

**Regular Meeting
Board of Adjustment
February 5, 2014**

Present:

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

Absent:

Scott Wild
Ms. Helen Dodick

Board Professionals Present:

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

The meeting was called to order by Mr. Lloyd 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 January 29, 2014 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.

Minutes from the Jan 29 Meeting - motion to approve by Leavy, second by Marcus

Resolutions:

a.) Appeal # 2295 of Inter Vivos Trust of Rhonda D. Gilbert, owner of property situate Block 6206, Lot 5, known as 66 MacCulloch Avenue, Morristown, requesting extension for revised plans by March 15, 2014 and completion of work by June 1, 2014

Motion to approve by Bednarz, second by Leavy. All members in favor with the exception of Carrington (Abstain)

b.) .) Appeal # 2317 of Valerie & Keith Gehm, owners of property situate block 5304, lot 20, known as 55 Sherman Place, Morristown NJ, requesting C Variance to construct a second story addition in front yard setback

Motion to approve by Bednarz, second by Schmidt. All members in favor

c.) Appeal # 2305 of Victor Fernandez, owner of property situate block 501, lot 14 , Walker Street, Morristown NJ, requesting C and D Variances , Major site plan to construct a four townhouse building

Motion to approve by Carrington, second by Bednarz. All members in favor

Public Hearings:–

a.) Carried from the December 4, 2013 meeting, Appeal # 2299 of Peck School, owner of property situate Block 6401, Lot 6, known as 247 South Street, Morristown NJ , requesting determination of Zoning Official determination as well as Appeal # 2301 for continuation of Summer Camp Use and Amended Appeal # 2100 for interpretation of approval of Resolution from January 5, 2005 with respect to Summer Camp Use

Kevin Coakley , attorney for Peck School discussed the history of th esummer camp program of Peck School. He then discussed the 2004 application of Peck School which included the new gym building. There was testimony from the school director in th e2004 application that included language for a summer camp use and a possible expansion. Mr. Coakley contended that the board in 2004 took the summer camp use as an accessory use and it should be allowed to be continued as most recently in 2013 .

Dyanna Conroy, witness # 1, Director of Finance for Peck School, discussed the breakdown of offerings for the summer camp into sports and enrichment offerings. She then discussed the number of average students that attend the summer camp as well as the core values of the school.

Motion to approve Dave Brady to draft a resolution by Leavy, second by Marcus. All voting members in favor

b.) Appeal # 2316 of South Street Dumont LLP, owner of property situate Block 4802, Lots 12 & 12.01, known as 48-50 South Street, Morristown NJ , seeking C and D Variances as well as Minor Subdivision, Major Site Plan Approval and Minor Site Plan Approval for the proposed construction of Eight Apartments in the CBD Zone

Appeal was not heard due to time constraints and was carried to the March 19, 2014 Meeting

Motion to adjourn meeting by Bednarz, second by Lloyd