

**Regular Meeting
Board of Adjustment
May 1, 2013 Minutes**

Present:

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

Absent:

Mr. Michael Schmidt

Board Professionals Present:

Steven Shaffer, 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 April 24, 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.

Memorialize Resolution for Appeal # 2303, Gertrude Sofman
Motion to approve by Bednarz, second by Lloyd

Memorialize Resolution for Appeal # 2304, Alan & Christine Fox
Motion to approve by Lloyd, second by Dodick

Public Hearings:

Appeal # 2302 – Frank Rinaldi – 71 Washington Ave – adjourned
until the June 5, 2013 meeting

Appeal # 2296 – Aslihan – 2 Mt Kemble Ave – adjourned to June
5, 2013

Appeal # 2300 – N & B Associates – 98 Washington Street

Jessica Mariconda - Attorney

Witness # 1 – Kevin Barber – Owner of property & partner in
business

Overview of history of business and property

Board Questions:

Carrington – Number of employees, empty adjacent building, purchase of next door building, purchase of current building

Abramson – ORC Zone, mixed use, residential use, parking area, shortage of parking spaces, storage of bicycles, leasing of additional parking spaces

Bednarz – scale of building, growth of business, sharing of offices, property is eyesore and contributes to town blight, residential or commercial neighborhood

Shaffer – Raze of current building. Thought of smaller building for less variances

Lloyd – public parking available, spaces set aside for clients

McShane – is application positive, any detriments

Public Questions: None

Witness # 2 Peter Dorne AIA –

Summary of elevations and layout of building

Ex A-1 Pictures of neighboring properties

Ex A-2 Color Rendering of proposed building

Ex A-3 Front landscape color rendering

Ex A-4 - Ridge lines of building

Bednarz – streetscape use, HPC input

Lloyd – ADA entrances,

Leavy – illuminated sign,

McShane – night lighting, hours of operation

Carrington, elevators,

Abramson – residential use

Public Questions – None

Witness # 3 - Celia Dehuff – LA

Overview of landscape design

Ex A-5 species of proposed plantings

Abramson – Partnership sidewalk program

Cohen – Tree in rear with retaining wall

Marcus – maintenance of landscape

Public Questions – None

Witness # 4 – Mark Denisiuk – NJ PE

Site Plan Overview

Discussion of Alaimo Report

Poison Sumac Tree, pruning of existing trees, a/c units in setback, noise level of ac units, driveway width, parking at or near retaining wall, site drainage, bldg height, gross floor area

Lloyd – buffer for ac units, open fence

Shaffer – designated parking areas

Board Questions –

Bednarz – wall and fence height

Witness # 5 – Paul Ferriero – NJ PP

Overview of use and list of variances sought

Promote desirable looking building

Positive & negative criteria

Consistency with Master Plan Language

Public Questions: None

Board Questions:

Bednarz – Autobody shop wrap around, transitional area, viable business’

Shaffer - 15 vs 9 parking spaces, parking variances, Square footage of net floor area

Summation by Attorney Mariconda

Board Deliberation –

Carrington – no residential component, must have that

Leavy – comparable to other commercial uses in area, improvement to site

Lloyd – visual impact too great, other owners may not invest in their property

Bednarz – not attractive

Cohen – Washington St needs improvement and this is part of that

Marcus – not everyone has same taste in architecture, building looks very nice

Abramson – Master plan wants to merge lots, Washington St supports other areas of town, ORC a special zone with difficult lots

McShane – much better than what is there now

Applicant to redo plans and return on either June 5 or June 19 based on Board Calendar

Motion to close by Lloyd, second by Bednarz