

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

Present:

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

Absent:

None

Board Professionals Present:

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

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

March 11, 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.

Public Hearings

(a) Continuation of Appeal # 2269

from March 6, 2013 of William Lloyd, owner of property situate block 4701, lot 14, known as 52 Elm Street, Morristown NJ, requesting Use Variance, Dimensional Variances, and Major Site Plan to construct addition to create eight additional residential units.

Lawrence Calli Attorney for applicant – Summation of proposed changes from original plan to now have only 6 one bedroom units vs. 8. Original board concerns addressed including adding landscaping, garbage area, and parking.

Also working with Historic Preservation Commission regarding comments.

Witness # 1 Frank J. Rawding AIA - Overview of new design including HVAC units in new area out of sight, 2 smaller trash enclosures, 10 rear buffer to remain, handi cap lift to be installed at side porch for ADA access, individual units will increase in size due to less units

Board Questions:

Leavy – HPC remarks & shutters, onsite parking spaces

Dodick – Coah

Carrington – HPC windows, rear wall without windows, timing of trash pick up

Bednarz – overhead utilities, rear block wall. Timing of trash to concur with town pick up

Cohen – offsite parking

Abramson – façade as compared to next door building

Public Questions – David Skekete – water run off and trash pick up times

Board Comments:

Lloyd – great plan needs landscaping plan

Carrington – comfortable

Leavy – HPC report not a deal breaker if hardship prevails

Motion to approve by Lloyd, second by Leavy

All members voted in favor

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

Jay Delaney – attorney for applicant

Witness # 1 Ziya Erdemir – Owner of business –

Summation of how site is currently used as vehicle repair and retail fuel location. Number of employees and hours of operation.

Discussion of proposed plan and operations

Board Questions –

Lloyd – removal of old fuel tanks, storage of cars waiting for repairs, 8 proposed parking spaces

Carrington – chain link fence & soil testing, parking on McCulloch ave

Bednarz – number of workers, repair business

McShane – old trailer on site, lighting changes

Dodick – I mechanic for 2 bays

Cohen – tight parking lot now

Marcus – deliveries of perishable items, garbage times

Public Questions –

John Brady – Colles Ave – size of staff to change

Mr Hakakin – owner of J & S flooring next door business – parking issues between both businesses

Witness # 2 Nassir Almukhtar – AIA

Discussion of proposed plans to interior layout, parking lot striping, dumpsters, lighting

Ex A 1 - color rendering of exterior

Board Questions

Leavy – dumpster on wheels through parking lot

Cohen – square ft of signage, HPC input, lighting

Application carried to May 1, 2013 meeting

(c) Appeal # 2282 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
continued from Feb 20, 2013 meeting

Chairman Cohen recused himself.

Martin Newmark – attorney for Peck

Witness # 1 – Erik Keller – Omland Engineering PE, PP

Ex A-11 map showing current dumpster vs old location

Discussion of why new dumpster location is better, away from
school bldg and food deliveries

Parking variances – parallel parking along existing driveway

Ex A-12 depiction of parking areas current & proposed
Additional 43 regular spaces and 25 temporary spaces proposed
Buses to parallel park at top of lot most farthest away and with
smallest impact

Review of engineering report from Alaimo

Ex A 14 & A 15 photos of temp parking areas

Board Questions –

Carrington – control of parking directions

Leavy – staff parking, overflow, and idling enforcement

Cristaldi – parking on curved driveway

Lloyd – striping and gravel parking area

Abramson – assigned parking, edge of gravel parking, temp parking area,

Jay Delaney – attorney for objectors - cross exam of witness

Why now with more parking, how many times to use temp parking, town approval every time, parking on state property, proposed parking is already in place

Public Questions – Mark Binder – Paula Ct

Staff parking needed, gym not to be seen, 66% increase in parking

Application Carried to the April 17, 2013 Meeting

Motion to close by Lloyd, second by Leavy

