

**Regular Meeting  
Board of Adjustment  
June 17, 2015**

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**Present:**

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

**Absent:**

Mr. Scott Wild

**Board Professionals Present:**

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

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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 June 9, 2015 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 – Minutes from the May 20 & June 3 2015 meeting. Motion to approve by Carrington, second by Leavy. All members in favor

Old Business –

Resolutions –

### **Public Hearings**

**a.) Appeal # 2358 of Scott Biggers, owner of property situate block 9001, lot 8, known as 8 Erskine Avenue, Morristown NJ, requesting C Variance to construct new attached garage within side yard setback**

**Deficient Notice. Applicant to re notice for new date not yet known**

**b.) Appeal # 2352 of Peter Austin, owner of property situate block 4801, lot 11, known as 89 Morris Street, Morristown NJ, requesting C Variance in conjunction with newly proposed sign**

**Deficient Notice. Applicant to re notice for new date not yet known**

**c.) Carried from the May 20, 2015 Meeting, Appeal # 2341 of Madison Enterprises, owner of property situate block 7901, lot 31, known as 147-153 Washington Street, Morristown NJ, requesting Major Site Plan, Bulk Variances as well as a Use Variance to operate a retail food use**

**Application carried to the July 15, 2015 Meeting**

**d.) Carried from the May 20, 2015 Meeting, Appeal # 2351 of AHS Investment Corp, owner of property situate block 3901, lots 4, 5, & 6, known as 96, 98 & 100 Franklin Street, requesting board interpretation for discrepancies in zoning ordinance regarding RG-M and RG requirements and determination if C or D Variances will apply and board jurisdiction**

**Willard Bergman, - Attorney for applicant  
Overview and history of ordinance interpretation and and the application of the RG vs. RGM Zone**

**Ex A-1 Aerial site photo**

**Ex B-1 Copy of Ord # 30-807 RGM Zone**

**Ex C-1 – Bulk Standards Table**

**Ex D-1 - Due Diligence Table**

**Summary by Bergman**

**Board Attorney Brady summarized town code and the application of text vs. bulk table and memo to board**

**Board Questions –**

**Public Questions/ Comments**

**Motion to approve by Leavy, second by Marcus. All members in favor**

**c.) Appeal # 2356 of Richards & Robbins Group, owner of property situate block 6102, lot 12, known as 40 Maple Avenue, Morristown NJ, requesting C & D Variances in conjunction with the conversion of existing office space into two new residential units**

**David Soloway – Attorney for applicant -**

**History of building and its past and current uses**

**Summary of variances requested**

**Witness # 1 – David Richards – Owner**

**History of property since acquired in 60's**

**Overview of current parking arrangement and tenants uses**

**Ex A-1, A-2, A-3 – Copies of leases of current tenants showing parking restrictions**

**Ex A-4 – Floor Plan of 1<sup>st</sup> & 2<sup>nd</sup> floor**

**Board Questions**

**Public Questions/Comments**

**Review of Planner's report**

**Witness # 2 – Paul Phillips PP**

**Overview of proposal and variances**

**ORC Zone requirements and Positive & Negative criteria**

**Board Questions –**

**Public Questions/ Comments**

**Application to be continued at the August 5, 2015 Meeting**

**Motion to go to Executive Session by Leavy, Second by Bednarz**

**Motion to adjourn meeting by Bednarz, second by Marcus**



