



CODE ENFORCEMENT DEPT.

THOMAS J. EVANS
Director of Revenue and Finance

TOWNSHIP OF NUTLEY

1 KENNEDY DRIVE
NUTLEY, NEW JERSEY 07110

BUILDING
PLUMBING
ELECTRICAL
FIRE
ZONING

DAVID BERRY
Construction Official
Zoning Official

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

February 14, 2020

Mr. Greg Palmieri
156 Rhoda Avenue
Nutley, NJ 07110

RE: Enlargement of Deck
 156 Rhoda Avenue
 Block-Lot: 5103/16

Dear Mr. Palmieri:

Your request for a permit, at the above referenced premises, to add to the existing 14' X 16' deck, a 6' X 8' section, having an approximately 14' rear yard setback, as shown on the property survey prepared by James Pica, dated February 22, 2017, and plans prepared by Architect, Jeffery A. Fleisher, dated September 10, 2019, is denied for the following reasons:

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

Chapter 700, Article VIII, Section 700-46 B (4) (d) of the Codes of Nutley, entitled "Schedule of Regulations as to Bulk, Height and Other Requirements", states by any terrace or porch having its floor level no higher than the floor level of the first story of the building and having no railing or other member higher than three feet above floor level: six feet. ***The required rear yard setback in an R-1 zoning district is 30'. The permitted encroachment met is six (6'). The required rear yard setback for the deck is 24'. The proposed is 14'.***

A construction permit was issued in 1983 for a 14' X 16' deck. This application is to enlarge the existing deck.

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 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.

Very truly yours,

DAVID BERRY
Zoning Official

DB/adb



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OF ADJUSTMENT APPLICATION FORM

Docket No: ZBA-19-0053

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

Application Fee: \$ 175 (on denial letter)

Date of Denial Letter: 10/9/19
2/14/20

Section I: SUBJECT PROPERTY

Address: 156 Rhoda Ave

Block: 5103 Lot: 14 Zone: R1

| | District Requirements | Proposed |
|------------|-----------------------|----------|
| Lot Area | _____ | _____ |
| Lot Width | _____ | _____ |
| Lot Depth | _____ | _____ |
| Front Yard | _____ | _____ |
| Side Yard | _____ | _____ |
| Rear Yard | _____ | _____ |
| Other | _____ | _____ |

Section II: APPLICANT INFORMATION

Name: Greg and Corinth Palmieri

Address: 156 Rhoda ave

Nutley NJ, 07110

Telephone: 518-937-8360

Email Address: CorinthPalmieri@gmail.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

| | Existing | Proposed |
|--|----------|----------|
| Total existing and total proposed dwelling units | 1 | 1 |
| Total existing and total proposed professional offices | — | — |
| Total existing and total proposed parking spaces | — | — |

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? NO

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).

Exceptionally narrow space between deck and neighbor's fence, due to living on an irregular lot it brings us close to the neighbor to our right. We can not build to the left due to a stone partition.

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

As mentioned below the irregular lot size is the main constraint and due to an existing patio we cannot move the deck over any further.

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

The deck as currently stands is extremely close to the neighbors fence. Our intent is to bring it further away from their property as well as lower it. The deck is also around 37 years old and is extremely bad condition posing a danger to the neighborhood.

9 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 will not detrimentally affect the public good because we are actually trying to bring the deck further away from the property line and lower it to put it less in view of the public. This actually makes it a benefit to the public good.



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

CERTIFICATION OF PROPERTY OWNERS WITHIN 200 FEET

Docket Number: ZBA-19-0053

Work Site Location: 156 Rhoda Avenue

Applicant: Palmieri

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

1 to 3, as of 10/3/2019 1/6/20

Antonette DeBlasio

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



Nutley

Parcel Offset List

Target Parcel(s): Block-Lot: 5103-16
PALMIERI, G & MONTANYE, C
156 RHODA AVENUE

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

Block-Lot: 5101-20

KNIERIM, NICHOLAS & DANA
244 COEYMAN AVE
NUTLEY, NJ 07110
RE: 244 COEYMAN AVENUE

Block-Lot: 5101-19

SALVATO, GEORGE & GRACE
240 COEYMAN AVE
NUTLEY, NJ 07110
RE: 240 COEYMAN AVENUE

Block-Lot: 5101-17

SALZARULO, MICHAEL J. & HELEN M.
131 STANLEY AVE
NUTLEY, NJ 07110
RE: 131 STANLEY AVENUE

Block-Lot: 5102-1

CIEL, ANTHONY R. & DEBORAH
136 RHODA AVE
NUTLEY, NJ 07110
RE: 136 RHODA AVENUE

Block-Lot: 5103-5

SOMMERKAMP, DONALD P. & MARIANNE E.
114 MAPES AVE
NUTLEY, NJ 07110
RE: 114 MAPES AVENUE

Block-Lot: 5101-8

RICE, MARY B. & JOHN
141 RHODA AVE
NUTLEY, NJ 07110
RE: 141 RHODA AVENUE

Block-Lot: 5103-4

O'DONNELL, BRIAN & AMY
118 MAPES AVE
NUTLEY, NJ 07110
RE: 118 MAPES AVENUE

Block-Lot: 5101-9

ROGERS, STEVEN L.
145 RHODA AVE
NUTLEY, NJ 07110
RE: 145 RHODA AVENUE

Block-Lot: 5103-3

SAPIO, KATHLEEN M.
122 MAPES AVENUE
NUTLEY, NJ 07110
RE: 122 MAPES AVENUE

Block-Lot: 5103-2

PETRUCCI, JAIME M. & JAMES J.
126 MAPES AVENUE
NUTLEY, NJ 07110
RE: 126 MAPES AVENUE

Block-Lot: 5103-1

LA ROCCA, FRED V.
146 RHODA AVE
NUTLEY, NJ 07110
RE: 146 RHODA AVENUE

Block-Lot: 5101-16

PURCELL, FREDERICK SR. & ROSE
127 STANLEY AVE
NUTLEY, NJ 07110
RE: 127 STANLEY AVENUE

Block-Lot: 5101-21

MOZEIKA, DAVID C. & STEPHANIE M.
248 COEYMAN AVE
NUTLEY, NJ 07110
RE: 248 COEYMAN AVENUE

Block-Lot: 5101-18

CARIANI, STEPHEN & NANCY
135 STANLEY AVE
NUTLEY, NJ 07110
RE: 135 STANLEY AVENUE

Block-Lot: 5101-10

LEPRE, ROBIN
149 RHODA AVE
NUTLEY, NJ 07110
RE: 149 RHODA AVENUE

Block-Lot: 5102-2

MICHALEK, STEPHEN & ALICIA
132 RHODA AVE
NUTLEY, NJ 07110
RE: 132 RHODA AVENUE

Block-Lot: 5102-6

DAUKSIS, FRANK
113 MAPES AVE
NUTLEY, NJ 07110
RE: 113 MAPES AVENUE

Block-Lot: 5101-2

PSEG SERVICES CORP/PROPERTIES DEPT.
80 PARK PLZ 6TH FL
NEWARK, NJ 07102
RE: 258 COEYMAN AVENUE

Block-Lot: 5102-7

CAPUTO, PAUL & LORRAINE MARIE
117 MAPES AVE
NUTLEY, NJ 07110
RE: 117 MAPES AVENUE

Block-Lot: 5101-7

OLIVO, MARK A. & TERESA B.
137 RHODA AVE
NUTLEY, NJ 07110
RE: 137 RHODA AVENUE

Block-Lot: 5103-9

BURROW, THOMAS A
99 STANLEY AVENUE
NUTLEY, NJ 07110
RE: 99 STANLEY AVENUE

Block-Lot: 5103-10

DE LISIO, LOUIS & BARBARA L.
103 STANLEY AVE
NUTLEY, NJ 07110
RE: 103 STANLEY AVENUE

Block-Lot: 5101-11

MENDOZA, CHRISTOPHER U. & QHIQUI L.
153 RHODA AVENUE
NUTLEY, NJ 07110
RE: 153 RHODA AVENUE

Block-Lot: 5103-15

DOUGHERTY, MARGARET ANN
164 RHODA AVE
NUTLEY, NJ 07110
RE: 164 RHODA AVENUE

Block-Lot: 5103-11

NEGRON, LISETTE
107 STANLEY AVE
NUTLEY, NJ 07110
RE: 107 STANLEY AVENUE

Block-Lot: 5103-14

SCEPPAGUERCIO, PATRICK & STEPHANIE
168 RHODA AVE
NUTLEY, NJ 07110
RE: 168 RHODA AVENUE

Block-Lot: 5101-12

SEUFERT, MARY JANE
PO BOX 106
NUTLEY, NJ 07110
RE: 157 RHODA AVENUE

Block-Lot: 5103-12

ZHANG, SHAOPENG & LI, FENG
113 STANLEY AVE
NUTLEY, NJ 07110
RE: 113 STANLEY AVENUE

Block-Lot: 5103-13

NAGLE, RITA A. & NAGLE, ROBERT J.JR
117 STANLEY AVE
NUTLEY, NJ 07110
RE: 117 STANLEY AVENUE

Block-Lot: 5101-13

JOHNSON, LYNN
161 RHODA AVE
NUTLEY, NJ 07110
RE: 161 RHODA AVENUE

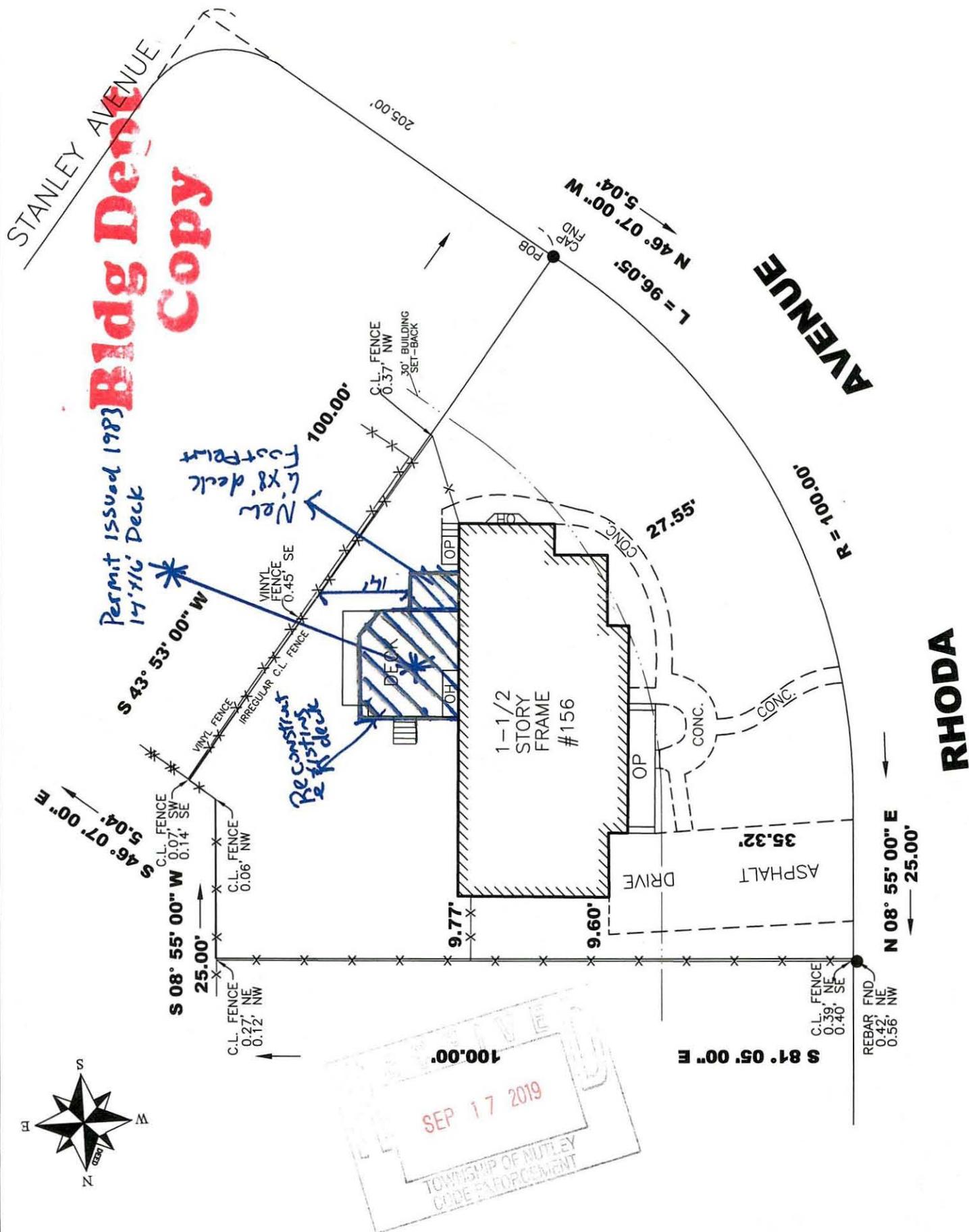
Block-Lot: 5101-14

COURAIN, THOMAS & KATHY
165 RHODA AVE
NUTLEY, NJ 07110
RE: 165 RHODA AVENUE

Block-Lot: 5101-15

MAGNATTA, JAMES P. & LISA
169 RHODA AVE
NUTLEY, NJ 07110
RE: 169 RHODA AVENUE

BEING KNOWN AS LOT 14 IN BLOCK 5103 ON MAP ENTITLED
 "MAP OF WOODMONT PARK EXTENSION, NUTLEY, N.J.",
 FILED ON JUNE 21, 1941 AS MAP NO. 1539.



NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY SURVEYOR FOR USE OF SURVEY FOR ANY OTHER PURPOSE INCLUDING, BUT NOT LIMITED TO, USE OF SURVEY FOR SURVEY AFFIDAVIT, RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY. A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L. 2003, c.14 (N.J.S.A. 45:8-36.3) AND N.J.A.C. 13:40-5.1(d) THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH. THIS SURVEY IS NOT VALID WITHOUT THE EMBOSSED SEAL OF THE LICENSED SURVEYOR

SURVEY OF PROPERTY SITUATED AT #156 RHODA AVENUE IN THE TOWNSHIP OF NUTLEY, ESSEX COUNTY, NEW JERSEY.
 BEING KNOWN AS LOT 16 IN BLOCK 5103 ON THE TAX MAP IN THE TOWNSHIP OF NUTLEY, ESSEX COUNTY, NEW JERSEY.
 CERTIFY TO: GREGORY PALMIERI, SINGLE AND CORINTH MONTANYE, SINGLE; FIDELITY NATIONAL TITLE INSURANCE COMPANY AND FOUNDATION TITLE, LLC-ROSELAND; SANDRA E. GABRIELE, ESQ.; ETHOS LENDING LLC, ITS SUCCESSORS AND/OR ASSIGNS.

| | |
|---|--|
| REVISED: | |
| P² LAND SURVEYING, INC. | |
| P.O. BOX 241 (908) 955-7161 | FLANDERS, NJ 07836 FAX (908) 955-7162 |
| DRAWN BY: CG | SCALE: 1" = 20' |
| DATE: 02-22-17 | TITLE NO. 721-17098 |
| CHECKED BY: JP | JOB NO. 17-17894 |

James Pica
JAMES PICA
 PROFESSIONAL LAND SURVEYOR
 NEW JERSEY LICENSE NUMBER 24GS03795400

Deck Proposal

J&S Decks
The Art of Deck Building
Lic#: 13vh05050900
82 Hillside Ave
Nutley NJ 07110
Phone: 732.744.6990
Fax: 908.722.4767
Website: www.jandsdecks.com
Email: info@jandsdecks.com

PREPARED FOR:

Greg Palmieri
156 Rhoda Ave. Nutley NJ 07110
518.466.4224

