

**Regular Meeting
Board of Adjustment
April 20, 2022**

Present:

Mr. Steven Pylypchuk
Mr. Thomas Ferrara
Mr. Anthony Murphy
Mr. Scott Wild
Ms. Barbara McNally
Mr. James Bednarz
Ms. Noelle Nish
Ms. Rachel Blacker

Absent:

Ms. Beth Wall

Board Professionals Present:

Michael Brown, Board Attorney
James Campbell, Adm Officer
Phil Abramson, Board Planner
David Atkinson, Board Engineer

The meeting was called to order by Chairman Pylypchuk 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 bulletin board in the Town Hall , and filed with the Clerk of the Town of Morristown on April 13, 2022 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 this meeting. This meeting is being held electronically in accordance with the Open Public Meetings Act as amended in 2020 which explicitly allows a public body to conduct meetings electronically during the currently declared state of emergency that reasonably prevents a public body from safely conducting business at a physical location with members of the public present such as the current COVID-19 pandemic.

Adequate notice of the electronic meeting has been provided by advertisement of the Board's annual meetings in the official newspaper, posted on the Town website and posted on the door to the municipal building.

Roll call of members taken by Mr. Campbell as listed above

Minutes –None

Old Business – None

Resolutions -

- a.) Appeal # 2512 of Dot Matrix Group, Inc, lessee of property situate block 4501, lot 40 requesting interpretation of uses as specified under prior approval from resolution dated December 16, 2015

Motion to approve by Bednarz, second by McNally. All eligible members in favor

Public Hearings:

- a.) Carried from the April 13, 2022 Special Meeting, Appeal # 2509 of Above Grid Solar Carport 2020 LLC, contractor for AHS Hospital Corp, owner of property situate block 4201, lot 1 & 2, known as 100 Madison Avenue, Morristown NJ, requesting Major Site Plan approval in conjunction with proposed roof top solar arrays over existing parking areas

Application carried to the May 12, 2022 Special Meeting

- b.) Appeal # 2506 of Yeison De Los Santos, owner of property situate block 902, lot 5, known as 6 Malcolm Street, Morristown NJ, requesting C Variances in conjunction with proposed detached garage for use as part time martial arts studio

Application carried to the May 18, 2022 meeting

Board Member McNally recused herself from the application and left the meeting

c.)Carried from the March 28, 2022 Special Meeting, Appeal # 2503 of Dismal Harmony , LLC, owner of property situate block 4801, lot 10, known as 77 Morris Street, Morristown NJ, requesting Major Site Plan approval for Conditional Use approval for proposed distillery with production area, tasting area & seating

Lawrence Calli – Attorney for applicant

Brief history of application

Witness # 1 – Michael Tobia – PP

Ex A202 – Previous power point presentation

Review of permitted conditional uses allowed in the zone

Overview of deliveries & loading procedures

15 on site parking spaces required, 5 provided, additional parking adjacent in MPA lot

Review of Master Plan and variances requested

No outdoor music in outdoor area and no food provided as per the ABC license

Board Questions –

Public Questions – None

Witness # 2 – Peter Morgan – AIA

Exhaust system at rear of building for emergency venting and ductwork to be painted to match exterior colors

Board Questions –

Public Questions/Comments – None

Summary by Calli

Board Deliberation

Motion to approve by Bednarz, second by Wild. All eligible members in favor

Board Member McNally rejoined the meeting

d.)Carried from the March 9, 2022 Special Meeting , Appeal # 2490 of Co Home Inc, owner of property situate block 7301, lot 2.02, known as 44 Miller Road, Morristown NJ, requesting D Variance to convert existing detached garage into a residential dwelling unit

Frank Vitolo – Attorney for applicant

Brief summary of application and all witness testimony

Public Comments –

Patricia Ard – Farragut Pl

Trish Gruslik – Farragut Pl

Linda Carrington – Macculloch

Miriam Herbert – Norwood Ct

Karen Ann Kurlander – Farragut Pl

Greg Kurlander – Farragut Pl

Elizabeth Ivell – Maple Ave

Mary Ann Reily – James St

Chris Hohorst – Perry St

Katie Bartlett – Farragut Pl

Michael Rockland – Farragut Pl

Glynnis Paterson – Ralph Pl

Jim Young – Jay St

Donna Macnamarra – Colles Ave

Jeff Stiles – Macculloch

Application carried to May 4, 2022

New Business - None

Public comment for items not on the agenda – None

Motion to adjourn meeting by Pylypchuk, second by Bednarz