

BYRAM TOWNSHIP PLANNING BOARD AGENDA
For Thursday, January 16 2025, at 7:30 P.M.
Meeting Held at: 10 Mansfield Drive, Byram Township NJ

1. CALL TO ORDER

2. ROLL CALL

OPENING STATEMENT: Adequate notice of this meeting of the Byram Township Planning Board was given as required by the Open Public Meeting Act. A resolution indicating the time, date, and location of regular Board meetings for the year 2025 was forwarded to the Board's designated newspaper, and posted on the bulletin boards and main doors of the Municipal Building.

3. FLAG SALUTE

4. OATHS OF OFFICE

Board Members: Annelise DeMagistris, Richard Proctor, Marie Raffay, Jeanine Colligan
Professionals: Cory Stoner, Daniel Bloch, Paul Gleitz

5. REORGANIZATION

Nomination of Chair
Nomination of Vice-Chair
Nomination of Attorney
Nomination of Engineer
Nomination of Planning Consultant
Nomination of Secretary/Administrative Officer
Nomination of Newspaper

Resolution PB1-2025 Annual Notice of the Calendar Dates of the Scheduled Regular Meetings of the Byram Township Planning Board

Resolution PB2-2025 Authorizing Contract for Professional Legal Services

Resolution PB3-2025 Authorizing Contract for Professional Engineering Services

Resolution PB4-2025 Authorizing Contract for Professional Planning Services

Resolution PB5-2025 Authorizing Contract for Conflict Planner Services

Resolution PB6-2025 Appointing Secretary of the Board

Resolution PB7-2025 Designation of Newspaper for Notices

Resolution PB8-2025 Adopting Rules of Procedures of the Planning Board
Rules and regulations for the Board

6. COMMITTEE APPOINTMENTS

Site Plan Subcommittee
Master Plan Subcommittee

7. MEETING MINUTES- December 19, 2024

8. **OLD BUSINESS**

Z14-2024 Rupesh Patel (Kyosis LLC), 1 Catalina Drive, Block 337 Lot 9.14, R2 Zone

Application for new home construction

****CARRIED TO 03/20/2025****

Z08-2024 Diane and William Carkhuff, 82 South Shore Road, Block 189 Lot 1, R-5 Zone

Application for construction of a new single-family dwelling

****CARRIED TO 02/20/2025****

9. **NEW BUSINESS**

Z20-2024 William Grabler, 39 Meteor Trail, Block 162 Lot 44, R5 Zone

Application for construction of a home addition and site improvements

Z22-2024 Prestige Country Homes, 10 Newton Avenue, Block 36 Lot 50.02, R4 Zone

Application for construction of a second floor addition

10. **DISCUSSION ITEM:** Definition of Minor Site Plan

11. **DISCUSSION ITEM:** Fee Comparison

12. **CLOSED SESSION:** Affordable Housing

13. **BILLS:** Harold Pellow and Associates (12): \$3,347.13

14. **REPORTS FROM COMMITTEES**

Environmental Commission

Open Space

Township Council

Zoning Report

15. **OPEN TO THE PUBLIC**

16. **ADJOURNMENT**

The Board Engineer, Planner, and Attorney 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: Mss. DeMagistris, and Colligan; Mayor Rubenstein; Messrs. Proctor, McElroy, Morytko, Smith, Walsh, and Chairman Shivas

Members Absent: Ms. Raffay, Mr. Serrilli

Also Present: 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

MINUTES: December 5, 2024. Motion of Mr. McElroy to approve the minutes, second by Mr. Morytko.

Ayes: Mss. DeMagistris, Colligan; Mayor Rubenstein; Messrs. McElroy, Morytko, Walsh, Chairman Shivas

Abstaining: Messrs. Proctor, Smith

Absent: Ms. Raffay, Mr. Serrilli

None opposed. Motion carried.

RESOLUTIONS

Z19-2024 Alan Tedesco, 25 The Rotunda, Block 281 Lots 487 and 428, R5 Zone

Application for subdivision of lots

Mr. Morytko motioned to approve the resolution, seconded by Ms. Colligan.

Ayes: Mss. DeMagistris, Colligan; Mayor Rubenstein; Messrs. McElroy, Morytko, Smith, Walsh, Chairman Shivas

Abstaining: Mr. Proctor

Absent: Ms. Raffay, Mr. Serrilli

None opposed. Motion carried.

Z21-2024 Gregory Smith, 26 Crescent Drive South, Block 279 Lot 328.02, R5 Zone

Application for 8-foot fence, ex post facto approval for pergola, wood storage, and certificate of nonconformity

Mr. Morytko motioned to approve the resolution, seconded by Ms. Colligan.

Ayes: Mss. DeMagistris, Colligan; Mayor Rubenstein; Messrs. McElroy, Morytko, Walsh, Chairman Shivas

Abstaining: Messrs. Proctor, Smith

Absent: Ms. Raffay, Mr. Serrilli

None opposed. Motion carried.

OLD BUSINESS

Z14-2024 Rupesh Patel (Kyosis LLC), 1 Catalina Drive, Block 337 Lot 9.14, R2 Zone

Application for new home construction

Mr. McElroy motioned to carry the application to 01/16/2025, seconded by Mr. Proctor.

Ayes: Mss. DeMagistris, Colligan, Mayor Rubenstein, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Absent: Ms. Raffay, Mr. Serrilli

Motion carried.

DISCUSSION ITEM: Review of Revised Board Application

Chairman Shivas noted on page 7, it says to have remaining escrow released, the applicant needs to submit a letter to ask for the money back. The town should tell them if there is money left. Ms. Phillips explained they need something in writing that requests for the money to be released. Ms. Hubbard and Mayor Rubenstein worked on the language for that section. Ms. Hubbard noted the checklists should be in different areas of the application. Chairman Shivas said the application and instructions should be separate. He said to move page nine and on up to where page three is. Ms. Hubbard said when the checklists are approved they should be put at the end.

Ms. Hubbard said the Council noted the fees need to be evaluated. They asked Ms. Hubbard and Mr. Stoner to review other towns' fees and come up with a proposal. The Council also asked the Board to define a minor site plan, and provide this with a draft ordinance. They also went through the ARC language and design standards and want an ordinance that eliminates the ARC but puts in the design standards the Board wants in the code so the Board can deal with them at the meetings. Chairman Shivas said there should be a subcommittee that goes through all the standards. Ms. Hubbard noted the Council wants to get started on this as soon as possible. She can have a draft of these items for the reorganization meeting, but they don't need to act on it that night. Mayor Rubenstein confirmed the ordinance will be brought back to the Board for consistency after the Council reviews it.

Ms. Hubbard reminded the Board there is pending legislation to allow noticing to be done virtually. There will be a temporary measure if it passes, because the Star Ledger is going digital in the new year. Ms. Hubbard noted they can elect the Herald and the Star Ledger so it can be done digitally. Ms. Phillips confirmed publishing in either newspaper would count.

Mayor Rubenstein noted the Board can motion to resolve to ask the Council to act on these items. Ms. Hubbard will work on the checklist and fees. The Board can act on the application. Ms. Phillips noted the application doesn't need to be reviewed by the Council, just the checklist. Chairman Shivas noted the application should start being used the first of the new year.

Mr. Smith motioned to authorize the use of the new application with changes discussed tonight, as of January 2nd, seconded by Mr. Walsh.

Ayes: Mss. DeMagistris, Colligan, Mayor Rubenstein, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Absent: Ms. Raffay, Mr. Serrilli

Mr. Smith motioned to authorize Ms. Hubbard to do the work on checklist, the fees, and definition, seconded by Mr. Morytko.

Ayes: Mss. DeMagistris, Colligan, Mayor Rubenstein, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Absent: Ms. Raffay, Mr. Serrilli

EXECUTIVE SESSION: Discussion of Professionals

Ms. Hubbard read the executive session resolution. Mayor Rubenstein motioned to approve the application as amended, seconded by Mr. Proctor.

Ayes: Mss. DeMagistris, Colligan, Mayor Rubenstein, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Absent: Ms. Raffay, Mr. Serrilli

Motion carried. Ms. Hubbard left the meeting at this time.

The Board re-opened the meeting. Mayor Rubenstein said the Board should indicate to the Council that they are in favor of Mr. Bloch. There will be a formal action at the reorganization appointing him as the Planner for the Board and Council. He noted they will also appoint Mr. Gleitz as a consultant to the township; the Board is appointing him as a conflict Planner.

Mr. McElroy motioned to list on the reorganization meeting items to appointment Mr. Bloch as the Planner and Mr. Gleitz as the conflict Planner, seconded by Mr. Walsh

Ayes: Mss. DeMagistris, Colligan, Mayor Rubenstein, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Absent: Ms. Raffay, Mr. Serrilli

BILLS:

Maraziti Falcon (8) \$2,992.50. A motion to approve the bill was made by Mr. Smith, seconded by Mr. Morytko. All were in favor. Motion carried.

REPORTS FROM COMMITTEES

Environmental Commission: Mr. McElroy said they met last night. Saturday is the winter solstice, so there is a hike at 2pm at Cranberry Ledge Road. They talked about the Musconetcong River Management Council; there is an area in Byram where they're concerned about river contaminants possibly from septic tanks. They may recommend to the Council to look at a more robust septic pumping program rather than just the lake areas. One goal for 2025 is education and doing more with invasive species and making sure people plant native species. He asked about reviewing the buffer planting plan reference; he wants them to review it for any comments.

Open Space: Mr. Morytko said they met on the 9th and talked about forest stand improvements and a potential timber sale. They also discussed 2025 goals including invasive species. Chairman Shivas asked about dying trees. Mayor Rubenstein said there was a change to the code so that if trees are within the right-of-way, the property owner is responsible. There has been a lot of activity on this with the zoning office. He noted if people see trees, they should tell Nick so that he can have the property owner handle it.

Township Council: Mayor Rubenstein said they awarded the holiday house decorating contest winners. They will do renovations to the DPW breakroom which was constructed in 1974 and has not been renovated since. The tennis courts were accepted. They discussed the project for the police department and grant.

Zoning Report: Everyone has a copy.

OPEN TO THE PUBLIC

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

ADJOURNMENT

A motion to adjourn the meeting was made at 8:35pm by Mr. McElroy, seconded by Ms. Colligan. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted by Caitlin Phillips

Byram Township Planning Board Bills
January 16 2025

Harold Pellow	Date	Amount
Inv. 81746 Byram Auto: memos, resolution	12/10/2024	\$ 177.50
Inv. 81736 Chamberlin: memos, resolution	12/10/2024	\$ 106.50
Inv. 81732 North Shore: memos, resolution	12/10/2024	\$ 142.00
Inv. 81728 Grabler: report work	12/10/2024	\$ 171.00
Inv. 81727 Oluwalanke: meeting attendance	12/10/2024	\$ 71.00
Inv. 81726 Koval: plan review	12/10/2024	\$ 374.00
Inv. 81725 Del Franco: plan review	12/10/2024	\$ 432.00
Inv. 81724 Patel: review, reports, meeting attendance, drainage review and report	12/10/2024	\$ 938.13
Inv. 81723 CAD: plan review	12/10/2024	\$ 232.00
Inv. 81722 Starbucks: reports, resolution	12/10/2024	\$ 248.50
Inv. 81721 Dobrich: memos, resolution	12/10/2024	\$ 106.50
Inv. 81716 Landscapes by Lou: plan review	12/10/2024	\$ 348.00
Harold Pellow Total		\$ 3,347.13
Maraziti and Falcon	Date	Amount
Maraziti Falcon Total		\$0.00
Grant Total		\$3,347.13

ZONING REPORT

(January 2025 for activity during December 2024)

Zoning Activity

December

ZP Approved

20 (2 post
resolution)

ZP Denied

1

ZP Not Required

1

ZP Var/Site Plan Waiver Compl.

0

ZP Change of Tenant Waiver

0

Investigation of Complaints

December

Property Maint./Zoning Complaints

Complaints Received

14

Open Cases

26

Cases Cleared

1

Summonses Issued

3

December

Signs removed from roadside

47



Nick Cutrone, Zoning and Code Enforcement Officer

NOTES: PB resolutions approval (Rubenstein 2 Carpenter Road; Northern Rain/Highland Avenue Properties, 227 Rt. 206).