

A meeting of the Board of Adjustment was held on the above date with Chairman Warner presiding. The following members were present: Mr. Warner, Mr. Honeyman, Mr. Sheaffer. Absent, Mr. Pellet. Mr. Brown, Building Inspector and Mr. Valentino, attorney were also present.

The minutes of the previous meeting were approved by the Board.

The Chairman appointed Mr. Honeyman as acting Secretary in Mr. Pellet's absence.

51866 - Frank Cirigliano, 754 West End Avenue, Cliffside Park, N.J. Application for a variance from Article 901(a) of the Zoning Ordinance. Erection of a four room house on Mohican Avenue, Landing, N.J. Block 79, lot 11, R-3 Zone. Lot contains insufficient area.

Mr. Honeyman read the application.

Mr. Harold Smith stated that he represented Mr. Cirigliano as his attorney. The Chairman asked Mr. Smith if he was familiar with the property in question. Mr. Smith said that he had not been to see the property. The Chairman said that there is a telephone pole, hedge and stone wall in the middle of the road right of way, that the road is nothing more than a wagon track.

Mr. Smith stated that the Board was more familiar with the site than he was and that when Mr. Honeyman read the application, it referred to a letter received by Mr. Cirigliano stating that he could build on this property. On the strength of this letter he came into my office and stated that he wanted to build on this lot and sell the lot with the house now existing on it. Mr. Cirigliano said that he had checked with the Town and had found that there would be enough land to sell. Mr. Smith offered the contract of sale of the lot to a Mr. Donald J. Sisson, who purchased the lot with the existing house. Mr. Mr. and Mrs. Sisson want to pay off the purchase and want a deed, in order to get the deed I must be able to build on this lot.

Mr. Smith stated that if this variance is granted there will be no further demand upon the Municipality for services of any kind. My Client must do his own snow plowing, he is going to live in the house himself and move into the town permanently. He wishes to build this house on lots 526, 527, 528, 529 on Mohican Avenue and indicated on a subdivision map dated April 23, 1966, all of the requirements of the zoning ordinance will be complied with as far as yard set backs and house area.

There was no one in the audience who wished to speak for or against the proposal and the Chairman called a recess.

After a short recess the Chairman called the meeting to order and motion was made by Mr. Honeyman, seconded by Mr. Sheaffer that variance be given to construct a house upon an unimproved street on Block 79, lot 11 on Mohican Avenue, Shore Hills upon the condition that the applicant comply with all yard requirements and that no municipal services will be available as this relief can be granted since it will not be a substantial detriment to the public good not substantially impair the intent and purpose of the zone plan and zoning ordinance. Motion was carried by roll call vote showing all in favor.

62066 - Arthur L. Henderson, Box 554, Route 206, Stanhope, N.J. Application for a variance from Section 801(a) undersized lot, of the Zoning Ordinance. Also unimproved road N.J.S.A. 40:55-139. Erection of a dwelling on Right of Way off Berkshire Valley Road on Block 6, lot 23, Berkshire Valley, N.J. R-2 Zone.

Mr. Honeyman read the application and the Chairman asked Mr. Henderson if he

had checked the deed against the actual site.

Mr. Henderson said yes, he had been on the lot with an engineer who checked the pegs in the ground, the only thing he had to do was take the 109' off the map. It is not on the deed, my lot is 148.70' in the rear. Mr. Henderson said that he felt that the house he was building at a cost of approximately \$20,000 would improve the surrounding area and property values.

Mr. Warner asked if the house is on a line with the other houses.

Mr. Henderson said that Mr. Ballard's house is on a hill, but that his own house would be in line with it. He further stated that he had contacted Mr. Ballard for the purchase of additional land but the land was not for sale.

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

After a recess the Chairman called the meeting to order and motion was made by Mr. Sheaffer, seconded by Mr. Honeyman that variance be granted to build a dwelling on Block 6, lot 23 on the Tax Map and that the applicant takes full responsibility for the maintenance of the road to the lot including snow plowing and other maintenance that is required. Motion was carried by roll call vote.

62266 - Humble Oil Co., 126 Passaic Street, Newark, N.J. Application for a special exception pursuant to N.J.S.A. 40:55-39(b), and Article 17 of the Zoning Ordinance. Erection of a service station on Route 206. Also application for a variance from Section 1704(g), public garage within 1500'. Block 32, lot 1, B-2 Zone.

Mr. Fullerton represented the Humble Oil Company.

The Board members reviewed the maps submitted with the requirements of the Zoning Ordinance. Section 1702 a,b,c,d,e were all satisfied. Section 1704 a,b,c, d,e,f were all satisfied, the Board noted under (g) that there are public garages within 1500' of this site, they are all in Netcong rather than Roxbury Township.

Mr. Fullerton presented a picture of the type of structure that will be built on the site. He stated that the area is developing quickly, that this particular lot is unusual as it is the only one that is cut off from the access ramp, making the access to this property only from Route 206. The character of the highway along this stretch is developing in this manner, it is not a good residential use. Mr. Fullerton further stated that a property owner adjoining this site was at the last meeting and had offered no objections. This will be a two bay service station as shown on the map. There is no sign variance required at this time, the sign will conform with the requirements of the ordinance.

Mr. Warner asked about the easement shown on the map.

Mr. Fullerton stated that the easement at the present time is 32' wide and runs into the middle of the lot from the Mooney property. It was felt that the easement could be moved over to allow the ingress to the back property. The new easement will be 50' complying with the requirements of road widths in the Township.

Mr. Sheaffer stated that there is a house on the property now, what is to be done with it?

Mr. Fullerton stated that it would be either moved off the property or taken down, there will not be a double use on the property.

Mr. Sheaffer asked if the company were purchasing the property or leasing it.

Mr. Fullerton stated that they were purchasing the property.

There was no one in the audience who wished to speak for or against the proposal and the Chairman called for a motion.

Motion was made by Mr. Honeyman seconded by Mr. Sheaffer that a special exception be granted to permit the erection of a two bay Esso Service Station in a B-2 Zone, block 32, lot 1. While this is near the westerly entrance of the new Route 80, no traffic hazard will be created as the set back is sufficient to provide safe ingress and egress from the station. Also, a variance to Section 1704(g) is approved as the parcel is best suited as a Service Station due to its close proximity to Route 80 entrance; and this would constitute the most appropriate use for this parcel and 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. Motion was carried by roll call vote showing all in favor.

72366 - Anson Baker, Pleasant Valley Road, Flanders, N.J. Application for special exception required by Article 17 of the Zoning Ordinance pursuant to N.J.S.A. 40:55-39(b). Erection of a storage building on Block 16, lot 8 in the Industrial Zone, Ledgewood, Mt. Arlington Road, Ledgewood, N.J.

Mr. Honeyman read the application and Mr. Warner asked what would be stored in the building. Mr. Baker said he had a trucking outfit and would store trucks and merchandise in the building.

Mr. Warner asked what kind of merchandise?

Mr. Baker said whatever Rockaway Sales had, he trucked for that firm.

Mr. Warner asked how many trucks Mr. Baker had?

Mr. Baker said five tractor trucks, two pick ups and a bobtail. He said that he was going to move the gas pump from the front to the rear, that there would not be any gas for sale, but that he would only gas up his own trucks. He said they would maintain his own trucks, the nearest house is down the street and owned by Harold Klopp, that he is trying to buy the house and lot to "square out" his own property.

There was no one in the audience either for or against the application. Mr. Sheaffer made a motion that the application be approved 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. Motion was carried by roll call vote showing all in favor.

72566 - Anthony DiAnthony, 1355 Pleasant Valley Way, West Orange, N.J. Application for a variance from Sections 1403(d-1), (c), (f) of the Zoning Ordinance. Side yard set back, rear yard set back, parking area insufficient. Erection of a 50' by 100' masonry building on Route 10, Succasunna, Block 26, lot 1A, B-3 zone.

Mr. Irving Morris represented Mr. DiAnthony and stated that the plans had been before the Planning Board and had been denied because of various items as listed in their letter. He stated that they had complied with all but two or three of these items and needed a variance on them. Section 1403(d-1) required rear yard of 30', 1403(f), the parking area should be 10,000 sq.ft., and the back up space on the Route 10 side.

The Board noted that there was no indicated access way, and felt that a curb should be constructed to define entrance and exit. The highway department will demand curbing.

Mr. Morris said that curbing would be constructed where necessary.

Mr. Warner asked what kind or type of store this would be.

Mr. DiAnthony said that it would be occupied by Dean Carpeting Co.

Mr. Morris stated that the jug handle had cut Mr. DiAnthony's property in half, leaving a smaller piece, that the parking area could not be complied with unless the building was too small to use.

There was no one in the audience who wished to speak for or against the proposal. After a recess the Chairman called the meeting to order and Mr. Honeyman made the following motion seconded by Mr. Sheaffer.

That the application for variance to Section 1403(d-1) for a rear yard variance from the required 30' to 15' and a variance from Section 1403(f) requiring 10,000 square feet of parking to 9240 square feet be granted upon the following conditions:

1. That the applicant resubmit a revised site plan to the Planning Board with their recommendations set forth in their letter of May 12, 1966 and securing Planning Board approval of the revised layout which revised layout must be in conformity with all other provisions of the Zoning Ordinance.
2. That the entrance from Route 10 be clearly designated on the revised site plan and that no exits be permitted from this property onto Route 10.
3. That the applicant provide some means of either curbing or other structure as approved by the Planning Board to prevent traffic from Route 10 entering the property except in the designated entrance area.
4. and subject further to the approval of the State Highway Department.

Roll call vote on the above motion showed all in favor.

72766 - Lee's Body Shop, 5 John Street, Kenil, N.J. Application for special exception required by Article 17 of the zoning Ordinance pursuant to N.J.S.A. 40:55-39(b). Also application for a variance from Section 1704(a), (b), (g), of the Zoning Ordinance. Public garage within 1500 feet, width of lot, insufficient, side yard set back. Erection of a 40'x 60' cinder block building to be used as an auto body shop, block 12, lot 19, Route 46, Kenil, N.J.

Mr. Standridge stated that there would be no gas sold to the public on the premises, that it is an auto body repair shop, that he would keep repaired cars and others in the rear of the lot.

Upon review of the application and accompanying papers, it was determined that authorization papers were not submitted and since Mr. Standridge does not own the property authorization from the owner must be received before the Board could act on the matter.

The Chairman declared that the next meeting of the Board would be held on September 7, 1966 and that this case would be continued at that time.

72666 - Mrs. Dagny Anderson, 306 Eyland Avenue, Succasunna, N.J. Application for a variance from Article 7, Section 701(a), (f) of the Zoning Ordinance, insufficient lot area and structure insufficient in size. Also N.J.S.A. 40:55-1.39 unimproved road. Erection of addition to existing summer dwelling, Block 58, lot 13, R-1 zone, off Eyland Avenue.

Mr. Arnold Johnson presented to the Board authorization from Mrs. Anderson (his mother in law), he stated that there are two other homes on this street which is a dirt road, the set back for both of these homes is 110'. He continued by saying that the existing structure is a summer home, that he would like to add a 7'x 28' addition to install plumbing, bathroom, enlarge the kitchen and bedroom in

order to winterize the house, the addition will have a basement for the heating plant. There is no heat in the house now except for a fire place.

Mr. Johnson stated that he lived on Eyland Avenue which would be the lot to the side of the lot in question, garbage from the summer house was brought out to his own property and picked up with his garbage.

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

Motion was made by Mr. Sheaffer, seconded by Mr. Honeyman that the application for variance for the addition to an existing frame dwelling, on Block 58, lot 13 be granted to section 704(a-1) and that the variance to N.J.S.A. 40:55-1.39 unimproved road be granted 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.

Motion was carried by roll call vote showing all in favor.

72866 - Edward Lojun, 23 Walker Avenue, Succasunna, N.J. Application for a variance from Section 901(b) and Section 516, corner lot, of the Zoning Ordinance. Insufficient side yard set back and corner lot set back. Erection of an attached garage on Block 344, lot 32, Walker Avenue and Highland Avenue, Succasunna, R-3 Zone.

The application was read by members of the Board. Mr. Warner asked the applicant the location of the house across Walker Avenue and the location of the garage on that lot. Mr. Lojun drew on the tracing the approximate location of the house and indicated where the driveway was situated.

Mr. Lojun stated that he needed this garage addition as there is no garage on the house now. That if he were to locate the garage elsewhere on the lot it would interfere with trees, and sewer lines and he would have to make another cut through the curb. He added that the addition would add to the value of the other property in the area. Also he said he had just bought another car.

Mr. Honeyman asked if he had an office in what was once the garage.

Mr. Lojun said yes, he uses a portion of the old garage as an office. He said he was a psychologist and worked for the Rockaway School system, he has a small practice in his home also.

There was no one in the audience who wished to speak for or against the application and the Chairman called for a motion from the Board.

Motion was made by Mr. Honeyman, seconded by Mr. Sheaffer that the variance be granted for a garage on the premises located at 23 Walker Avenue in R-3 zone, block 344, lot 32, 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.

Motion was carried by roll call vote showing all in favor.

There was no further business and the meeting was adjourned at 11:30 P.M.

Respectfully submitted,

*Ruth H. Thiele*  
Ruth H. Thiele, Clerk