

NOTICE OF HEARING

**TO: OWNERS OF PROPERTY WITHIN 200 FEET OF
BLOCK 37 LOT 7 (WHICH INCLUDES LOT 8) BOROUGH OF MORRIS PLAINS
7 CARLYLE AVENUE, MORRIS PLAINS, NEW JERSEY 07950**

PLEASE TAKE NOTICE:

That the undersigned has applied to the Planning Board of the Borough of Morris Plains to grant Minor Subdivision Approval to permit the subdivision of certain property owned by the Applicant, Howard Kraus, located at 7 Carlyle Avenue, Morris Plains, New Jersey 07950, in the R-3 Residential Zone and known and designated as Block 37 Lot 7 (which includes Lot 8) on the official tax map of the Borough of Morris Plains, New Jersey. The Applicant proposes to subdivide the existing 15,000 sf (0.344 acres) subject property (100ft by 150ft) into two (2) conforming residential lots, both of which will be 7,500 sf (50ft by 100ft) respectively. The existing residential dwelling currently located on the subject property will remain and will be located on proposed Lot 7. It will have a conforming front yard setback on Carlyle Avenue and conforming side yard and rear yard set backs. Proposed Lot 8 will also have proposed conforming front, side and rear yard set backs.

In conjunction with the Application, the Applicant will ask for certain variances, waivers and deviations from the requirements of the Land Development Ordinances of the Borough of Morris Plains:

Variances:

The Applicant seeks relief from Section 13-5.1D - Schedule of Zoning Requirements which requires a minimum lot area on the R-3 Zone of 7,200sf within a minimum width of 60 ft and a maximum lot depth of 120ft. As the proposed lots are only 50ft in width, a variance is required for lot width and for a lot area of only 6,000 within 120ft of the front property line, notwithstanding the total proposed lot area is 7,500ft.

Checklist Item Waivers:

The Applicant will request certain waivers from the Borough of Morris Plains Land Development Ordinance Section 13-4.2G(5) Checklist A - Checklist for Determining Completeness of an Application for Approval of a Minor Subdivision as follows: Items 17, 34a, 34b, 34c(partial), 37a, 37b, 37c, 38a, 38b, 38c, 41, 42, 43, and Section 13-4.2G(6) Checklist F - Checklist for Determining Completeness for Variances and Appeals Pursuant to N.J.S.A. 40:55D-34,35 and 70 as follows: Items, 9, 23e, 24b, 24c, 24d, 24e, 26, 28, 29 and 30.

In addition to the foregoing, the Applicant will request that the Board grant any other waivers, deviations and/or variances, which it may deem necessary, desirable or appropriate with regard to the aforesaid Application.

The public hearing in this matter will take place at the November 16, 2020 regular meeting of the Morris Plains Planning Board which begins at 7:30 P.M. The meeting will be held in the Morris Plains Borough Hall, Council Chambers, 531 Speedwell Avenue, Morris Plains, NJ. The outbreak of the COVID-19 virus currently limits all indoor gatherings to an occupancy limitation of 25% percent of room capacity with a maximum attendance of 22 persons, with the mandatory wearing of masks at all times and six-foot social distancing. In an effort to continue to conduct Planning Board business, this meeting will be held both IN PERSON and REMOTELY by means of electronic equipment via Zoom, a video conferencing service that allows the Board, its professionals, the general public and other interested parties to participate. If you desire to attend IN PERSON, members of the public will be admitted on a first come first serve basis starting at 7:00 pm until the maximum room attendance of 22 persons is reached (unless such number of persons is changed by reason of any subsequent Executive Order). Persons unable to gain in-person access due to Executive Order occupancy limitations are encouraged to participate remotely and persons without access to the internet shall be able to participate via telephone access. All participants will be muted until called upon by the Chair. You will have two methods to indicate that you would like to address the board. If you are joining from a computer or mobile device using the Zoom application, you can "Raise Your Hand" and you will be acknowledged and unmuted during the appropriate portion of the meeting. From a dial-in phone, you can raise your hand by hitting the STAR+9 KEYS only once. From a computer or mobile device with wifi, you can also indicate that you would like to speak by sending a "Chat" message to the board.

The meeting will be conducted as a normal regular scheduled meeting consisting of general business such as the approval of minutes, consideration of Committee Reports, the processing of bills for payment, review of correspondence and matters pertaining to applications filed with the Board and to hold public hearings on applications. Formal action may or may not be taken.

Any person or persons affected by this Application may have an opportunity to be heard at the meeting to be held on November 16, 2020 at 7:30 P.M. prevailing time at the Council Chambers, Municipal Building, 531 Speedwell Avenue, Morris Plains, New Jersey 07950, at which time you may appear, if you so desire, either in person, or by authorized agent or attorney and present any objections which you may have to the granting of this Application. Such appearance may be by any of the means outlined hereinafter.

Any such person or persons affected by this Application may have an opportunity to be heard at the said meeting to be held on November 16, 2020 at 7:30 P.M. prevailing time as follows:

OPTION 1: You may appear at the Morris Plains Borough Hall, Council Chambers, 531 Speedwell Avenue, Morris Plains, NJ. at your option, either in person, or by authorized agent or attorney at which time you may present any objections which you may have to the granting of this Application. Due to the COVID-19 Pandemic and the Public Health Emergency and the State of Emergency regarding the COVID - 19 Pandemic declared by the Governor, please note that all persons who appear must wear a protective face covering, comply with applicable and appropriate social distancing regulations and all other applicable regulations and restrictions as set forth in the N.J. Governor's Executive Order No. 107 and subsequent applicable Executive Orders including, but not limited to Executive Order No 152 as modified by Executive Orders 156 and 173, until such time as the restrictions enumerated therein are relaxed, rescinded or otherwise modified.

OPTION 2: The hearing shall also be accessible to the public by means of Zoom and telephonic equipment as follows:

A: Via Zoom: Join Zoom Meeting Link from computer or mobile device:

Zoom Webinar Link:

Password:

or

B: iPhone one-tap :

or

C: (Audio Only) - Dial in by cell phone or landline

Dial: (for higher quality, dial a number based on your current location):

Meeting ID:

Password:

International numbers available:

At the time of the said hearing you may participate by way of Option 1, Option 2A, Option 2B or Option 2C set forth above, either individually or by attorney and present testimony which you may have with respect to the subject matter of the hearing.

All maps and documents for which approval is sought as well as other documents relating to this Application will be available to be inspected by the Public ten (10) days before the hearing both electronically on the Borough of Morris Plains website at www.morrisplainsboro.org and/or by calling the Board Secretary to make an appointment to obtain a paper copy of the submittal package at a time set for the next business day or thereafter. Upon request of a member of the Public or an agent thereof and upon appointment made with the Secretary of the Planning Board, a paper copy of the Application submittals and other documents related to the Application shall be placed immediately outside of the Office of the Planning Board located at the Municipal Building Annex, 531 Speedwell Avenue, Morris Plains, New Jersey 07950, for retrieval. A paper copy of the Application submittals and related documents shall be available for anyone requesting the same to be retrieved by them up until 2 PM on the date of the hearing. No paper copies of the application submittals and related documents shall be available for retrieval after 2 PM on the date of the hearing. In order to make an appointment with the Secretary of the Planning Board to arrange to obtain a paper copy of the submittal package and related documents as herein provided, call the office of the Secretary of the Planning Board at 973-538-0325 between the hours of 8:30 A.M. and 4:30 P.M. Please note that the availability of the Planning Board Secretary may be adjusted due to the public health emergency and reduced staffing requirements applicable to the municipal employees, but that a voicemail message can be left and will be responded to as soon as reasonably possible.

All documents relating to this Application may be inspected by the Public between the hours of 8:30 A.M. and 4:30 P.M. in the Office of the Planning Board Secretary in the Municipal Building Annex, 531 Speedwell Avenue, Morris Plains, New Jersey 07950.

Remo A. Caputo, Esq.
Attorney for Applicant, Howard Kraus
One Broadway
Suite 201
Denville, New Jersey 07834
(973) 625-3326