

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

Present:

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

Absent:

Mr. Scott Wild
Ms. Noelle Nish

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 July 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 – From the June 15, 2022 meeting. Motion to approve by Bednarz, second by McNally. All members in favor

Old Business – None

Resolutions -

a.)Appeal # 2514 of The Walsh Company, lessee of property situate block 5901, lot 2, known as 22 Speedwell Avenue, Morristown NJ, requesting an interpretation of the town ordinance regarding medical office uses vs, service uses on the ground floor where active uses are required

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

b.)Carried from the May 4, 2022 meeting , 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

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

c.)Carried from the May 4, 2022 meeting ,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

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

d.) 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

Motion to approve by Bednarz, second by Pylychuk. Four eligible members in favor

e.) 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:

c.) Appeal # 2507 of 5-7 South Street Holdings LLC, owner of property situate block 6004, lots 3 & 4, known as 5-7 South Street, Morristown NJ, requesting Major Site Plan approval with D Variance for roof top dining

Application carried to the September 21, 2022 Meeting

d.)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 3, 2022 Meeting

a.) Carried from the July 6, 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

Witness # 1 – Sanyogita Chaven – PP

Review of revised plans and variance relief requested

Positive & negative criteria summarized

Board Questions –

Public Questions –

Marcia Graydon – Windmill Pond

Mariah Ringhof – Windmill Pond

Christine Miller – Maxwell Ct

Judith Zucker – Robertson Ct

Application carried to the Aug 3, 2022 meeting

b.)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

Vanessa Pinto – Attorney for applicant

Summary of application & bifurcation

Witness # 1 – Michael Tobia – PP

Review of testimony & witnesses to present

Ex A 101 – Powerpoint Slideshow

Summary of D Variance relief surrounding the existing bank use and proposed site plan layout

Board Questions –

Public Questions – None

Application carried to the Aug 3, 2022 meeting

New Business - None

Public comment for items not on the agenda – None

Motion to adjourn meeting by Bednarz, second by Blacker