

**Regular Meeting
Board of Adjustment
August 3, 2022**

Present:

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

Absent:

Ms. Noelle Nish

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 July 27, 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 – From the July20, 2022 meeting. Motion to approve by Bednarz, second by McNally. All members in favor

Old Business – None

Resolutions -

a.) Withdrawal of Appeal # 2478 of John McFadden, owner of property situate block 5802, lot 5, known as 1 Atno Avenue, Morristown NJ, requesting Major Site Plan with C & D Variances in conjunction with proposed second principal structure

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

Public Hearings:

a.) Carried from the June 15, 2022 meeting, Appeal # 2506 of Yeison De Los Santos, owner of property situate block 902, lot 5, known as 6 Malcolm Street, Morristown NJ, requesting C & D Variances in conjunction with proposed detached garage for use as part time martial arts studio

Application carried to the August 17, 2022 meeting

b.) Carried from the July 20, 2022 meeting, Appeal # 2477 of 161-163 Madison Ave LLC, owner of property situate block 1402, lot 3, known as 161-163 Madison Avenue, Morristown NJ, requesting bifurcated approval of C & D Variances in conjunction with a new 3 story 28 unit residential building

Application carried to the September 7, 2022 meeting

c.) Carried from the July 20, 2022 meeting , Appeal # 2175 of 9 George Street Commons LLC, owner of property situate block 2202, lot 2 , known as 9 George Street, Morristown NJ, requesting amended site plan and associated bulk variances

Application carried to the August 17, 2022 meeting

d.) Remanded by the Superior Court Division, Appeal # 2456 of Milelli Morristown LLC, owner of property situate block 6101, lot 1 known as 23-27 South Street, Morristown NJ, for C Variances in conjunction with Major Site Plan approval for new multi- story mixed use building

Application carried to the August 31, 2022 Special Meeting

e.) Carried from the July 20 2022 meeting, appeal # 2497 of Morristown Field Club, owner of property situate block 9301, lot 2, known as 168 James Street, Morristown NJ , requesting Major Site Plan Approval with C & D Variances for expansion of existing tennis Club and associated improvements

John Delaney – Attorney for applicant

Summary of testimony & professionals

Public Comments –

John Landau – James Street
Ex O-601 - Letter presented to board

Cross exam by Delaney
Board Questions of Mr.Landau

Mariah Ringhoff – Maxwell Ct
Ex O-602 – NJ DEP Letter

Keith Survell – Erksine Dr
Ed Peters – Washington Street
Christine Miller – Maxwell Ct
Ex O-603 – Summary of objections

Cross Exam by Delaney
Board Questions of Ms. Miller

Judy Martinez – South St
Maria Graydon – Guy Ct
John Endalal – Wasington Ave
Marcy Needle – Windmill Pond
Susan Landau – James Street

Closing statements by attorney Delaney

Board Deliberation

Witness # 1 – Cathy Ackerman – Club Representative

Review of construction time line and condition of timers on lights

Board Questions –

Motion to approve by Wild, second by McNally. All members present in favor

New Business - None

Public comment for items not on the agenda – None

Motion to adjourn meeting by Wild, second by Bednarz

