

**Regular Meeting
Board of Adjustment
November 3, 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

Absent:

Ms. Noelle Nish

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 October 27, 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 October 20, 2021 meeting. Motion to approve by Bednarz, second by Wall. All members attending in favor.

Old Business – None

Resolutions

- a.) 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

Motion to approve by Bednarz second by McNally. Seven voting members in favor

Public Hearings:

- a.) Carried from the Carried from the September 15, 2021 meeting, Appeal # 2466 of Alfa Investments LLC, owner of property situate block 8102, lot 31, known as 183 Washington Street, Morristown NJ, requesting Major Site Plan approval with C & D Variances for second principal structure and alteration to existing structure on site.

APPLICATION TO BE CARRIED TO THE DECEMBER 15, 2021 MEETING

b.)Carried from the October 6, 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

Review of variance for part 1 of bifurcated application

Witness # 1 – Michael Tobia – PP

Ex A101 from May 19, 2021 meeting

Review of proposed project and site

Summary of positive & negative criteria associated with project

References made to the towns master plan and uses for this zone

Review of proposed parking and remaining parking on site for commercial office use

Ex A-501 – Revised site plan with sidewalk

Ex A 502 – Photoboard with sidewalk locations

Ex A-503 – Propose list of conditions

Ex A504 – Easement exhibit

Board Questions –

Public Questions – None

Application carried to the Dec 1, 2021 meeting

a.) 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

Summary of application and organization

Witness # 1 – Nathaniel Diskint – Co Founder

Overview of operation of Co Home and renovation to 6400 sq ft residence

Residences of Co Home and staffing needs on site as well as other outside support staffing needs covered

8 parking spaces on site

Board Questions –

Public Questions –

William Bryne – Franklin St
Linda Carrington – Macculloch Ave
Jeffrey Stiles – Macculloch

Follow up with Attorney Vitolo regarding plan dates and submittals

Board Questions –

Public Questions –

Jeffrey Stiles – Macculloch Ave

Application carried to the Dec 1, 2021 meeting

Motion by Bednarz to go into executive session to discuss legal matters, second by Mc Nally. All board members in favor

Motion to adjourn meeting by Pylpchuk, second by Wild