

**Regular Meeting
Board of Adjustment
July 17, 2013 Minutes**

Present:

Ms. Linda Carrington
Mr. James Bednarz
Mr. Michael Leavy
Mr. Michael Schmidt
Ms. Helen Dodick
Mr. Lawrence Cohen, Chair
Meredith Marcus

Absent:

Mr. Cary Lloyd, Vice Chair

Board Professionals Present:

Robert Correale, Board Attorney
James Campbell, Adm Officer
Michael Cristaldi, Board Engineer
Phil Abramson, Board Planner

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 July 10, 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.

Resolutions Memorialized:

a) Appeal # 2302 of Frank Rinaldi, owner of property situate block 1503, lot 21, known as 71 Washington Avenue, Morristown NJ, requesting a dimensional C variance to construct addition to existing house

Motion by Carrington, second by Bednarz

b) Appeal # 2296 of Aslihan, owner of property situate block 6006, lot 1, known as 2 Mt. Kemble Avenue, Morristown NJ, requesting major site plan and a D use variance to add convenience store to existing retail gasoline location

Motion by Schmidt, second by Leavy

c) Appeal # 2300 of N&B Associates, owner of property situate block 7801, lot 26, known as 98 Washington Street, Morristown NJ, requesting C & D variances for use, bulk, signage , and parking

Motion by Leavy, second by Dodick

d) Appeal #2282 of Peck School, owner of property situate block 6401, lot 6, known as 247 South Street, Morristown NJ, requesting dimensional variances and minor site plan to expand parking, relocate dumpster and fencing.

Motion by Dodick, second by Bednarz

Public Hearing –

a.) Carried from the July 3, 2013 meeting, Appeal # 2306 of Nathan & Jessica Umbriac, owners of property situate block 4005, lot 1, known as 1 Randolph Drive, Morristown NJ, requesting C Variance for front yard setback for ac condenser and deck

**Witness # 1 - Jessica Umbriac – Property Owner
Overview of project**

Bednarz – permits, landscaping, deck materials

Schmidt – screening of ac unit & deck, 2 front yards

Carrington – Deck Railings

**Witness # 2 – Nathan Umbriac – Property Owner
Stairs on deck to go to existing patio**

Public Questions – None

Summation by Nathan Umbriac

Board Deliberation

Leavy – Minimal impact

Marcus – nice job

Cohen – nice addition to house

**Motion to approve by Bednarz, second by Schmidt
All in Favor**

b.) Appeal # 2287 of 12 Elm Street LLC, owner of property situate 4701, lot 28, known as 12 Elm Street, Morristown NJ, requesting D Variance for apartment use on fourth floor

**Martin Newmark – Attorney for applicant
Summary of history and use of building**

Witness # 1 – Thomas Baio AIA

**Ex A-1 Floor plan of proposed fourth floor layout
Overview of exterior elevations showing required fire escape**

Ex A-2 – Photographs of site

Board Questions –

Carrington – direction of fire escape, kitchen exhaust

**Cristaldi, width of fire escape, survey lines vs. fence lines,
current fourth floor use, apt storage**

Abramson – Railing cut sheet

**Leavy – fourth floor tenant access to deck, shielding of ac
units**

Cohen – AC units on fourth floor

**Bednarz – moving ac units for fire escape, fourth floor
service access to ac units**

Public Questions – None

Witness # 2 – David Zimmerman – PP

**Discussion of Abramson Planning report and relation to
CBD Zone and how it relates to Master Plan revision**

Overview of variances needed and density

Ex A-3 – Photos of exterior with superimposed image of fire escape and potential views from different locations

Ex A-4 – Photos of other buildings on Elm St with visible fire escapes

Board Questions :

Bednarz – other fire escapes only having single flight of stairs, trash removal

Abramson – parking on Elm St

Carrington – letter from parking authority, rear stairway access

Leavy – occupants for new unit

Cristaldi – density and sf requirements

Public Comments – None

Application carried to the August 7, 2013 Meeting

Appeal # 2299 Appeal of Zoning Officer's decision to be carried to the September 18, 2013 Meeting

Appeal # 2301 – Summer Camp Expansion Use Carried to the September 18, 2013 Meeting

Motion to close by Bednarz, second by Carrington

