

October 5, 1966

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

103066 - S. & S. Construction Co., 206 Mt. Arlington Blvd, Landing, N.J.
Application for the erection of a dwelling on 98 Mansel Road, Block 132, lot 1, being the corner of Rogers Drive, contrary to Section 901 (b) and (d), insufficient front and rear yards, R-3 Zone.

Mr. Selengut presented to the Board proof of service to the surrounding property owners within 200' stating that every house in the area had been served with a notice. He further stated that a variance had been granted in June 1963 for a dwelling but the owner had run out of funds and had not finished. A foundation has been started, water has been furnished.

Mr. Selengut stated that he feels that he has a very strong case. These two lots are his last remaining corner lots in Shore Hills and he has been waiting a long time with the property to get a permit.

Mr. Selengut asked the Board that due to the fact that his attorney was not able to attend this meeting, if the Board is going to turn this down, he would like it without prejudice and he would apply again.

Mr. Warner asked what was meant by "waiting a long time."

Mr. Selengut said that he had waited three years before applying for a building permit, that he had watched Pleasant Valley Homes and some of the others, he feels that the Board would give him opportunity to build, the people in the audience are not within 200' of the property.

Mr. Valentino asked "After the variance was granted, was any work done on the property?"

Mr. Selengut said, yes, the ground was leveled, the cellar was dug and water furnished. Mr. Snyder then ran out of funds and I purchased the lot back from him. His money was returned.

Mr. Selengut said that if the Board would look at the lay-out it will be noticed that this house is placed on the lot so that it will not be in front of any windows. He stated that he had tried to split the lot the other way and sell half of it to each adjoining owner but they would not buy it. Also he had tried to purchase the adjoining lot but the price was prohibitive. The lot has very good drainage for septic system, there is a bed of gravel and a percolation test is hard to get as the water drains so quickly.

Mr. Warner asked if the adjoining lot was on the same level.

Mr. Selengut said that the lot would be level if the hump of earth were pushed back.

Mr. Reifer, representing the Shore Hills property owners Association stated that the application should be denied by reason of the fact that there are no distinguishing circumstances and is not a hardship. If there were a house on the other lot (No. 2) then the Board might be in a better position to know whether a house would impinge on the other lot. We endeavor to uphold the Zoning Ordinance.

Mr. Robert Kelly asked what type of house would be built and if the garage were attached.

Mr. Selengut stated that the garage would be under the house, that there is at least 60' from the property lines on either side of the proposed house.

Mr. Kelly said that his property was in a "gully" and that the lot in question was at least 6 feet higher, "Will Mr. Selengut build a retaining wall?" and if the house is a bi-level house, it will be much higher than other houses.

Mr. Selengut said that he would grade the property off on a 1 to 3 grade and will also seed it.

The lot in question is perpendicular to Mr. Kelly's lot and only the short width or side of Mr. Selengut's lot where it abuts Mr. Kelly's lot is the area in question to be graded.

Mr. Selengut said that he would place the house on the lot wherever the Board wanted it. The home will be a bi-level and will cost from \$19,900. up. The driveway will be from the Mansel side of the property.

There was no one else in the audience who wished to speak for or against the variance and the hearing was closed.

Motion was made by Mr. Pellet, seconded by Mr. Sheaffer that the Board inspect the property in question. Motion was carried by roll call vote showing all in favor.

Mr. Selengut asked that the next application^{10/31/66} which is also a corner lot on the opposite corner be postponed until the next meeting of the Board.

Mr. Warner granted the request and stated that the Board would inspect both properties at one time.

Motion was made by Mr. Pellet, seconded by Mr. Poppitz that the minutes of the previous meeting be approved. Motion was carried.

A letter received by each member of the Board from Mr. Valentino was ordered filed. The letter concerns Roxbury - Chrysler Plymouth, Inc. -vs- the Board of Adjustment, and informed the Board of the developments of the case thus far.

There was no other business to be brought before the Board and the meeting was adjourned by Motion made and carried at 8:45 p.m.

Respectfully submitted,



Ruth H. Thiele, Clerk