

MEETING MINTUES OF THE BYRAM TOWNSHIP PLANNING BOARD: March 20 2025

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

ROLL CALL:

Members Present: Mss. Raffay, DeMagistris, Lewandowski; Messrs. Mayor Rubenstein, Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Members Absent: Ms. Colligan

Also Present: Engineer Cory Stoner, Attorney Alyse Hubbard, Secretary Caitlin Phillips

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.

FLAG SALUTE: led by Chairman Shivas

MINUTES: March 6, 2025

Motion of Mayor Rubenstein to approve the minutes, second of Mr. McElroy.

Ayes: Mss. Raffay, DeMagistris, Lewandowski, Messrs. Mayor Rubenstein, McElroy, Morytko, Walsh, Chairman Shivas

Abstaining: Mr. Proctor, Mr. Smith

Absent: Ms. Colligan

None opposed. Motion carried.

SUBCOMMITTEE

SP1-2025 Lake Lackawanna Investment Company (Skot Koenig), 14 Reis Avenue, Block 364 Lot 8, R2 Zone

Application for hot dog cart on golf course

Mr. Walsh said because there's no change to water movement, traffic circulation, landscaping, lighting, or signage, the Subcommittee found it appropriate to grant the site plan waiver. Mr. Stoner noted this was originally submitted as a variance application; he determined it was more appropriate for a site plan waiver, so it was modified. The application number should be updated to a waiver of site plan number. Ms. Hubbard confirmed this is a temporary structure. Mr. Stoner confirmed it's not permanent, and isn't an accessory structure. Ms. Lewandowski entered the meeting at this time.

Motion of Mr. Walsh to approve the site plan waiver request, second by Mr. McElroy.

Ayes: Mss. Raffay, DeMagistris, Lewandowski, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Abstaining: Mayor Rubenstein

Absent: Ms. Colligan

None opposed. Motion carried.

WOSP1-2025 Fady Ghazal (Freddy's Bar and Grill), 172 Lackawanna Drive, Block 265 Lot 287, NC Zone

Application for revisions to site for a restaurant and bar

Mr. Walsh said they reviewed this at the last meeting, and needed more information to confirm the use, seating, and parking aren't changing. They're confirmed the seating is 88 spots, with a previous approval for 90. They're required to have 45 parking spots, which they do. Mr. Stoner said there is existing signage that doesn't meet current zoning standards, but it's pre-existing. They're not proposing to modify the sign, just change the artwork and name.

Motion of Mr. Walsh to approve the site plan waiver request, second by Mr. McElroy.

Ayes: Mss. Raffay, DeMagistris, Lewandowski, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Abstaining: Mayor Rubenstein

Absent: Ms. Colligan

None opposed. Motion carried.

RESOLUTIONS

WOSP1-2025 Fady Ghazal (Freddy's Bar and Grill), 172 Lackawanna Drive, Block 265 Lot 287, NC Zone

Application for revisions to site for a restaurant and bar

Ms. Hubbard noted the Subcommittee requested that language be added that states to accompany new ownership, the dimensions and location of the signage shall be consistent with the current signage and/or previously approved signage. Motion of Mr. Walsh to approve the resolution, second by Ms. Raffay.

Ayes: Mss. Raffay, DeMagistris, Lewandowski, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Abstaining: Mayor Rubenstein

Absent: Ms. Colligan

None opposed. Motion carried.

Z23-2024 Donald Cocchi, 8 Cub Lake Road, Block 360 Lot 3, R2 Zone

Application for construction of three-story dwelling with attached garage on an undersized lot

Motion of Mr. McElroy to approve the resolution, second by Mr. Morytko.

Ayes: Mss. Raffay, DeMagistris, Lewandowski, Messrs. Mayor Rubenstein, McElroy, Morytko, Walsh, Chairman Shivas

Abstaining: Mr. Proctor, Mr. Smith

Absent: Ms. Colligan, Messrs. Proctor, and Smith

None opposed. Motion carried.

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

Resolution extension for new single-family home

Chairman Shivas noted they had an extension already. Motion of Mr. Proctor to approve the resolution, second by Mayor Rubenstein.

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

Absent: Ms. Colligan

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

Chairman Shivas noted they requested to be carried to 08/21/2025. Ms. Phillips noted they need to re-notice regardless, but this is for notification for anyone interested in this application. They needed more time to get the plans together and work with their professionals. They signed consent forms for extensions. Mr. Stoner noted this keeps the application open so they don't need to start over. Ms. Hubbard said they could dismiss this without prejudice and have them come back; she's not sure if there are significant changes. Ms. Raffay is concerned about the length of time. If there are a lot of other applications, it's not fair to take up spots for this. Mr. McElroy suggested extending this to the next meeting, and in the interim, ask the applicant to provide an explanation of the reasons why they're looking to extend to August. Are they making significant changes to the plans? Mayor Rubenstein said the applicant should come here to tell the Board.

Motion of Mr. McElroy to carry this to 04/03 and request the applicant to be at the next meeting to provide an explanation of the need for the extension and what the plans are for the application going forward, second by Mr. Proctor. Mr. Morytko confirmed they don't need to notice for this discussion. Ms. Raffay noted they need to show up, are not bringing plans, and there is no testimony. Ayes: Mss. Raffay, DeMagistris, Lewandowski, Messrs. Mayor Rubenstein, Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas
Absent: Ms. Colligan
None opposed. Motion carried.

BILLS: Maraziti Falcon (7): \$3,584.00. A motion to approve the bills was made by Mr. Morytko, seconded by Mayor Rubenstein. All were in favor. Motion carried.

REPORTS FROM COMMITTEES

Environmental Commission- Mr. McElroy said there is a meeting next week.

Open Space- Mr. Morytko said there is a meeting in April.

Township Council- Mayor Rubenstein said Doris Flynn was appointed as deputy clerk. They passed the nuisance ordinance for noise. Elizabethtown Gas debated putting gas in Cranberry Lake. Messrs. Sabatini and Roseff went with Mayor Rubenstein to Trenton to meet with them and discuss. The company is worried about the cost after experiencing rock issues in Forest Lakes. They agreed to send a survey to residents of Cranberry Lake. Mayor Rubenstein reviewed the plans for gas in the town. They should be in Lackawanna by this fall. Mr. Proctor noted there have been no objections to the declaratory judgment. He visited a forum and can send the information to the Board.

OPEN TO THE PUBLIC

Chairman Shivas opened to the public. Mr. Ghazal thanked the Board for approving the waiver and resolution. He wants to work with the town and help those in need. They're hoping to open in about five weeks. Chairman Shivas closed to the public.

Chairman Shivas said the annual report is being worked on, and he needs the Board's comments for anything that may need to change. He would like to provide this to the Council by 04/01.

ADJOURNMENT

A motion to adjourn the meeting was made at 8:00 pm by Mr. McElroy, seconded by Mayor Rubenstein. All were in favor. Motion carried. The meeting was adjourned.

Submitted by Caitlin Phillips