

**Regular Meeting
Board of Adjustment
October 12, 2022**

Present:

Mr. Thomas Ferrara
Ms. Barbara McNally
Mr. James Bednarz
Ms. Rachel Blacker
Mr. Anthony Murphy
Mr. Scott Wild
Ms. Noelle Nish
Ms. Kristin Baltadonis

Absent:

Mr. Steven Pylypchuk

Board Professionals Present:

Michael Brown, Board Attorney
James Campbell, Adm Officer
Phil Abramson, Board Planner
David Atkinson, Board Engineer

The meeting was called to order by Vice Chairman Wild 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 5, 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.

New Alternate # 2 Board Member, Kristin Baltadonis was sworn in with a term to expire on Dec 31, 2023

Roll call of members taken by Mr. Campbell as listed above

Minutes – None

Old Business – None

Resolutions - None

Public Hearings:

a.) Appeal # 2508 of 3-13 Ridgedale Ave LLC, owner of property situate block 1802, lots 5, 6 & 7, known as 3, 5-7 & 13 Ridgedale Avenue, Morristown NJ, requesting Major Site plan in conjunction with proposed site improvements

Application carried to the November 2, 2022 meeting

b.) Carried from the September 21, 2022 meeting, 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

Lawrence Calli – Attorney for applicant

Summary of amendment for retaining wall and utility changes due to JCP&L & SMCMUA and history of property

Witness # 1 – David Keller, PE

Summary of property conditions and grading issues and approval with NJ Transit to construct a retaining wall on the property line

SMCMUA's requirements for a hotbox located above ground to keep water line from freezing and JCP&L's transformer placement above ground

Accessible route to be provided to all first floor units with ramps

Board Questions –

Ex A101- Photo representation of retaining wall style

Public Questions – None

Witness # 2 - Charles Zimmer – Developer –

Review of proposed construction schedule

Board Questions –

Public Questions/Comments – None

Board Deliberation

Motion to approve by Bednarz, second by Murphy. Seven eligible members in favor

c.)Carried from the September 21, 2022 meeting, appeal # 2517 of New Cingular Wireless PCS, LLC, lessee of property situate block 6301, lot 2, known as 181 South Street, Morristown NJ, requesting Major Site Plan approval for new roof top cellular facility, associated equipment and stand by generator

Judith Fairweather – Attorney for applicant

Witness # 1 – Dave Karlebach, PP

Ex A-401 – 2 photo renderings of rooftop simulation & 2 current conditions photos of rooftop

Review of revised drawings

Board Questions –

Public Questions

Witness # 2 – Robert Marsac – AIA

Review of materials proposed for antenna screening

Board Questions –

Public Questions – None

Witness # 3 – Daniel Panesso, RF Engineer

Antennas locations in relation to structural concerns

Ex A-402 – Roof top plan with sightline distances

Board Questions –

Public Questions –

Application carried to the October 19, 2022 meeting

d.)Carried from the September 7, 2022 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 bifurcated approval of C&D Variances in conjunction with a new 3 story 28 unit residential building

Vanessa Pinto – Attorney for applicant

Witness # 1 – Oliver Franklin, AIA

Overview of site plans, floorplans and elevations and unit counts

Board Questions –

Public Questions – None

Witness # 2 Kyle McKenna – PE

Review of site plan and parking lot with 8 trees proposed to increase shade at parking areas

Ex A301 – Rendering with proposed trees shown at current parking lot

Board Questions –

Public Questions – None

Witness # 3 – Michael Tobia, PP

Summarizing of plan as complimentary to the Turtle I building

Board Questions –

Public Questions /Comments – None

Board deliberation

Motion to approve board attorney to draft a resolution of approval by Nish, second by Ferrara. Seven eligible members in favor

New Business - None

Public comment for items not on the agenda – None

Motion to adjourn meeting by McNally, second by Bednarz