

**Regular Meeting
Board of Adjustment
July 21, 2021**

Present:

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

Absent:

Ms. Noelle Nish

Board Professionals Present:

David Brady, Board Attorney
James Campbell, Adm Officer
Phil Abramson, 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 July 14, 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 – Minutes from the July 7, 2021 meeting. Motion to approve by Bednarz, second by McNally. All members attending in favor.

Old Business – None

Resolutions - None

Public Hearings:

a.) Carried from the July 7, 2021 meeting, Appeal # 2486 of Bajwa, owner of property situate block 7901, lot 31, known as 149 Washington Street, Morristown NJ, requesting C & D Variances in conjunction with convenience store use with fuel, signage and improved coverage

Lawrence Calli – Attorney for applicant

Summary of application and previous testimony

Witness # 1 – William Byrne – AIA

Review of existing site and proposed changes to building for use as a convenience store use

Overview of proposed exterior materials and façade

Interior floor plan of existing and proposed use reviewed

Air handlers to be placed into existing attic space

Board Questions –

Public Questions –

Bierce Riley – Budd St

Application carried to the August 18, 2021 meeting

b.)Appeal # 2491 of Safeguard-Derby Development ,LLC, owner of property situate block 6206, lot 14, known as 79 Maple Avenue, Morristown NJ, requesting Major Site Plan approval with C & D Variances for proposed mixed use building

David Stern – Attorney for applicant

Summary of application & variances sought

Witness # 1 – Frank Minervini – AIA

Ex A 101 – Aerial Google Photo

Review of proposed new mixed use building with office use on first 2 floors and residential on the third floor

Ex A 102 – Color Rendering from South Maple

Ex A 103 – Color Rendering from North Maple

Ex A104 – Color Rendering - Front Façade

Ex A 105 – Color Rendering looking into parking area

Ex A 106 – Color Rendering – Overhead view

Ex A 107 – Exterior Materials Board

STC for sound to exceed code requirements between units

Board Questions –

Public Questions – None

Witness # 2 – Patrick Ward – PE

Overview of current site and use as well as adjacent sites and uses

Proposed improvements to include ADA parking, electric vehicle charging station & bike rack

All utilities proposed to be underground

No loading zone proposed

1 compliant ground sign proposed for the MX 1 Zone

Summary of lighting plan and waiver requests for lighting design standards

Ex A 108 – Colorized Landscape Plan

Board Questions –

Public Questions – None

Application carried to the August 18, 2021 meeting

Motion to adjourn meeting by Bednarz, second by McNally