for February 15 2024

Harold Pellow	DATE	AMOUNT
Inv. 79149 Tsukanov: review	1/25/2024	\$224.00
Inv. 79148 Byram Car Wash: meeting	1/25/2024	\$69.00
Inv. 79147 Costic: meeting	1/25/2024	\$103.50
Inv. 79146 Pineiro: meeting	1/25/2024	\$103.50
Inv. 79134 Rubenstein: review	1/25/2024	\$1,064.00
Inv. 79129 Tomahawk Lake: memos	1/25/2024	\$138.00
HP Total		\$1,702.00

Maraziti and Falcon	DATE	AMOUNT
Maraziti Falcon total		\$0.00

GRAND TOTAL		\$1,702.00
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ZONING REPORT

(February 2024 for activity during January 2023)

Zoning Activity	Jan
ZP Approved	11
ZP Denied	0
ZP Not Required	0
ZP Var/Site Plan Waiver Compl.	0
ZP Change of Tenant Waiver	0

Investigation of Complaints	Jan
Property Maint./Zoning Complaints	
Complaints Received	9
Open Cases	3
Cases Cleared	6
Summonses Issued	0

	Jan
Signs removed from roadside	6



Nick Cutrone, Zoning and Code Enforcement Officer