

THOMAS J. EVANS  
Director of Revenue and Finance



CODE ENFORCEMENT DEPT.

DAVID BERRY  
Construction Official  
Zoning Official

## TOWNSHIP OF NUTLEY

1 KENNEDY DRIVE  
NUTLEY, NEW JERSEY 07110

BUILDING  
PLUMBING  
ELECTRICAL  
FIRE  
ZONING

TELEPHONE: (973) 284-4957 · FACSIMILE: (973) 284-0071

May 18, 2020

Mr. & Mrs. James LaFaso  
27 Oak Crest Place  
Nutley NJ 07110

RE: DECK attached to New A/G Pool  
27 Oak Crest Place  
Block/Lot: 4901/2

Dear Mr. & Mrs. LaFaso:

Your request for a permit at the above referenced premises, to construct a deck, attached to the existing deck, which is attached to the newly installed A/G pool, having a rear yard setback of 20', as shown on the survey prepared by Tkacs & Lungari, dated, August 13, 2012 is denied for the following reason:

This property is located in an R-1A district as shown on the Nutley Zoning Map.

Chapter 700, Article XI, Section 700-67 D of the Codes of Nutley states an attached accessory structure or accessory use shall be considered to be a part of the main building.

Chapter 700, Article VIII, Section 700-46 A of the Codes of Nutley entitled "Schedule of Regulations as to Bulk, Height and Other Requirements," requires a 30' rear yard setback. *The attached deck/pool will have a 20' rear yard setback.*

A non-refundable filing fee of \$175.00 in connection with your appeal is to be paid to the Code Enforcement Office in order to begin the application process. *All tax and water bills must be paid to date prior to the processing of a variance fee.*

Information on procedures for an appeal of this decision to the Board of Adjustment can be obtained from Antonette DeBlasio, at (973) 284-4957. It should be noted that under State Statute, notice of appeal of this decision must be filed with this office not later than twenty (20) calendar days from the date of this notice.

Any changes to the proposed plans must be submitted prior the applications being returned to the Code Enforcement Office. No changes can be made once the application is received by this office.

Sincerely,

  
David Berry  
Zoning Official

DB/adb



# TOWNSHIP OF NUTLEY, NEW JERSEY

## ZONING BOARD OF ADJUSTMENT APPLICATION FORM

Docket No: ZBA-20-0017

TO ALL APPLICANTS: This application form is designed to obtain from your information necessary for the processing of your application by the Zoning Board of Adjustment.

Application Fee: \$ 175.00 (on denial letter)

Date of Denial Letter: 5/18/20

### Section I: SUBJECT PROPERTY

Address: 27 Oak Crest Place

Block: 4901 Lot: 2 Zone: R1A

	District Requirements	Proposed
Lot Area	<u>6000</u>	_____
Lot Width	<u>60'</u>	_____
Lot Depth	<u>100'</u>	_____
Front Yard	<u>25'</u>	_____
Side Yard	<u>8'</u>	_____
Rear Yard	<u>30'</u>	_____
Other	<u>10'</u>	_____

### Section II: APPLICANT INFORMATION

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Applicant is a:

\_\_\_\_ Corporation    \_\_\_\_ Partnership    \_\_\_\_ LLC    ☒ Individual

*If the owner is not the applicant, the following must be provided:*

Owner Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

### **Section III: DISCLOSURE STATEMENT**

Pursuant to N.J.S. 40:55D-48.1 the names and address of all persons owning 10% of the stock in a corporation or a 10% interest in any partnership must disclosed by the applicant. In accordance with N.J.S. 40:55D-48.2, that disclosure requirement applies to any corporation or partnership which owns more than 10% interest.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Interest: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Interest: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Interest: \_\_\_\_\_

### **Section IV: PROPERTY INFORMATION**

	Existing	Proposed
Total existing and total proposed dwelling units	<u>1</u>	<u>1</u>
Total existing and total proposed professional offices	<u>1</u>	<u>1</u>
Total existing and total proposed parking spaces	<u>1</u>	<u>1</u>



Present use of premises: One Family Dwelling

Has there been any previous appeal, request, or application to this or any other Township of Nutley Board or the Construction Code Official involving these premises? yes

If yes, state the nature, date and the disposition of each such matter: \_\_\_\_\_

3/18/13 Widen DW&CC granted

#### **Section V: PROFESSIONAL INFORMATION**

##### ***Applicant's Attorney***

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

##### ***Applicant's Architect***

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

##### ***Applicant's Engineer***

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

***Applicant's Planning Consultant***

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

***List any other expert who will submit a report or who will testify for the applicant.  
(Attach additional sheets, if necessary)***

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_ Field of Expertise: \_\_\_\_\_

**Section VI: GENERAL INFORMATION**

In the space below, state the nature of the constraints imposed by the physical characteristics of the land under consideration (i.e. exceptional narrowness, shallowness or topographic conditions).

\* The nature of the constraints imposed by the physical characteristics of our property is the shallowness of the read of our yard and not having enough required amount of footage from the house to the back property line.

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

In the space below, state any other extraordinary or exceptional situation or condition of the land involved which would constrain development in accordance with Zoning Regulations

\* N/A

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Explain how not granting this variance request would impose peculiar and exceptional practical difficulties or exceptional or undue hardship upon you.

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\* Not granting this variance request would impose difficulties for my husband and I since we are seniors and getting in and out of the pool using a pool ladder would make it difficult or probably impossible for us to get in and out of the pool. Having the deck around the pool will allow us to get in and out of the pool with our grandkids and the deck will make it safer for them and use. We will be eye level to watch them. Our granddaughter and grandson love the water. My grandson has autism and we want him learn how to swim to be safe whenever he's around water. Because of COVID-19, having the pool and deck at our home will make it much safer for the family to enjoy the summer and more to come with our grandkids and being able to stay away from a crowded beach or local pool.

Explain how the granting of this variance will not detrimentally affect the public good or substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance.

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\* We feel that granting the variance will **not** detrimentally affect the public good but will do the opposite. We feel the deck is going will improve the look of our property.

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**CERTIFICATION**

STATE OF NEW JERSEY }  
COUNTY OF ESSEX }

ss.

8 Rose LaFaso, being duly sworn, hereby certify (check one)

8 ➤ ☒ that I am the applicant

or

➤ \_\_\_\_\_ that I am the \_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)  
the Applicant, and that I am duly empowered and authorized to make this representation  
on behalf of \_\_\_\_\_;  
(Company Name)

and that the information presented in this application is true, complete and accurate.

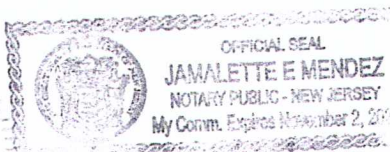
Rose LaFaso

Applicant/Applicant's Authorized  
Officer or Representative

Subscribed and sworn to before me  
this 21 day of may, 2020.

[Signature]

Signature of person authorized to take oaths





**TOWNSHIP OF NUTLEY, NEW JERSEY**  
**ZONING BOARD OF ADJUSTMENT**  
**PLANNING BOARD**

**CERTIFICATION OF PROPERTY OWNERS WITHIN 200 FEET**

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Docket Number: ZBA-20-0017

Work Site Location: 27 Oak Crest Place

Applicant: LaFaso

I do hereby certify to the ownership of the properties listed on pages

1 to 3, as of 3/19/2020.

*Antonette DeBlasio*

\_\_\_\_\_  
ANTONETTE DEBLASIO  
Technical Assistant/ZBA-PB  
Township of Nutley, NJ





## Nutley

### Parcel Offset List

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**Target Parcel(s):** Block-Lot: 4901-2  
LAFASO, ROSE M & JAMES S  
27 OAK CREST PLACE

33 parcels fall within 200 feet of this parcel(s).

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**Block-Lot: 2901-31**

WALKER, MICHAEL (TRUSTEE)  
54 DAILY STREET  
NUTLEY, NJ 07110  
RE: 54 DAILY STREET

**Block-Lot: 2901-30**

APPEL, MARY E.  
46 DAILY ST  
NUTLEY, NJ 07110  
RE: 46 DAILY STREET

**Block-Lot: 4902-1**

SCHMITT, FREDERICK S & ROSA  
26 OAK CREST PL  
NUTLEY, NJ 07110  
RE: 26 OAK CREST PLACE

**Block-Lot: 4901-9**

CANFIELD, GWENDOLYN R.  
40 SYLVAN PL  
NUTLEY, NJ 07110  
RE: 40 SYLVAN PLACE

**Block-Lot: 4902-13**

PISCATOWSKI, CARL & LESLEA ANN  
10 OAK CREST PL  
NUTLEY, NJ 07110  
RE: 10 OAK CREST PLACE

**Block-Lot: 4901-4**

ROBLES, JAVIER & SORABEL  
15 OAK CREST PL  
NUTLEY, NJ 07110  
RE: 15 OAK CREST PLACE

**Block-Lot: 2902-3**

SMITH, CHARLES & MELISSA  
21 DAILY ST  
NUTLEY, NJ 07110  
RE: 21 DAILY STREET

**Block-Lot: 4901-10**

DELORENZO, RICHARD M III+JENNIFER  
44 SYLVAN PL  
NUTLEY, NJ 07110  
RE: 44 SYLVAN PLACE

**Block-Lot: 4901-3**

SUAREZ, JOSIE  
23 OAK CREST PL  
NUTLEY, NJ 07110  
RE: 23 OAK CREST PLACE

**Block-Lot: 4901-1**

MALIA, MARGARET Y  
54 SYLVAN PL  
NUTLEY, NJ 07110  
RE: 54 SYLVAN PLACE

**Block-Lot: 4900-5**

GANG, RYAN & ERIN  
43 SYLVAN PL  
NUTLEY, NJ 07110  
RE: 43 SYLVAN PLACE

**Block-Lot: 2903-5**

PARISI, GERARD M. & PATRICIA A.  
35 OAK CREST PL  
NUTLEY, NJ 07110  
RE: 35 OAK CREST PLACE

**Block-Lot: 2902-1**

DUDASIK, MICHAEL W. & MARY E.  
29 DAILY ST  
NUTLEY, NJ 07110  
RE: 29 DAILY STREET

**Block-Lot: 4901-11**

POSPISIL, DAVID R. & SUSAN M.  
48 SYLVAN PL  
NUTLEY, NJ 07110  
RE: 48 SYLVAN PLACE

**Block-Lot: 2902-2**

CONTINI, PETER J. & MAURYA B.  
25 DAILY ST  
NUTLEY, NJ 07110  
RE: 25 DAILY STREET

**Block-Lot: 2903-2**

RASCHIATORE, JASON & LOMANGINO, E  
53 DAILY STREET  
NUTLEY, NJ 07110  
RE: 53 DAILY STREET

**Block-Lot: 2901-27**

ANTA, CATHERINE H. & ANTA, JORGE O.  
38 DAILY ST  
NUTLEY, NJ 07110  
RE: 38 DAILY STREET

**Block-Lot: 4901-8**

OXLAND, RANDY M. & BARBARA  
36 SYLVAN PL  
NUTLEY, NJ 07110  
RE: 36 SYLVAN PLACE

**Block-Lot: 4902-16**

WAKELIN, RUSSELL & ELIZABETH  
22 OAK CREST PL  
NUTLEY, NJ 07110  
RE: 22 OAK CREST PLACE

**Block-Lot: 4901-6**

CHIARIERI, EDWARD & BARBARA  
254 VREELAND AVE  
NUTLEY, NJ 07110  
RE: 254 VREELAND AVENUE

**Block-Lot: 4902-15**

JERNICK, WILLIAM JOHN & DEANNA  
20 OAK CREST PL  
NUTLEY, NJ 07110  
RE: 20 OAK CREST PLACE

**Block-Lot: 4901-5**

CLEMENTI, JAMES & DONNA  
248 VREELAND AVE  
NUTLEY, NJ 07110  
RE: 248 VREELAND AVENUE

**Block-Lot: 4902-14**

SHEPARD, ROBERT F. & TERRY S.  
14 OAK CREST PL  
NUTLEY, NJ 07110  
RE: 14 OAK CREST PLACE

**Block-Lot: 2901-29**

POZAR, MARY F.  
44 DAILY ST  
NUTLEY, NJ 07110  
RE: 44 DAILY STREET

**Block-Lot: 2901-28**

DONAHUE, STEPHEN & ANN  
42 DAILY ST  
NUTLEY, NJ 07110  
RE: 42 DAILY STREET

**Block-Lot: 2904-4**

MACCAGNANO, ROGER & KATHLEEN  
61 SYLVAN PL  
NUTLEY, NJ 07110  
RE: 61 SYLVAN PLACE

**Block-Lot: 2901-26**

FANIZZI, NICHOLAS & KERRI  
34 DAILY ST  
NUTLEY, NJ 07110  
RE: 34 DAILY STREET

**Block-Lot: 2904-5**

RICKER, TIMOTHY J & KAREN R HEBERT  
59 SYLVAN PLACE  
NUTLEY, NJ 07110  
RE: 59 SYLVAN PLACE

**Block-Lot: 2903-1**

KAZALUNAS, GEORGE A. & MARGARET

55 DAILY ST

NUTLEY, NJ 07110

RE: 55 DAILY STREET

**Block-Lot: 4900-3**

LEARY, JOHN B. & MARTHA W.

53 SYLVAN PL

NUTLEY, NJ 07110

RE: 53 SYLVAN PLACE

**Block-Lot: 2903-3**

NELSON, WILLIAM J. & LINDA J.

49 DAILY ST

NUTLEY, NJ 07110

RE: 49 DAILY STREET

**Block-Lot: 2903-4**

JOHNSON, SCHEVONE A

39 OAK CREST PLACE

NUTLEY, NJ 07110

RE: 39 OAK CREST PLACE

**Block-Lot: 4900-4**

O'SHEA, CHRISTOPHER & PATRICIA D.

47 SYLVAN PL

NUTLEY, NJ 07110

RE: 47 SYLVAN PLACE



Bldg Dept

CERTIFIED TO:  
ROSE M. LAFASCO,

lot Area 64'x125'

8000  $\Phi$

35% = 2800  $\Phi$

70% = 5600  $\Phi$

30% = 2400  $\Phi$

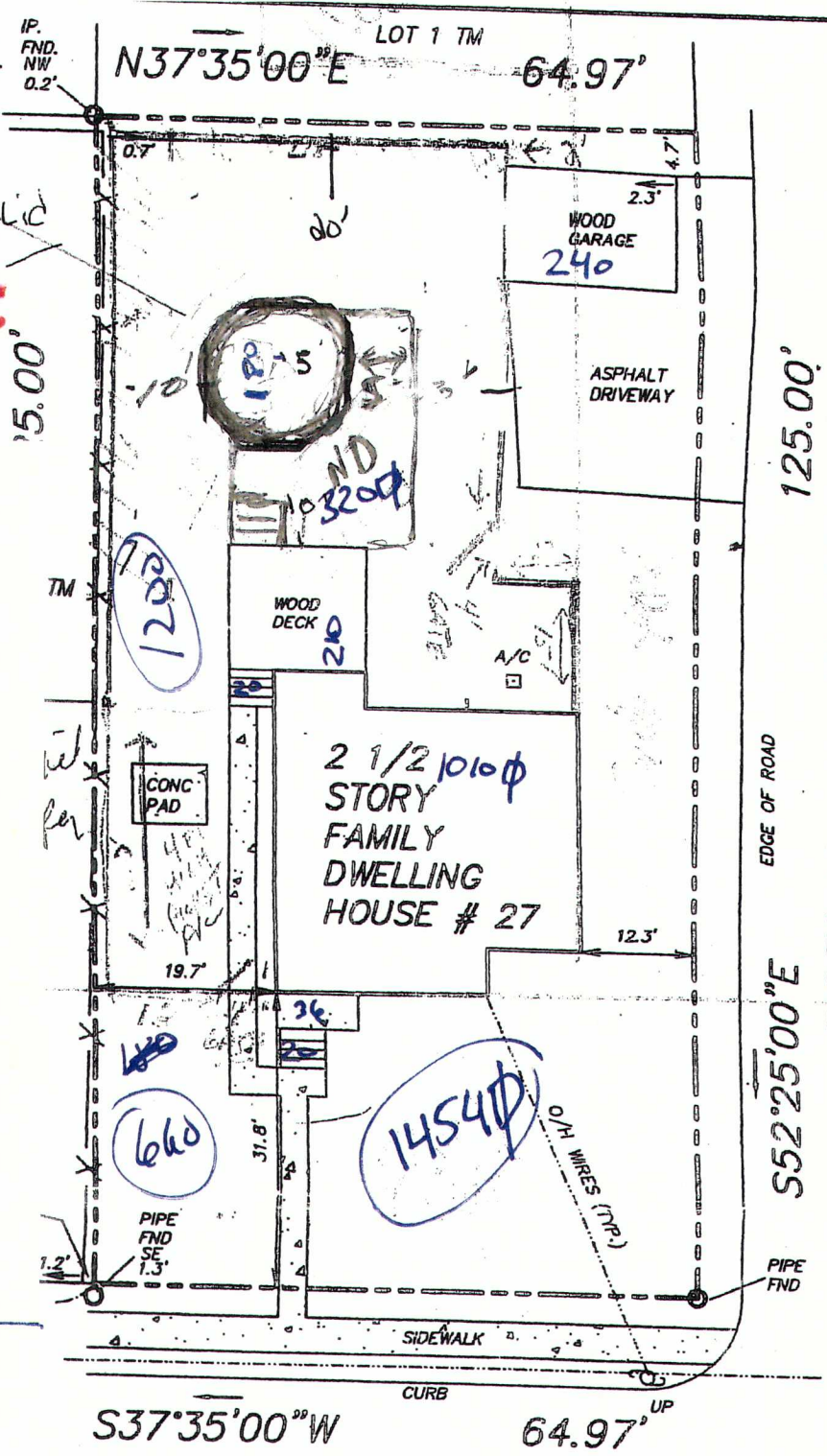
lot  
Coverage

240  
180  
320  
210  
20  
1010  
36  
20

2036  $\Phi$  OK

Imp

OK



OAK CREST 50' ROW PLACE

NOTES:

- THIS SURVEY IS IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE "STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS". THIS CERTIFICATION IS GIVEN SOLELY TO THE ABOVE NAMED PARTIES FOR TITLE INSURANCE.
- WAIVER OF SETTING CORNERS OBTAINED FROM ULTIMATE USER (N.J.A.C. 13:40-5.2).
- THIS SURVEY IS SUBJECT TO A FULL AND ACCURATE TITLE SEARCH, UNRECORDED DEEDS AND/OR EASEMENTS.
- OFFSET DIMENSIONS FROM STRUCTURES TO PROPERTY LINES SHOWN HEREON, ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES.
- THIS PLAN IS NOT INTENDED FOR ERECTING FENCES, IMPROVEMENTS OR NEW CONSTRUCTION. OFFSET DIMENSIONS ARE SUBJECT TO FIELD VERIFICATION.
- THE INFORMATION SHOWN HEREON REPRESENTS THE CONDITIONS FOUND AT, AND AS OF THE DATE OF THE FIELD SURVEY, EXCEPT SUCH IMPROVEMENTS OR EASEMENTS, IF ANY, BELOW THE SURFACE AND NOT VISIBLE.

CAUTION: IF THIS DOCUMENT DOES NOT CONTAIN A RAISED IMPRESSION SEAL OF THE PROFESSIONAL, IT IS NOT AN AUTHORIZED ORIGINAL DOCUMENT AND MAY HAVE BEEN ALTERED.

TKACS & LUNGARI  
LAND SURVEYING

PO BOX 23618, TRENTON, NJ 08607  
PHONE: 609-947-2722 FAX: 609-223-3835  
Tlandsurveying@yahoo.com

NJ LAND SURVEYOR LICENSE NO. 36765  
RICK H. TKACS

PLAN OF SURVEY

LOT 2 BLOCK 4901  
27 OAK CREST PLACE  
TOWNSHIP OF NUTLEY  
ESSEX COUNTY  
NEW JERSEY

SCALE:	DATE:	TITLE NO.	JOB NO.
1"=20'	8/13/12	12PT-47658	12-0877

CERTIFICATE OF AUTHORIZATION NUMBER: 24GA28194500