

September 2, 1964

A regular meeting of the Adjustment Board was held on the above date with Chairman Williams presiding. The following members were present, Messrs, Williams, Warner, Pellet, Honeyman, Magnus.

The minutes of the previous meeting were approved on a motion made and carried.

Hearing was open for Thomas W. Kern, 26 Carol Drive, asking for a variance to the strict application of the Zoning Ordinance of Section 1003 (b) and (c) to erect an addition to his dwelling on Block 366, Lot 17.

Mr. Williams, Chairman of the Board stated that he would step down by reason of a personal acquaintance and appointed Mr. Warner as temporary Chairman and Mr. Pellet as acting secretary.

The application submitted reveals an addition to a dwelling which will include a garage and breezeway, 7 feet from the side yard property line and the front will be four feet closer than that allowed by ordinance. As shown on the map submitted the foyer is the existing open porch which will be enclosed and a cement porch constructed in front of the existing open porch. Mr. Kern said that all existing porches on the street have the same set back. The side addition will be 12 to 15' from the nearest house property line. There will be no roof over the new porch, and he does not expect to close it in.

There was no one in the audience who wished to speak for or against the application.

Motion was made by Mr. Magnus, seconded by Mr. Pellet that the Board inspect the site in question. Motion was carried.

Mr. Warner relinquished the Chair to Mr. Williams.

Application for a variance to the strict application of the Zoning Ordinance was presented by Paul Simon representing Somerset Hills, 240 West Front Street, Plainfield, N.J. for permission to use a model home as a real estate office in a development, on Block 55 C, Lot 5, on Eyland Avenue and Circuit Drive in the development known as Forest Hill.

Mr. Simon stated that the model home has been used as a real estate office for a period of one year and would like permission to continue this use as allowed by ordinance, article 406.

There was no one in the audience who wished to speak for or against the application.

Motion was made by Mr. Pellet, seconded by Mr. Magnus that the model home located on Block 55 C, Lot 5 be used as a model home for real estate purposes for a period of one year according to the Zoning Ordinance, Section 406 as such relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance. R.S. 40:55-39. Roll call vote on the above motion showed all in favor.

Mr. Joseph Zacker, Route 10, R.D. #2, Dover, N.J. and also Pine St. Kenvil, appealed for a variance to the strict application of the zoning ordinance

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contrary to the requirements of Section 1602 (d)1 and (d)2 for the erection of an addition to a building to be used for storage in the industrial zone. The property is now operated as a junk yard. The tract is located on Pine Street in Kenvil containing 361 feet of frontage. The present building sets back 50.5 feet with the proposed addition to set back 48 feet from the front property line. The distance is 255 feet from the proposed addition to the far property line.

There was no one in the audience who wished to speak for or against the proposal.

Motion was made by Mr. Honeyman, seconded by Mr. Magnus that the variance be granted because it will cover up a lot of so called junk and as such relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance. R.S. 40:55-39. Roll call vote on the above motion showed all in favor.

Mr. William Harvey representing the Sunrox Corp. on 151 Route 10 Succasunna, appealed to the Board for variance for the erection of a sign in the front yard. The sign is a double faced sign containing 72 square feet on one side. Mr. Harvey stated that he would like to place the sign on a line with the trees, that he did not want to remove any of the maple trees, and that the post office sets closer to the street right of way than the office building. The sign will be illuminated with inside lighting on the large sign and a florescent tube on either side of the top of the professional signs which hang below the real estate sign. There will be no flashing lights. The sign is low enough so that it doesn't interfere with the branches of the trees and the small professional signs will come to within 3 feet of the ground.

Mr. and Mrs. Barlow of 9 Hunter Street, Mrs. Conner, Jr. and Mrs. Conner, Sr. were present also Mr. and Mrs. Mulligan, all surrounding property owners. Their concern was that the sign would protrude so that any one driving out of Hunter Street would be able to have clear vision up Route 10, and also that the lights would not be bothersome at night to the surrounding property owners nor would the lights be detrimental to the traffic from Hunter Street and on Route 10.

Mr. Harvey said that the lighted sign would be about 50 feet from the corner and that the Pine Tree near that corner will be removed in the fall.

Motion was made by Mr. Warner that the variance be denied as the bottom of the sign will be only 3 feet from the ground which is contrary to the zoning ordinance.

There was no second to this motion.

Motion was made by Mr. Honeyman seconded by Mr. Magnus that the Board inspect the site in question before a decision is made. Motion was carried by roll call vote showing all in favor.

Mr. Raymond Dawson, Jr. Brookwood Lane, Boonton, N.J. (Dawson Marine) appealed for a variance to the strict application of the zoning ordinance under Section 415, corner lot set back.

Mr. Perk, architect represented Mr. Dawson and presented plans showing the proposed addition to the existing building. The lot is 125' X 125' on the corner of Route 46 and Roxbury Avenue. The present building is 15 feet away from the Roxbury Avenue property line and 23 feet from Route 46 boundry line. The proposed addition is to be 4 feet from Roxbury Avenue and 14 feet from the rear line. Mr. Perk stated that at present there was a canvas covered pole

structure which is to be replaced with a 10' to 12' high masonry structure, it will cover the same area as the pole structure and will be within the existing fence area. The proposed building will be used for the storage of boats to be stacked one on top of the other.

Mr. W. J. Cartwright rear adjoining property owner asked if there would be any drainage from the roof of the proposed building onto his driveway.

Mr. Perk said that he didn't think there would be drainage as it was 14' away from Mr. Cartwright's property.

There was no one else in the audience who wished to speak either for or against the proposal.

Motion was made by Mr. Honeyman seconded by Mr. Pellet that the variance be granted because it will be a permanent structure rather than a make shift canvas structure, it will relieve a fire hazard and as such relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance. R. S. 40:55-39.

Roll call vote was as follows:

Mr. Honeyman, Yes    Mr. Pellet, Yes    Mr. Magnus, Yes  
Mr. Warner, No        Mr. Williams, Yes

Mr. Williams acknowledged receipt of a summons, appealing the decision of the Board in the case of Sam and Mary Spano. Mr. Williams said that it would be turned over to the attorney for answer.

It was decided that Mr. Warner and Mr. Pellet will attend the convention for the New Jersey League of Municipalities in Atlantic City in November.

There was no further business and the meeting was adjourned.

Respectfully submitted,

Ruth H. Thiele, Clerk