

**Regular Meeting  
Board of Adjustment  
February 20, 2013 Minutes**

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**Present:**

Mr. Lawrence Cohen, Chair  
Ms. Linda Carrington  
Mr. Michael Leavy  
Mr. Cary Lloyd, Vice Chair  
Mr. Michael Schmidt  
Mr. James Bednarz  
Meredith Marcus  
Brian McShane

**Absent:**

Ms. Helen Dodick

None

**Board Professionals Present:**

Phil Abramson, Board Planner  
David Brady, Board Attorney  
James Campbell, Adm Officer  
Michael Cristaldi, Board Engineer

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The meeting was called to order by Mr. Cohen and read the Statement of Adequate Notice that was provided as required by the Open Public Meetings Act by written notice. Said notice was given to the Daily Record, posted on the Town of Morristown Bulletin Board, and filed with the Clerk of the Town of Morristown on

February 13, 2013 and copies of this notice were mailed to all persons, complying with the regulations providing for the mailing

of said notice at least 48 hours prior to the time of this meeting. I direct that this statement together with a copy of said notice be incorporated in to the minutes.

Roll call of members taken by Mr. Campbell as listed above.

Presentation by Morristown Parking authority – George Fiori & Bob Goldsmith

Discussion to further board’s understanding of how the MPA allocates parking leases and terms of such leases.

Special Meeting set on March 27, 2013 for # 2299 - Peck School.

Appeal of Zoning Officer relating to the expansion of the summer camp use

Appeal # 2297 – Luis Tamay – Bulk Variance need for second floor addition.

Translator for applicant – Diane Acosta

Explanation of project and photo exhibits A1, A2 and A3 showing current condition.

Board Questions: Re

Lloyd – New roof for entire house

Carrington – windows different in elevations, deck removal, replacement door, siding

McShane – single family

Public Questions: Re

Louise Jackson : 15 Garden St  
Look of house

Public Comments: None

Board Discussion:

Leavey - final list of materials for siding, roofing, and elevations

McShane - Good improvement

Lloyd – Looks good

Marcus – good

Bednarz – good upgrade

Motion to approve by Bednarz, Second by Leavy: vote by board all in favor – application approved , to be memorialized at next meeting

Appeal # 2282 – Peck School – continued from Jan 16, 2013.

Report given by Richard Wolowicz – Arborist – findings requested by board on condition of current trees as well as proposed plantings.

Questions from Board: Re

Leavey – how much dead material to be removed, any immediate impact with screening, maintenance follow up and enforcement

Carrington – Root barrier needed at retaining wall  
Single vs. multi trunk trees

Bednarz – Creek plantings, view of fields through trees

Abramson – Maintenance program

Crirstaldi – vegetation starts at what height,

Cross exam by Attorney Newmark for Peck –

Size of field taken into account with landscaping

Cross by Jay Delaney – Attorney for objector –

8 to 10 ft tress vs. 6 ft, forsythia 3 to 4 ft vs. 4 to 5 ft, deer restraint plants, tree monitoring program

Marcus – impact of different size trees

Public Questions:

Mark Bender – was initial landscape plan reviewed

Steve Duoanis – Gaps in trees, errant ball fence

Bill Hamilton – Landscape Architect - Witness for Peck

Review of Wolowicz report

Proposed plantings would impact field safety

Rt 287 barrier plantings

2 year guarantee on plants

Board Questions:

Bednarz – fence location,

McShane – inspection program

Brady – fence location

Cristaldi – safety distance at school side, other uses of fields

Abramson – safety runoff

Lloyd – arborist to inspect, when would landscape be completed

Public Questions: Steve Duanis – planting without consideration of safety

Mark Bender – dead plants at parking area

Witness - Donald Diebold – Athletic Director of Peck School  
Cross exam by Newmark

Discussion of regulation field size, field use, safety run off requirements

Board Questions:

Bednarz – only regulation size fields

Carrington – boys on same field as girls

Leavey – 44 yards for womens. Fall sports & soccer

Cristaldi – safety area is undersized and field regulations

Brady – Can field be 2 yards less

Public Comments:

Mark Bender – site conditions, night time lighting, reduced property values

Steve Douinis – Lighting issues

Lou Avrami – character of neighborhood has changed

Jay Delaney – Summation for objectors

Martin Newmark – Summation for Peck

Board Discussion:

Brady – site plan must be considered as part of variance application

Lloyd – old application issues need to be addressd

Leavey – Lighting

Carrington – 287 walls

Bednarz – risk of injury to children, enforcement

Marcus – opposed to smaller fields, not opposed to landscape fund

McShane – landscape plan ok

Schmidt – plan ok

Lloyd – plantings as per report

Review of conditions to be met

Motion to approve landscape portion only of Bifurcated application by Carrington, Second by Leavey, all votes in favor

Motion to close meeting by Leavey, Second by Bednarz

