

**Regular Meeting  
Board of Adjustment  
January 19, 2022**

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**Present:**

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

**Absent:**

**Board Professionals Present:**

David Brady, 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 January 12, 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 # 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

Motion to approve bifurcated approval for Use Variances only by Nish, second by Wild. All eligible members in favor

Public Hearings:

- a.) Appeal # 2489 of Pisa Treires LLC, owner of property situate block 3303, lot 14, known as 22 Orchard Street, Morristown NJ, requesting C & D Variances in conjunction with proposed two family house

Application carried to Special Meeting to be held on Feb 9, 2022

b.)Appeal # 2492 of Pisa Treires LLC, owner of property situate block 3303, lot 15, known as 20 Orchard Street, Morristown NJ, requesting C & D Variances in conjunction with proposed two family house

Application carried to Special Meeting to be held on Feb 9, 2022

c.)Carried from the December 15, 2021 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

Application carried to the Feb 16, 2022 meeting

d.)Carried from the December 15, 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

Frank Vitolo – Attorney for applicant

Review of case law for operation

Witness # 1 – Michael Tobia – PP

EX A301 – 10 page powerpoint presentation

Summary of proposed use as accessory dwelling for caretaker/employee only

Approx. 880 sq feet unit with one bedroom

Review of inherently beneficial uses and planning proofs

No increase in the number of residences in main building

No outside tenants or increase in traffic

Board Questions –

Public Questions –

Patricia Ard – Farragut Pl

Michael Rockland – Farragut Pl

Greg Kurlander – Farragut Pl

Karen Ann Kurlander – Farragut Pl

Katie Bartlett – Farragut Pl

Glynnis Paterson – Ralph Pl

Peter Antico – Greenwood Ave, Madison

Linda Carrington – Macculloch Ave

Jeff Stiles – Macculloch Ave

Application carried to the March 2, 2022 meeting

New Business – None

Public comment for items not on the agenda – None

Motion to adjourn meeting by Bednarz, second by Wall