

**Regular Meeting
Board of Adjustment
May 15, 2013 Minutes**

Present:

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

Absent:

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. 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 May 8, 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.

Chairman Cohen recused himself from the proceedings

Public Hearings:

a.) Continuation from April 17, 2013 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.

Board attorney Brady discussed the formation of the proposed draft resolution with regard to all parties involved

Jay Delaney – Attorney for objector Debra Gottsleben, commented on a numbers of issues of concern

Martin Newmark – Attorney for Peck School – closing statements as to entire application and resolution

Board discussion of points of contention of resolution and final language to be adopted and incorporated into resolution to be memorialized at next regular board meeting June 5, 2013

**Motion to adopt resolution by Leavy, second by Bednarz
All members in favor**

b.) Appeal # 2299 of Peck School, , owner of property situate block 6401, lot 6, known as 247 South Street, Morristown NJ, requesting appeal of Zoning Officer decision reading expansion of summer camp use

History of case by board attorney Brady so that board has a good understanding of issues

Kevin Coakley – Attorney for Peck School

Discussion of appeal and possible use variance

**History of Peck School and summer programs
Accessory use or similar use for school**

Witness # 1 Dyanna Conroy – Director of Finance for Peck School

Overview of Peck School and mission of school as well as summer program in question

**Exhibit P1 – Summer program brochure for Peck School
Listing of all athletic and academic offerings with listings of faculty and dates and times of curricula**

Exhibit P2 – Survey of other schools in area with summer programs – overview of surveyed results

Exhibit P3 – Morris School District Summer Program Brochure

Exhibit P4 – Local private schools summer programs

Exhibit H – History of Peck Summer offerings from 1940 through present

Peck Summer program has never had an issue with town prior to initial notice in 2011 that programs were not allowed.

Summer program use is less intense than regular school programs and lasts only three weeks

Summer Program is an extension of Peck School's curriculum and mission for students attending

Open to any student wishing to attend

Appeal carried to the July 17 meeting as well as Appeal # 2301 Use Variance application if needed.

Motion to close by Lloyd, second by Leavy