

**Special Meeting  
Board of Adjustment  
September 22, 2021**

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**Present:**

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

**Absent:**

Mr. Scott Wild  
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 September 15, 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.

New board member Rachel Blacker was sworn in as Alt # 2 with a term to expire 12/31/2021

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

Minutes – Minutes from the August 18, 2021 meeting. Motion to approve by Bednarz, second by McNally. All eligible members in favor.

Review of August 18, 2021 meeting postings & questions for any public in attendance of same

Old Business – None

Resolutions - None

Public Hearings:

- a.) Carried from the September 15, 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

APPLICATION BE CARRIED TO THE OCTOBER 20, 2021 MEETING

b.) 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 CARRIED TO THE NOVEMBER 3, 2021 MEETING

c.) Carried from the September 15, 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

APPLICATION CARRIED TO THE OCTOBER 6, 2021 MEETING

d.) Carried from the September 15, 2021 meeting, 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

Witness #1 - Frank Minervini - AIA

Ex A-201 – Colorized renderings of revised plans from different views

Ex A-202

Ex A- 203

Ex A-204

Ex A-205

Summary of changes to exterior and review of revised interior floor plans

Board Questions –

Public Questions – Bill Schlosser – Perry St

Witness # 2 – Brian Leff – LIA

Overview of revised landscape plan, street trees and use of shrubs and proposed fencing

Board Questions –

Public Questions –

Kristen Ace – Morristown STC

Bill Schlosser – Perry St

Witness # 3 – Douglas Polyniak – PE

Review of ITE and anticipated traffic volumes

No loading zone proposed, shared parking calculations applied to site

Board Questions –

Public Questions –

Chris Hohorst – Perry St

Bill Schlosser – Perry St

Witness # 4 – Patrick Ward – PE

Review of revised site plan, lighting, underground utilities and proposed stormwater management

Board Questions –

Public Questions –

Bill Schlosser – Perry St

Witness # 4 Patrick Ward – PP

Review of zoning district and variances sought including floor area ratios

Board Questions –

Public Questions – None

Public Comments –

Chris Hohorst – Perry St

Board Deliberation

Motion to approve by Bednarz, second by Wall. Six eligible members in favor

Motion to go into executive session by Bednarz, second by Murphy

Board attorney Brady reviewed pending legal issues

Meeting Adjourned from executive Session