

**Regular Meeting
Board of Adjustment
September 7, 2022**

Present:

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

Absent:

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 August 31, 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 17, 2022 meeting. Motion to approve by Wild, second by Nish. All members in favor

Old Business – None

Chairman Pylypchuk recused himself and left the meeting and Vice Chair Wild presided

Resolutions -

a.) Dismissal without prejudice, 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

Motion to approve by Nish, second by Ferrara. All eligible members voted against the approval

A motion was then made by McNally and seconded by Blacker to reinstate the application. All eligible members were in favor

A Special Meeting was scheduled for November 9, 2022 to continue the application

Chairman Pylypchuk then returned and took over the meeting

Public Hearings:

a.) 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

Application was carried to the September 21, 2022 meeting to re notice due to an insufficient notice

b.) 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

Review of two proposed roof top enclosures with height to be consistent
With other existing cellular facilities

All associated equipment to be located in the basement in a separated area

Board Questions –

Public Questions – None

Witness # 2 Paul Ricci – PP

Application carried to the September 21, 2022 meeting

c.) Carried from the August 3, 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 – Kyle McKenna – PP

Ex A201 – Colorized Site Plan

Review of site plan and list of waivers and variances requested

Cross easements, lot coverages and site lighting and the proposed landscaping plan were summarized

Ex A 202 – 3 Page Color Rendering

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 Wild