

MEETING MINTUES OF THE BYRAM TOWNSHIP PLANNING BOARD: May 15 2025

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

ROLL CALL:

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

Members Absent: Messrs. Proctor and Walsh

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: April 17, 2025

Motion of Mr. McElroy to approve the minutes, second of Ms. DeMagistris.

Ayes: Mss. DeMagistris, Colligan, Lewandowski; Messrs. McElroy, Smith, Chairman Shivas

Abstaining: Mayor Rubenstein, Mr. Morytko

Absent: Ms. Raffay, Messrs. Proctor and Walsh

None opposed. Motion carried.

RESOLUTIONS

Z01-2025 Regina Frandano, 1 Cranberry Ledge Road, Block 105 Lot 26, R-5 Zone

Application for enclosure of mudroom/porch area

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

Ayes: Mss. Colligan, DeMagistris, Lewandowski; Messrs. McElroy, Morytko, Smith, Chairman Shivas

Abstaining: Mayor Rubenstein

Absent: Ms. Raffay, Messrs. Proctor and Walsh

None opposed. Motion carried. Ms. Raffay entered the meeting at this time.

DISCUSSION ITEM: Code Amendments to Chapters 215 and 240

Mayor Rubenstein said the Council is making modifications to Chapters 215 and 240 of the Township Code, related to the checklist and accessory structures including AC units. Chairman Shivas noted it also mentions the elimination of the Architectural Review Committee (ARC). Ms. Hubbard said they're here to determine if this is not inconsistent with the Master Plan. She noted all the checklists are in the zoning ordinance, and some of them apply to site plan and subdivision, which is 215 and not 240. If they were put in both sections, it would be easier to find. Mayor Rubenstein noted they could reference the section. Ms. Raffay said one of the proposed checklists is called Final Preliminary Site Plan, and should be called Preliminary Major Site Plan. Ms. Hubbard said the other one is Final Major Site Plan.

Mr. Smith noted they're changing the definition of basic accessory structures in Chapter 240-7, and in there, it says requirements in 240-16 A are exempt. He suggested adding a sentence in 240-16 A about the exemption, since if you just look there, you wouldn't know what's exempt. Mayor Rubenstein noted they may need to re-introduce this at the Council. Mr. Stoner noted they could proceed and then make amendments later. Ms. Hubbard said a typo likely doesn't need re-introduction. Mr. McElroy said this may be taken care of during a re-exam, but there are places in the Master Plan where the ARC is cited, on page 62 under the "New Zones" section. Ms. Phillips asked

about doing this during Affordable Housing work. Ms. Hubbard said the housing element is affordable housing and not land use.

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

Motion of Ms. Raffay to deem these amendments not inconsistent with the Master Plan, with the corrections and clarifications discussed, second by Mr. Smith.

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

Absent: Messrs. Proctor and Walsh

None opposed. Motion carried.

REPORTS FROM COMMITTEES

Environmental Commission- Mr. McElroy said there's a meeting next Thursday.

Open Space- Mr. Morytko said there's no meeting.

Township Council- Mayor Rubenstein said they had a police officer award ceremony, with three officers recognized. It was Municipal Clerk's week. There was a first reading of the ordinance discussed tonight. There were two ordinances related to them putting properties up for sale. They discussed a light nuisance ordinance, also known as light trespass. This is related to people with large floodlights shining into neighbors' properties. Ms. Raffay confirmed this is just for residential properties. They talked about buffering on lakefront properties, and decided if they move forward, they would need to engage a professional. They talked about the Board of Education budget.

OPEN TO THE PUBLIC

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ADJOURNMENT

Ms. Hubbard talked about the upcoming agendas and affordable housing. The Board needs to adopt the Fair Share Housing Element, and then it goes back to the Council for approval by June 30th. The Board needs to do this on June 5th so they're in compliance. Mayor Rubenstein noted they need to make sure they have a quorum. Ms. Phillips said Mr. Bloch was planning to have the documentation ready tomorrow, so that the noticing can go out. That needs to be sent to the newspaper by Tuesday. Most people just need to get the notice, but a few organizations need the document and the notice. Ms. Raffay noted she can't attend this meeting. The Board discussed availability and timing. Mayor Rubenstein confirmed once the Council approves this, it gets submitted to the court and they should be in compliance.

Mayor Rubenstein said he heard that a well will be drilled on the Wild West parcel across from ShopRite to do water testing, through Ryan Homes.

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

Submitted by Caitlin Phillips