

**Regular Meeting
Board of Adjustment
September 21, 2022**

Present:

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

Absent:

Ms. Noelle Nish

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 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 September 15, 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 August 31, & September 7, 2022 meetings. Motion to approve by Bednarz, second by McNally. All members in favor

Old Business – None

Resolutions - None

Public Hearings:

a.) Carried from the August 17, 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

Application carried to the October 12, 2022 meeting

b.) 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 Interpretation of the LDO for determination D Variance requirements for roof top dining

Application carried to the October 19, 2022 meeting

c.) Appeal # 2515 of Andrei Trifonov, owner of property situate block 5602, lot 5, known as 50 Harrison street, Morristown NJ, requesting C variances for new second story addition and front yard parking area

Andre Trifonov – Property owner

Review of application for front yard parking & second story addition at rear of house

Board Questions -

Public Questions/comments – None

Board Deliberation

Motion to approve by Wild, second by Blacker. Seven members in favor

d.) Carried from the August 17, 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 the applicant

Witness # 1 Robert Marsac – AIA

Summary of revised plans with the generator location and ac units on roof

Board Questions –

Ex A 301 – Clean Air Certification for generator

Public Questions –

Witness # 2 – Dave Karlebach – PP

Review of positive & negative criteria for existing cell site and proposed additions to same for new cellular installation

Review of C & D variances being sought in conjunction with the proposed improvements

No detriments to the public or negative impacts for the proposed cell installation

Board Questions –

Public Questions – None

Application carried to the October 12, 2022 meeting

New Business - None

Public comment for items not on the agenda – None

Motion to adjourn meeting by Pylypchuk, second by Bednarz