

**Regular Meeting of The
Planning Board Town of Morristown
January 25, 2018**

Present:

Ms. Susan Glover
Mr. Richard Tighe
Mayor Tim Dougherty 7:05 pm
Mr. Timothy Murphy 7:30 pm
Mr. Joseph Stanley
Mr. Joseph Kane
Mr. David Gilliam
Mr. Stefan Armington
Mr. Hector Cardona

Absent:

Mr. Mark Gandy
Ms. Debra Gottsleben

Board Professionals Present:

John Inglesino - Board Attorney
Phil Abramson – Board Planner
Charles Carley – Board Engineer
James Campbell – Town of Morristown - Adm Officer

The meeting was called to order by Chairman Stanley 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 January 18, 2018 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.

Board member Armington was sworn in for new term

Roll Call as listed above was taken by James Campbell Adm Officer

Pledge of Allegiance by all attending

Moment of Silence

Minutes: Meeting minutes from the December 7, 2017 & January 4, 2018 meetings. Motion to approve by Gilliam, second by Kane. All members in favor

Resolutions –

a.) Appeal # 17-14 of AHS Investment Corp, owner of property situate block 6601, lot 4, known as 55 Madison Avenue, Morristown NJ, requesting Major Site Plan approval for construction of new four story elevator tower and lobby

Motion to approve by Armington, second by Tighe. All eligible members in favor

b.) Appeal # Appeal # 16-07 of WCGP, LLC, owner of property situate block 6101, lot 11, known as 10 Dehart Street, Morristown NJ, requesting language in previously approved resolution be modified in relation to existing structure located at 10 Dehart Street as to it being moved or demolished in place

Motion to approve by Armington, second by Glover. Three members in favor, three members against. Tie vote resulted in denial

Public Portion: Questions or comments from members of the public on matters not elsewhere on the agenda

Public Hearings:

a.) a.) Appeal # 17-16 of R. Gerard Capital LLC, owner of property situate block 4701, 7, known as 80 Elm Street, Morristown NJ, requesting Minor Site Plan approval for new front entrance platform and vestibule use for winter months

Peter Wolfson – Attorney for applicant

Summary of prior approval for restaurant

Current application for front stoop and seasonal vestibule

Ex A-1 – Photo of front entrance

Ex A-2 – Photo of front façade

Witness # 1 – Tod Redmond – General Manager

Summary of use of vestibule and approximate seasonal usage, Oct through March

Board Questions –

Public Questions/Comments – None

Board Deliberation

Motion to approve by Armington, second by Tighe. All members in favor

Board Member Murphy was sworn in for new term

b.) Carried from the December 7, 2017 meeting, Appeal # 17-06 of Hisvision Studios, LLC, owner of property situate block 6003, lot 5, known as 51 Bank Street, Morristown NJ, requesting C Variances for parking in conjunction with proposed restaurant

John Delaney – Attorney for applicant

Witness # 1 – Charles Heydt – PP

Summary of site and history, overview of B zone and adjacent zones

Summary of variances requested

Summary of operation of restaurant with waitstaff

Attorney Suarez for objector requested to respond at end of witness testimony

Witness # 2 – Sandra Rogers – Owner

Attorney Suarez objected to the recall of Witness Rogers and change in testimony

Witness # 2 Rogers continued her testimony of operations of a restaurant with wait staff

Board Questions –

Discussion of definitions of restaurant, cafeteria & fast food

Public Questions/ Comments

Cross examination by Attorney Suarez of Witness Rogers regarding employees & floorplans

Return of Witness # 1 Charles Heydt –

Continued summation of planning testimony regarding bulk variances and positive & negative criteria

Board Questions

Public Questions/Comments –

Cross examination of Witness Heydt by Attorney Suarez

Ex O-1 - presented by Suarez – Parking Authority Map with parking locations

Application to be carried to the February 22, 2018 Meeting

Motion to adjourn by Murphy, second by Cardona

