



CODE ENFORCEMENT DEPT.

**THOMAS J. EVANS**  
*Director of Revenue and Finance*

**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

July 15, 2020

Ms. Natalie De LA Rosa & Mr. Kelvin Batrista  
6 Cortland Street  
Nutley, NJ 07110

**Re: Side Yard Fence/Neighbors Consent**  
**6 Cortland Street**  
**Block- Lots: 9002/7**

Dear Ms. De La Rosa & Mr. Batrista:

Your request for a permit, at the above referenced premises, to install a six (6') foot solid type fence on the left side lot line, which is located in the side and rear yard lot line, and without having consent from the neighbor, as shown on the survey received by Code Enforcement, dated May 19, 2020, and applicants letter of intent dated May 18, 2020, is denied for the following.

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

Chapter 700, Article XI, Section 700-71 B of the Codes of Nutley states a fence erected along the side lines from the front line of a main structure to the rear line of such structure and within such lines shall not exceed four feet in height and shall be not less than two feet in height and shall be of 50% open construction (i.e., the open spaces in the fence shall be at least the same width of each picket, slat or other construction element of such fence). The setback for any such fence shall be in line with the furthest setback of the adjacent property or the property upon which the fence is being erected, whichever setback is greater.

Chapter 700, Article XI, Section 700-71 H of the Codes of Nutley requires written consent of the adjoining property owner or owners when a privacy fence with no open construction may be erected.

A non-refundable filing fee of \$75.00 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 no 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-20-0030

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: \$ 75 (on denial letter)

Date of Denial Letter: 7/15/20

### Section I: SUBJECT PROPERTY

Address: 6 Cortland Street

Block: 9002 Lot: 7 Zone: R-1

	District Requirements	Proposed
Lot Area	_____	_____
Lot Width	_____	_____
Lot Depth	_____	_____
Front Yard	<u>N/A</u>	<u>N/A</u>
Side Yard	_____	_____
Rear Yard	_____	_____
Other	_____	_____

### Section II: APPLICANT INFORMATION

Name: Natalie De La Rosa, Kelvin Batista

Address: 6 Cortland Street  
Nutley, NJ 07110

Telephone: 201-673-2360, 201-850-0531

Email Address: nat.delarosa2@gmail.com  
Kelvin batista @ outlook.com

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**

Total existing and total proposed dwelling units

Total existing and total proposed professional offices

Total existing and total proposed parking spaces

Existing

Proposed

1  
—  
—

1  
—  
—

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? \_\_\_\_\_

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

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

**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).

We believe the only physical constraint of the proposed fence would be the fact that it is placed in between dwellings. The fence will benefit the dwellings providing security and privacy for both parties.

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

We believe there is no extraordinary situation that would constrain development in accordance with zoning regulations.

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

If the variance request was not granted it would impose a lot of hardship on us. To start, we are expecting our first child and would like to provide safety & privacy for them and ourselves inside and outside of our home. The fence would allow us to have privacy since our nursery and bedroom is currently on the first floor. The windows of these rooms are on ground level so anyone can easily walk up to our room windows and be able to look inside. There is also a lot of garbage that is blown

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.

This fence will not affect the public good or the zone plan as it will be placed alongside the adjacent structures. The fence will strictly provide privacy and safety for ourselves and our neighbors. We think this fence will not only benefit us but also our neighbors, providing them privacy since they have a pool in their yard. We believe the fence would also promote the appearance of our home.

in from the street into our backyard. We would like to avoid this garbage so that we can maintain a clean yard for our family. Also, with everything going on in the world with COVID-19, we would like to make sure we have the security of a fence for our own health and safety. Soon, we plan on rescuing a dog and would like to have our yard closed off.

**CERTIFICATION**

STATE OF NEW JERSEY }  
COUNTY OF ESSEX }

ss.

Natalie DeLaRosa / Kelvin Batista, being duly sworn, hereby certify (check one)

X 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.

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS DATE

JUL 27 2020

FRANCIA ELENA GARCIA  
Notary Public of New Jersey  
My Commission Expires 5/19/2021

Natalie DeLaRosa  
Kelvin P. Batista  
Applicant/Applicant's Authorized  
Officer or Representative

Subscribed and sworn to before me  
this 27th day of JULY, 2020

Natalie DeLaRosa  
Kelvin P. Batista  
Signature of person authorized to take oaths



## Nutley

### Parcel Offset List

**Target Parcel(s):** Block-Lot: 9002-7  
DE LA ROSA, NATALIE & BATISTA, KELVIN  
6 CORTLAND STREET

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

**Block-Lot: 9002-9**

ONTRACK ENTERPRISES, LLC  
65 FRANKLIN AVE  
NUTLEY, NJ 07110  
RE: 65 FRANKLIN AVENUE

**Block-Lot: 9000-75**

LAFERRIERE, JAMES  
6 HOMER AVE  
NUTLEY, NJ 07110  
RE: 6 HOMER AVENUE

**Block-Lot: 9002-8**

POLITO, WILLIAM & BARBARA  
7 CORTLAND ST  
NUTLEY, NJ 07110  
RE: 7 CORTLAND STREET

**Block-Lot: 9000-62**

SWEENEY, JOHN J. JR. & PEGUERO, S.  
26 ALBANY AVENUE  
NUTLEY, NJ 07110  
RE: 26 ALBANY AVENUE

**Block-Lot: 9000-70**

TOLEDO, FELIPE  
41 ALBANY AVE  
NUTLEY, NJ 07110  
RE: 41 ALBANY AVENUE

**Block-Lot: 9000-58**

75 FRANKLIN LLC C/O M. DISCEPOLO  
10 DOWNING ST  
RIDGEWOOD, NJ 07450  
RE: 75 FRANKLIN AVENUE

**Block-Lot: 9000-61**

VENDITTI, MICHAEL & GIORGIA  
20 ALBANY AVE  
NUTLEY, NJ 07110  
RE: 20 ALBANY AVENUE

**Block-Lot: 9000-71**

NEILAN, MICHAEL & PATTI-LYNN  
37 CORTLAND ST  
NUTLEY, NJ 07110  
RE: 37 CORTLAND STREET

**Block-Lot: 9000-60**

SCHULZE, PATRICIA A.  
16 ALBANY AVE  
NUTLEY, NJ 07110  
RE: 16 ALBANY AVENUE

**Block-Lot: 9000-72**

GENCARELLI, FRANK & GINA  
29 CORTLAND ST  
NUTLEY, NJ 07110  
RE: 29 CORTLAND STREET

**Block-Lot: 9000-73**

NARUCKI, VIOLA  
423 JORALEMON ST  
BELLEVILLE, NJ 07109  
RE: 41 CORTLAND STREET

**Block-Lot: 9000-74**

BALLANTYNE, PATRICIA  
43 CORTLAND ST  
NUTLEY, NJ 07110  
RE: 43 CORTLAND STREET



**Block-Lot: 9002-6**

GANDIA, JULIAN & TAPIA, CATHERINE  
23 CORTLAND ST  
NUTLEY, NJ 07110  
RE: 23 CORTLAND STREET

**Block-Lot: 9000-84**

MARTINEZ, HENRY & ROIG, ANA PATRICIA  
9 HOMER AVE  
NUTLEY, NJ 07110  
RE: 9 HOMER AVENUE

**Block-Lot: 9002-10**

CERAMI, DANIEL R. & LUCILLE T.  
72 DEER PARK RD  
FAIRFIELD, NJ 07004  
RE: 61 FRANKLIN AVENUE

**Block-Lot: 9002-5**

WATKOWSKI, JOSEPH JR & JOYCE  
25 CORTLAND STREET  
NUTLEY, NJ 07110  
RE: 25 CORTLAND STREET

**Block-Lot: 9000-85**

GRIPP, ANNA ANITA  
12 VALE RD  
WHIPPANY, NJ 07981  
RE: 5 HOMER AVENUE

**Block-Lot: 9000-86**

CESANO, PAUL  
11 CORTLAND ST  
NUTLEY, NJ 07110  
RE: 11 CORTLAND STREET

**Block-Lot: 9002-11**

PETRUCCI PROPERTY MANAGEMENT, LLC  
49 FRANKLIN AVE  
NUTLEY, NJ 07110  
RE: 49 FRANKLIN AVENUE

**Block-Lot: 9002-4**

VINUEZA, CELSO  
16 CORTLAND STREET  
NUTLEY, NJ 07110  
RE: 16 CORTLAND STREET

**Block-Lot: 9002-12**

FDQ, LLC.  
45 FRANKLIN AVE  
NUTLEY, NJ 07110  
RE: 45 FRANKLIN AVENUE

**Block-Lot: 9002-3**

LOPEZ, OSCAR V. & EDUARDA E.  
14 CORTLAND ST  
NUTLEY, NJ 07110  
RE: 14 CORTLAND STREET

**Block-Lot: 9002-2**

GALVAN, LUZEYDY  
10 CORTLAND STREET  
NUTLEY, NJ 07110  
RE: 10 CORTLAND STREET

**Block-Lot: 9002-15**

COURTYARD TERRACE CONDOMINIUMS  
2-8 SARGENT STREET  
NUTLEY, NJ 07110  
RE: 2-8 SARGENT STREET

**Block-Lot: 9002-13**

39 PLUMMER REALTY LLC  
654 RICHMOND RD  
STATEN ISLAND, NY 10304  
RE: 39 FRANKLIN AVENUE

**Block-Lot: 9000-65**

GUZMAN, BERNABE & JUANA  
38 ALBANY AVE  
NUTLEY, NJ 07110  
RE: 38 ALBANY AVENUE

**Block-Lot: 9000-50**

TOWNSHIP OF NUTLEY  
1 KENNEDY DR  
NUTLEY, NJ 07110  
RE: 83 FRANKLIN AVENUE

**Block-Lot: 9000-64**

MARI, LIBIA  
34 ALBANY AVE  
NUTLEY, NJ 07110  
RE: 34 ALBANY AVENUE

**Block-Lot: 9000-63**

LYDEN, KEVIN J & GRETA

28 ALBANY AVENUE

NUTLEY, NJ 07110

RE: 28 ALBANY AVENUE

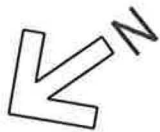
**Block-Lot: 9000-59**

IPPOLITTO, KEVIN

10 ALBANY AVE

NUTLEY, NJ 07110

RE: 10 ALBANY AVENUE



EXISTING  
ADJ.  
STRUCTURE

EXISTING NEIGHBOR  
4'-0" (H) CHAIN LINK FENCE  
BUILT ON PROPERTY LINE

PROPOSED  
6' -0" (H) VINYL FENCE  
4" OFF PROPERTY LINE

96' - 9 - 1/4"

PROPERTY LINE

(E) CONC. WALKWAY

EXISTING  
GARAGE



(E) CONC. WALKWAY

(E) ASPHALT  
DRIVEWAY

PROPERTY LINE

EXISTING 1-1/2 STORY  
DWELLING  
6 CORTLAND STREET  
LOT #7, BLOCK # 9002

PROPOSED  
6' -0" (H) VINYL FENCE  
GATE 4'-0" (W)

4'-0"

7'-10"

LAWN

PROPERTY LINE

CORTLAND STREET

6 CORTLAND STREET  
LOT # 7, BLOCK # 9002  
NUTLEY, NJ

1  
A.01

SITE PLAN

SCALE: 1/16" = 1'-0"

SITE PLAN

DATE: 5-19-20







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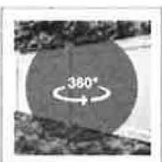
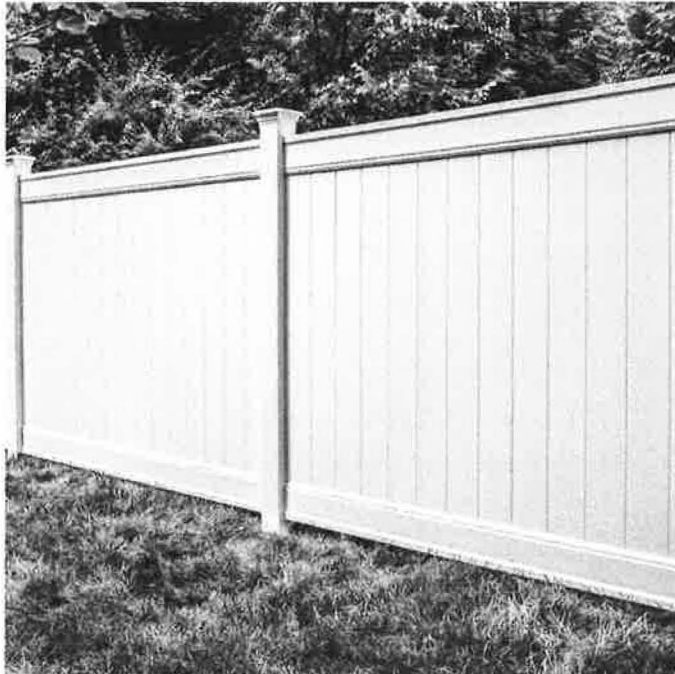
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**Freedom** Ready-to-Assemble Emblem 6-ft H x 8-ft W White Vinyl Flat-Top Vinyl Fence Panel

Item #12092 Model #73013949

- Fence panel kit features 6-in tongue and groove boards and 2-1/4-in x 7-in decorative top and...
- Follows varied terrain - racks 1 inch per foot
- GrippLok™ barbed rail system distributes weight evenly across the entire fence to...

**Manufacturer Color/Finish:** White



1

Qty



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### Overview

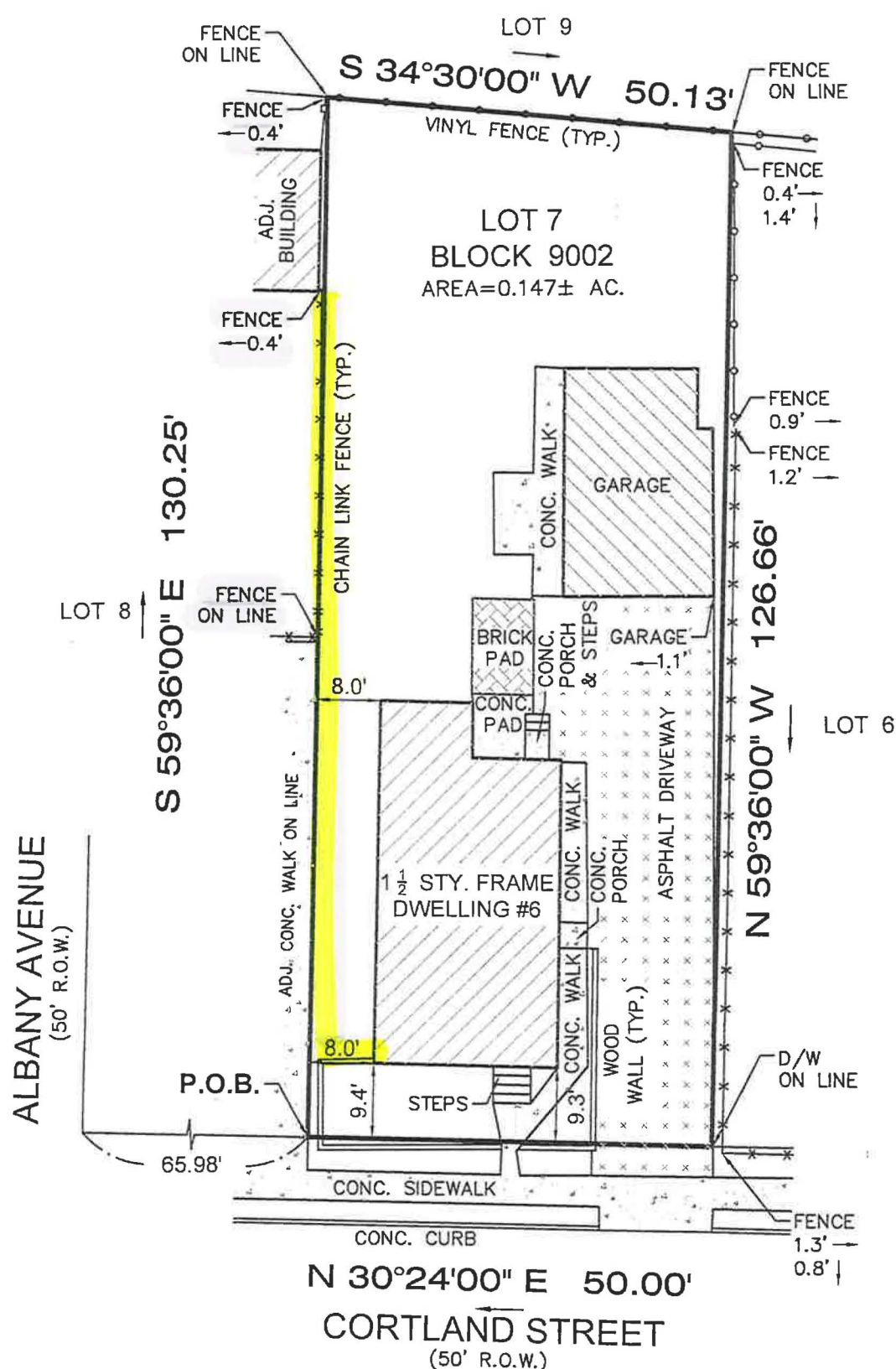
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### Specifications

—

Series Name	Ready-to-Assemble	Manufacturer Color/Finish	White
Collection Name	Emblem	Ground Contact	<input checked="" type="checkbox"/>
Actual End Picket Thickness (Inches)	0.875	Package Quantity	1
Common Panel Height (Feet)	6	Warranty	Transferrable limited lifetime
Common Panel Width (Feet)	8	For Use With	Vinyl fence
Weight (lbs.)	48.78	Primary Recommended Use	Privacy
Actual Picket Thickness (Inches)	0.875	Color/Finish Family	White
Actual Picket Width (Inches)	6	Fence Top Style	Flat-top
Actual End Picket Width (Inches)	6	Primary Material	Vinyl
Gauge	0	Fence Style	N/A
Finish	N/A	Double Nailed	N/A
Pressure Treated	X	Type	Fence panel
Post and Accessories Included	X		
Assembly Required	<input checked="" type="checkbox"/>		

Feedback



PREPARED FOR: *NATALIE DE LA ROSA*

TITLE INSURER: *GUARDIAN TITLE SERVICES, LLC (GTS-28906)*

**STEWART TITLE GUARANTY COMPANY AND GUARDIAN TITLE SERVICES, LLC**

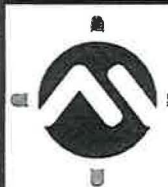
MORTGAGE HOLDER: *HOMEBRIDGE FINANCIAL SERVICES, INC*  
*its successors and/or assigns, as their interest may appear.*

CLOSING ATTORNEY: *CHANDER P. SINGH, Esquire*

·IMPORTANT NOTES, PLEASE REVIEW:

- I DECLARE THAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THIS MAP OR PLAN MADE ON 8/30/18 BY ME OR UNDER MY DIRECT SUPERVISION IS IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- THIS SURVEY DOES NOT PURPORT TO IDENTIFY BELOW GROUND ENCROACHMENTS, UTILITIES, SERVICES LINES OR STRUCTURES, WETLANDS, OR RIPARIAN RIGHTS. NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THE PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TIDELANDS. ENVIRONMENTALLY SENSITIVE AREAS, IF ANY ARE NOT LOCATED BY THIS SURVEY.
- OFFSET DIMENSIONS FROM STRUCTURES TO PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES.
- THIS SURVEY IS SUBJECT TO CONDITIONS WHICH AN ACCURATE TITLE SEARCH MIGHT DISCLOSE, SUBJECT TO RESTRICTIONS AND EASEMENTS RECORDED AND/OR UNRECORDED.
- PROPERTY CORNERS HAVE NOT BEEN SET AS PER CONTRACTUAL AGREEMENT. (N.J.A.C. 13:40-5.1(D))

DB 4428, PG 235



**MORGAN**  
engineering & surveying

CERTIFICATE OF AUTHORIZATION: 24GA28229800

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TEL: 732-270-9690  
FAX: 732-270-9691

[www.morganengineeringllc.com](http://www.morganengineeringllc.com)

## SURVEY OF PROPERTY

**LOT 7**

**BLOCK 9002**

**TOWNSHIP OF NUTLEY**

COUNTY OF ESSEX

NEW JERSEY

  
DAVID J. VON STEENBURG

PROFESSIONAL LAND SURVEYOR  
N.J. LIC. No. 34500

Scale: 1"=20'	Drawn By: SAM	Date: 8/30/18	JOB #: 18-08252	CAD File #: 18-08252	Sheet #: 1 OF 1
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