

**Regular Meeting
Board of Adjustment
December 1, 2021**

Present:

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

Absent:

Board Professionals Present:

David Brady, Board Attorney
James Campbell, Adm Officer
Golda Speyer, Board Planner
Michael Textores, 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 November 24, 2021 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 November 3 & 10, 2021 meetings . Motion to approve by Bednarz, second by Wall. All members in favor

Old Business – None

Resolutions - None

Public Hearings:

a.)Carried from the November 3, 2021 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

Application carried to the December 15, 2021 meeting

b.) Carried from the November 3, 2021 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 Major Site Plan approval with C & D Variances in conjunction with a new 3 story 28 unit residential building

Michael Affrunti – Attorney for applicant

Summary of revised plans and testimony to be given

Witness # 1- Michael Tobia – PP

Ex A 601 – Colorized site plan

Review of revised plans including proposed property line changes, elimination of floor area variance and new proposed pocket park

Ex A 602 – Site Layout Plan

Ex A603 – Easement Plan

Ex A 604 – Street View of Park

Ex A 605 – Birds eye view of park

238 parking spaces now proposed with new lot line adjustment

Review of testimony regarding proposed site and adjacent uses in this zone

Board Questions –

Public Questions – None

Review of conditions by Board Attorney Dave Brady

Closing summary by Attorney Affrunti

Public Comment – None

Board Deliberation

Motion to approve the Use portion of the bifurcated application by Wild, second by McNally. All eligible members in favor

Motion to go into Executive Session to discuss legal matters before the board by Wild, second by Blacker

Motion to adjourn meeting by Pylypchuk, second by Wild