In the Matter of

117 ST. MARY LLC

Applicant

**ZONING BOARD OF ADJUSTMENT**
**TOWNSHIP OF NUTLEY**
**ESSEX COUNTY, NEW JERSEY**
**DOCKET NO.: ZBA 26-0015**

***RESOLUTION GRANTING BULK VARIANCES***

**FOR PROPERTY KNOWN AS:**
**117 St. Mary's Place**
**Block 7004 Lot 12**

**APPLICANT, 117 St. Mary LLC ("Applicant") having filed an application for a permit with the Code Official of the Township of Nutley, to do the following at the premises known as 117 St. Mary's Place, also being Block 7004, Lot 12 on the Tax Map of the Township of Nutley (the "Premises"):**

> **To demolish the existing single-family dwelling and to construct a new two-family and to construct a new two-family dwelling located in an R-2 zoning district on a 50' x 100' lot, as shown on the Engineering Plan by David E. Fantina, P.E. dated April 16, 2026 and Architectural Plans by Dassa Haines dated April 16, 2026;**

**AND the Code Official having denied said permit by letter dated May 4, 2026, citing Chapter 700, Article VIII, Section 700-46A of the Codes of Nutley entitled "Schedule of Regulations as to Bulk, Height, and Other Requirements," requires the following variances:**

| | Required | Proposed |
|---|---|---|
| Lot Area | 6,000 Sq. Ft. | 5,000 Sq. Ft. |
| Lot Width | 60' | 50' |
| Per Dwelling Unit | 3,000 Sq. Ft. | 2,500 Sq. Ft. |
| Height | 30' | 32.83' |
| Maximum Lot Coverage | 35% | 37% |

**AND the Code Official also citing Chapter 700, Article VIII, Section 700-48 of the Codes of Nutley which states that any lot containing a residence for one or two families shall have at lease 60% of the required front yard in landscaping. This area shall not be covered with paving, walkways, or other impervious surface. Landscaping may consist of grass, ground cover, shrubs and other plant material. The required landscaping is 60%, the proposed is 36.38%; and also citing, Chapter 700, Article XIII, Section 700-94A(3) of the Codes of Nutley which states each property shall not have more than one driveway and one curb cut;**

**AND the Premises being located in an R-2 District as shown on the Township of Nutley Zoning Map;**

**AND Applicant having filed an application with the Zoning Board of Adjustment of the Township of Nutley (the "Board"), requesting a variance from the terms of the *Zoning Ordinance*;**

**AND the Board having held a public hearing on the application on July 20, 2026, after due public notice and due notice to property owners in the manner and within the time frames prescribed by the *Zoning Ordinance* and by the *Municipal Land Use Law* and the *Open Public Meetings Act* of the State of New Jersey;**

**AND the Board having fully heard the testimony of the witnesses, including Joseph Haines, Architect, David Fantina, P.E., Salvatore Corvino, PP and examined the exhibits presented at the hearing, and there being no opposition presented;**

**NOW, THEREFORE, WE, the Zoning Board of Adjustment of the Township of Nutley, find as follows:**

1. **That Applicant's proposed use of the Premises as proposed would violate the provisions of the *Zoning Ordinance.***

2. **That Applicant has met its burden of demonstrating that sufficient legal grounds exist for the granting of the requested variance.**

    a. **Applicant has adequately demonstrated peculiar and exceptional practical difficulties arising out of the exceptional narrowness, shallowness, or shape of the Premises such that strict application of the *Zoning Ordinance* would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon c(1) and/or that a purpose of the Municipal Land Use Law ("MLUL") would be advanced and the benefits from a deviation from the zoning ordinance would substantially outweigh any detriments under a c(2) criterion.**

    b. **Specifically, the evidence presented demonstrates to the satisfaction of the Board that the zone permits two-family residences. The lot is located between a newly constructed two-family home and St. Mary's Church. The church is much higher than the proposed project. The height while exceeding the zone requirements (32.83' proposed whereas 30' is the maximum allowed height) is a c variance created in large part by the rear topography of the property which slopes from front to back. The proposed new structure will actually improve drainage as the existing house drains to the front without a dry well and the proposed house will have a dry well in addition to keeping stormwater flow toward the street and away from the neighboring structures. The proposed change to the front walkway, creating one center walkway that branches out to the two front doors, will reduce impervious coverage slightly and will allow for more landscaping on the front lawn, thus reducing the variance for front yard landscaping. The proposed project requires variances for lot width, lot height and maximum lot coverage (though the lot coverage is diminimus being only 2% over the limited lot coverage allowed.) The proposed project satisfies serval purposes of the MLUL including paragraph a which promotes the general welfare as the proposed house will be built to the most current and safest building standards. The project also satisfies purpose i. promoting a desirable visual environment.**

**3. That, on the basis of the evidence presented and subject to the terms and conditions described below, the requested relief can be granted without substantial detriment to the public good and**

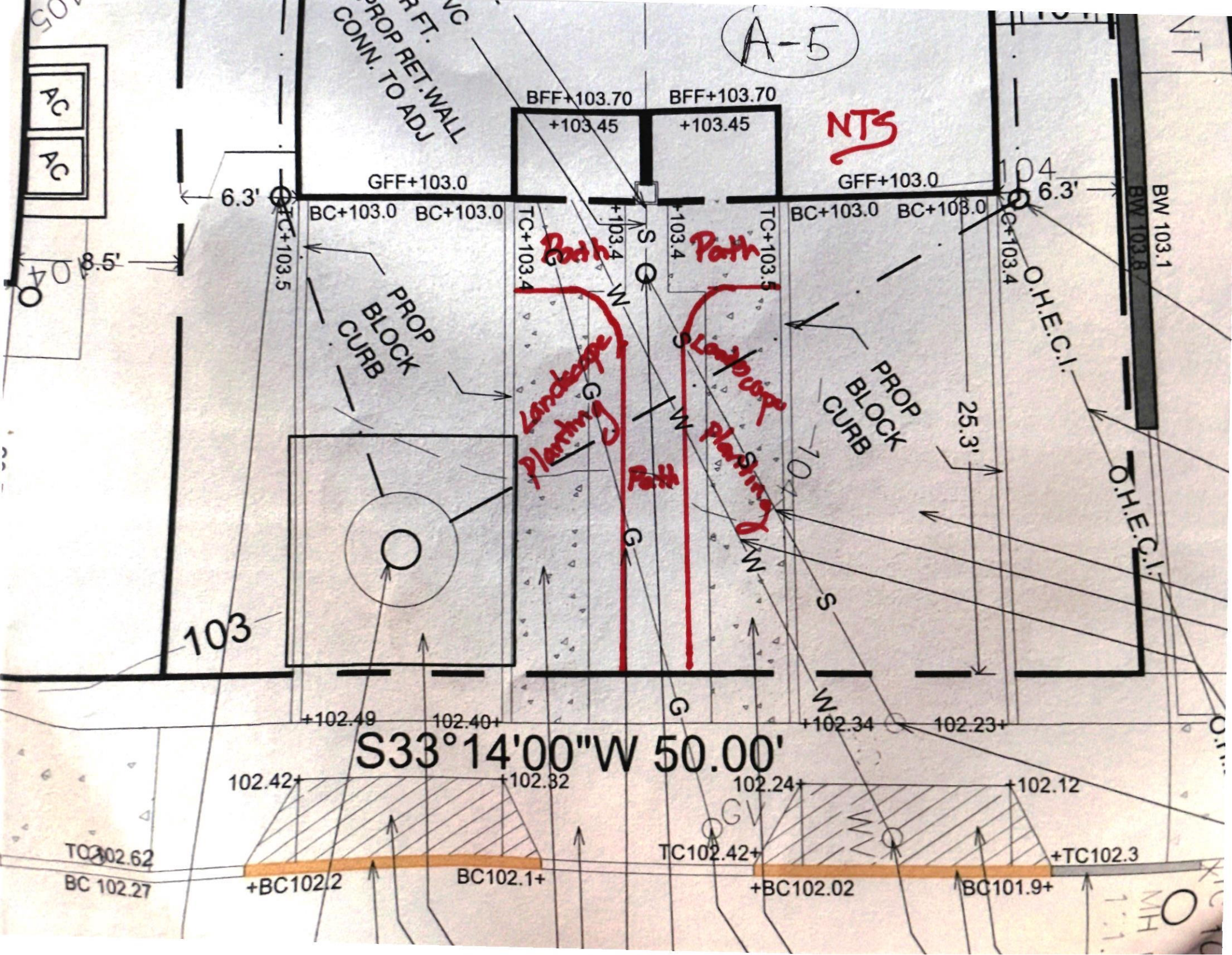
**will not substantially impair the intent and the purpose of the zone plan or the *Zoning Ordinance*.**

**BE IT THEREFORE RESOLVED by the Zoning Board of Adjustment of the Township of Nutley that for the reasons stated above, a VARIANCE from the provisions of the *Zoning Ordinance* is hereby GRANTED to permit Applicant to demolish the existing single-family dwelling and to construct a new two-family and to construct a new two-family dwelling located in an R-2 zoning district on a 50' x 100' lot, as shown on the Engineering Plan by David E. Fantina, P.E. dated April 16, 2026 and Architectural Plans by Dassa Haines dated April 16, 2026;**

**BE IT FURTHER RESOLVED that the following TERMS and CONDITIONS apply to the with Variance:**

1. **The Applicant is bound by the contents of their testimony as if this testimony was incorporated herein.**
2. **All construction shall be completed in accordance with the plans submitted and/or the testimony of the Applicant and its witnesses.**
3. **The approvals granted herein shall expire unless construction is begun within one year of the date of the memorializing resolution as per Chapter 700, Article II, Section 85-19 of the Codes of Nutley.**
4. **The "Bonus Room" on the ground floor may not be used as a bedroom.**
5. **A single four (4') foot wide walkway up the center of the property and branching out to each dwelling unit (as shown on Exhibit A-5 attached hereto) instead of separate walkways for each dwelling unit must be constructed.**

**AND BE IT FURTHER RESOLVED that nothing in this resolution is intended to imply that the documentation submitted by Applicant to the Board in support of this application is adequate for the issuance of a construction permit by the Code Official, and nothing herein should be so construed.**


A-5
NTS
BFF+103.70
+103.45
BFF+103.70
+103.45
GFF+103.0
GFF+103.0
BC+103.0
BC+103.0
BC+103.0
BC+103.0
TC+103.4
TC+103.5
TC+103.4
TC+103.5
TC+103.4
6.3'
6.3'
8.5'
PROP BLOCK CURB
PROP BLOCK CURB
Path
Path
Landscape Planting
Landscape Planting
25.3'
O.H.E.C.I.
O.H.E.C.I.
BW 103.1
BW 103.8
103
104
104
+102.49
102.40+
+102.34
102.23+
S33°14'00"W 50.00'
102.42+
+102.32
102.24+
+102.12
TC102.62
BC 102.27
+BC102.2
BC102.1+
TC102.42+
+BC102.02
+TC102.3
BC101.9+
AC
AC

**Address: 117 St. Mary's Place**

**Block: 7004** **Lot: 12**

**Date: July 20, 2026**

| NAME | MOTION | SECOND | YES | NO | NOT VOTING |
|---|---|---|---|---|---|
| GRAZIANO | | | ✓ | | |
| D. TOLVE | | | | | ✓ |
| G. TOLVE | | ✓ | ✓ | | |
| CAFONE | | | | | ✓ |
| DUVA | | | | | ✓ |
| WALLACE | | | | | ✓ |
| DOHERTY | ✓ | | ✓ | | |
| CASTRO | | | | | ✓ |
| CALICCHIO | | | | | ✓ |
| LEPRE | | | ✓ | | |
| | | | | | |

APPLICATION/APPEAL GRANTED

__X__ c(bulk) ____ d(use) variance(s)
____ site plan approval
____ appeal ____other _____

Applicant(s): **117 St. Mary LLC**

Property: **117 St. Mary's Place**

Block: **7004** Lot: **12**

**BE IT FURTHER RESOLVED that the Construction Code Official is hereby directed to issue a permit in accordance with this decision.**

Frank O Graziano Jr
**Frank Graziano, Chairman**

Ey
**Daniel Tolve, Vice Chairman**

Gregory Tolve
**Gregory Tolve**

Ey
**John Cafone**

Ey
**Theresa Duva**

Ey
**Yvette Casabona Wallace**

Patricia Doherty y
**Patricia Doherty, Secretary**

Ey
**Lorraine Castro (First Alternate)**

Ey
**Marc Calicchio (Second Alternate)**

Robin LePre y
**Robin S. LePre (Third Alternate)**

**(Fourth Alternate)**

**Prepared by:** Diana Powell McGovern
**Diana Powell McGovern, Esq.**

**Memorialized:** August 17, 2026

In the Matter of

ESTATE OF BETTY and ERIC STECK
Applicant

**ZONING BOARD OF ADJUSTMENT**
**TOWNSHIP OF NUTLEY**
**ESSEX COUNTY, NEW JERSEY**
**DOCKET NO.: ZBA 24-0006**

***RESOLUTION GRANTING BULK VARIANCES***

**FOR PROPERTY KNOWN AS:**
**217 Ridge Road**
**Block 5206 Lot 1**

**APPLICANT, The Estate of Betty and Eric Steck ("Applicant") having filed an application for a permit with the Code Official of the Township of Nutley, to do the following at the premises known as 217 Ridge Road, also being Block 5206, Lot 1 on the Tax Map of the Township of Nutley (the "Premises"):**

> **To leave as erect a driveway which was increased to 20' which was found on a driveway inspection, as shown on the property survey by George J. Anderson dated June 30, 2004;**

**AND the Code Official having denied said permit by letter dated April 28, 2026, citing Chapter 700, Article VIII, Section 700-94A(2) of the Codes of Nutley which states side yard of corner lots: the driveway shall consist of the area directly opposite and adjacent to the attached garage, detached garage or depressed garage, or not more than two feet in front of the main dwelling, when a two-foot in-depth landscape area is provided directly in front of the main dwelling or the extension of the rear yard into the side yard which abuts a street. However, if there is no garage and no available rear yard, a driveway not to exceed 16 feet in width from the rear lot line may be constructed. Lots having a width greater than 50 feet may have a driveway width of up to 18 feet in width when conforming to §700-48;**

**AND the Premises being located in an R-1 District as shown on the Township of Nutley Zoning Map;**

**AND Applicant having filed an application with the Zoning Board of Adjustment of the Township of Nutley (the "Board"), requesting a variance from the terms of the *Zoning Ordinance*;**

**AND the Board having held a public hearing on the application on July 20, 2026, after due public notice and due notice to property owners in the manner and within the time frames prescribed by the *Zoning Ordinance* and by the *Municipal Land Use Law* and the *Open Public Meetings Act* of the State of New Jersey;**

**AND the Board having fully heard the testimony of the witnesses and examined the exhibits presented at the hearing, and there being no opposition presented;**

**NOW, THEREFORE, WE, the Zoning Board of Adjustment of the Township of Nutley, find as follows:**

1. **That Applicant's proposed use of the Premises as proposed would violate the provisions of the *Zoning Ordinance.***

2. **That Applicant has met its burden of demonstrating that sufficient legal grounds exist for the granting of the requested variance.**

    a. **Applicant has adequately demonstrated that the benefits from a deviation from the zoning ordinance would substantially outweigh any detriments under a c(2) criterion.**

    b. **Specifically, the evidence presented demonstrates to the satisfaction of the Board that the driveway previously had a small strip of grass that bordered the driveway between the retaining wall and the edge of the pavement that was difficult to maintain, turned to mud and was otherwise not attractive. The pavement to the retaining wall makes a cleaner appearance and is an aesthetic improvement to the property.**

**3. That, on the basis of the evidence presented and subject to the terms and conditions described below, the requested relief can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan or the *Zoning Ordinance*.**

**BE IT THEREFORE RESOLVED by the Zoning Board of Adjustment of the Township of Nutley that for the reasons stated above, a VARIANCE from the provisions of the *Zoning Ordinance* is hereby GRANTED to permit Applicant to leave as erect a driveway which was increased to 20' which was found on a driveway inspection, as shown on the property survey by George J. Anderson dated June 30, 2004;**

**BE IT FURTHER RESOLVED that the following TERMS and CONDITIONS apply to the with Variance:**

1. **The Applicant is bound by the contents of their testimony as if this testimony was incorporated herein.**

2. **All construction shall be completed in accordance with the plans submitted and/or the testimony of the Applicant and its witnesses.**

3. **The approvals granted herein shall expire unless construction is begun within one year of the date of the memorializing resolution as per Chapter 700, Article II, Section 85-19 of the Codes of Nutley.**

**AND BE IT FURTHER RESOLVED that nothing in this resolution is intended to imply that the documentation submitted by Applicant to the Board in support of this application is adequate for the issuance of a construction permit by the Code Official, and nothing herein should be so construed.**

**Address: 217 Ridge Road**

**Block: 5206** **Lot: 1**

**Date: July 20, 2026**

| NAME | MOTION | SECOND | YES | NO | NOT VOTING |
|---|---|---|---|---|---|
| GRAZIANO | | | ✓ | | |
| D. TOLVE | | | | | |
| G. TOLVE | ✓ | | ✓ | | |
| CAFONE | | | | | |
| DUVA | | | | | |
| WALLACE | | | | | |
| DOHERTY | | ✓ | ✓ | | |
| CASTRO | | | | | |
| CALICCHIO | | | | | |
| LEPRE | | | ✓ | | |
| | | | | | |

APPLICATION/APPEAL GRANTED

__X__ c(bulk) ____ d(use) variance(s)
____ site plan approval
____ appeal ____other _____

Applicant(s): **Estate of Betty and Eric Steck**

Property: **217 Ridge Road**

Block: **5206** Lot: **1**

**BE IT FURTHER RESOLVED that the Construction Code Official is hereby directed to issue a permit in accordance with this decision.**

Frank Graziano Y — **Frank Graziano, Chairman**

Ex — **Daniel Tolve, Vice Chairman**

Y — **Gregory Tolve**

Ex — **John Cafone**

Ex — **Theresa Duva**

Ex — **Yvette Casabona Wallace**

Patricia Doherty Y — **Patricia Doherty, Secretary**

Ex — **Lorraine Castro (First Alternate)**

Ex — **Marc Calicchio (Second Alternate)**

Robin Lepre Y — **Robin S. LePre (Third Alternate)**

_____ **(Fourth Alternate)**

**Prepared by:** Diana Powell McGovern
**Diana Powell McGovern, Esq.**

**Memorialized:** August 17, 2020

$x_1$

$x_2$

$x_3$

$x_4$

$x_5$

$x_6$

$x_7$

$x_8$

$x_9$

$x_{10}$

$x_{11}$

$x_{12}$

$x_{13}$

$x_{14}$

$x_{15}$

$x_{16}$

$x_{17}$

$x_{18}$

$x_{19}$

$x_{20}$

In the Matter of

JOSH KAPUSINSKI and
ERICA DOHERTY
Applicants

**ZONING BOARD OF ADJUSTMENT**
**TOWNSHIP OF NUTLEY**
**ESSEX COUNTY, NEW JERSEY**
**DOCKET NO.: ZBA 26-0017**

***RESOLUTION GRANTING BULK VARIANCES***

**FOR PROPERTY KNOWN AS:**
**435 Prospect Street**
**Block 4700 Lot 17**

**APPLICANTS, Josh Kapusinski and Erica Doherty ("Applicants") having filed an application for a permit with the Code Official of the Township of Nutley, to do the following at the premises known as 435 Prospect Street, also being Block 4700, Lot 17 on the Tax Map of the Township of Nutley (the "Premises"):**

> **To install a four (4') foot open picket style fence located on a corner property side street, side yard along Beech Street, as shown on the property survey by Allstate Mapping & Layout dated January 12, 2022;**

**AND the Code Official having denied said permit by letter dated April 28, 2026, citing Chapter 700, Article XI, Section 700-71A of the *Codes of Nutley* which 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 no less than two feet in height and shall be of50% 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, and also citing Chapter 700, Article XI, Section 700-71D of the *Codes of Nutley* which states a fence erected on any corner lot shall conform to the fence requirements for the adjoining properties;**

**AND the Premises being located in an R-1 District as shown on the Township of Nutley Zoning Map;**

**AND Applicants having filed an application with the Zoning Board of Adjustment of the Township of Nutley (the "Board"), requesting a variance from the terms of the *Zoning Ordinance*;**

**AND the Board having held a public hearing on the application on July 20, 2026, after due public notice and due notice to property owners in the manner and within the time frames prescribed by the *Zoning Ordinance* and by the *Municipal Land Use Law* and the *Open Public Meetings Act* of the State of New Jersey;**

**AND the Board having fully heard the testimony of the witnesses and examined the exhibits presented at the hearing, and there being no opposition presented;**

**NOW, THEREFORE, WE, the Zoning Board of Adjustment of the Township of Nutley, find as follows:**

1. **That Applicants' proposed use of the Premises as proposed would violate the provisions of the *Zoning Ordinance.***

2. **That Applicant has met their burden of demonstrating that sufficient legal grounds exist for the granting of the requested variance.**

    a. **Applicants have adequately demonstrated peculiar and exceptional practical difficulties arising out of the exceptional narrowness, shallowness, or shape of the Premises such that strict application of the *Zoning Ordinance* would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, Applicants.**

    b. **Specifically, the evidence presented demonstrates to the satisfaction of the Board that the property presents a corner side yard hardship as the property has "two front yards." The proposed fence style with the condition that the evergreen bushes be maintained in perpetuity at a higher height than the fence will create an aesthetically pleasing visually effect while allowing the applicant to fence in the yard for children, dogs and privacy.**

3. **That, on the basis of the evidence presented and subject to the terms and conditions described below, the requested relief can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan or the *Zoning Ordinance*.**

**BE IT THEREFORE RESOLVED by the Zoning Board of Adjustment of the Township of Nutley that for the reasons stated above, a VARIANCE from the provisions of the *Zoning Ordinance* is hereby GRANTED to permit Applicants to install a four (4') foot open picket style fence located on a corner property side street, side yard along Beech Street, as shown on the property survey by Allstate Mapping & Layout dated January 12, 2022;**

**BE IT FURTHER RESOLVED that the following TERMS and CONDITIONS apply to the with Variance:**

1. **The Applicants are bound by the contents of their testimony as if this testimony was incorporated herein.**

2. **All construction shall be completed in accordance with the plans submitted and/or the testimony of the Applicants and their witnesses.**

3. **The approvals granted herein shall expire unless construction is begun within one year of the date of the memorializing resolution as per Chapter 700, Article II, Section 85-19 of the Codes of Nutley.**

4. **Fence shall be a four (4') foot black wrought iron style 50% open.**

5. **Evergreen bushes must be maintained on the street side of the fence at a height higher than the fence.**

**AND BE IT FURTHER RESOLVED that nothing in this resolution is intended to imply that the documentation submitted by Applicants to the Board in support of this application is adequate for the issuance of a construction permit by the Code Official, and nothing herein should be so construed.**

**Address: 435 Prospect Street**

**Block: 4700 Lot: 17**

**Date: July 20, 2026**

| NAME | MOTION | SECOND | YES | NO | NOT VOTING |
|---|---|---|---|---|---|
| GRAZIANO | | | ✓ | | |
| D. TOLVE | | | | | ✓ |
| G. TOLVE | | | ✓ | | |
| CAFONE | | | | | ✓ |
| DUVA | | | | | ✓ |
| WALLACE | | | | | ✓ |
| DOHERTY | ✓ | | ✓ | | |
| CASTRO | | | | | ✓ |
| CALICCHIO | | | | | ✓ |
| LEPRE | | ✓ | ✓ | | |
| | | | | | |

APPLICATION/APPEAL GRANTED

__X__ c(bulk) ____ d(use) variance(s)
____ site plan approval
____ appeal ____other _____

Applicant(s): **Josh Kapusinki and Erica Doherty**

Property: **435 Prospect Street**

Block: **4700** Lot: **17**

**BE IT FURTHER RESOLVED that the Construction Code Official is hereby directed to issue a permit in accordance with this decision.**

Frank Graziano, Chairman — Y

Daniel Tolve, Vice Chairman — Ey

Gregory Tolve — Y

John Cafone — Ey

Theresa Duva — Ey

Yvette Casabona Wallace — Ey

Patricia Doherty, Secretary — Y

Lorraine Castro (First Alternate) — Ey

Marc Calicchio (Second Alternate) — Ey

Robin S. LePre (Third Alternate) — Y

(Fourth Alternate)

**Prepared by:** Diana Powell McGovern, Esq.

**Memorialized:** August 17, 2026

In the Matter of

ESRIC FRECKLETON

Applicant

**ZONING BOARD OF ADJUSTMENT**
**TOWNSHIP OF NUTLEY**
**ESSEX COUNTY, NEW JERSEY**
**DOCKET NO.: 26-0024**

***RESOLUTION GRANTING BULK VARIANCES***

**FOR PROPERTY KNOWN AS:**
**624 Bloomfield Avenue**
**Block 2901 Lot 36**

**APPLICANT, Esric Freckleton ("Applicant") having filed an application for a permit with the Code Official of the Township of Nutley, to do the following at the premises known as 624 Bloomfield Avenue, also being Block 7905, Lot 6 on the Tax Map of the Township of Nutley (the "Premises"):**

> **To modify the approval of the Zoning Board of Adjustment to include increasing the height of the front foyer, having a 16'6"front yard setback, as shown on the plans by MAR Architecture Engineering dated May 29, 2026;**

**AND the Board having granted variances to allow Applicant to reconstruct an enclosed porch having a 16'6" setback on the street side yard other and to construct a new addition, having a 25' setback on the street side yard other, and to construct a new second floor addition, having a 11'7" rear yard setback, as shown on the plans prepared by MAR Architecture Engineering dated July 14, 2025 at a hearing on September 15, 2025 and memorialized in a resolution on October 20, 2025;**

**AND the Code Official having denied said permit by letter dated July 7, 2026, citing Chapter 700, Article VIII, Section 700-46 A of the Code of Nutley states the Schedule of Regulations requires the following for a front yard in a R-1A zoning district:**

| Required | Proposed |
|---|---|
| 25' | 16'6" |

**AND the Premises being located in an R-1A District as shown on the Township of Nutley Zoning Map;**

**AND Applicant having filed an application with the Zoning Board of Adjustment of the Township of Nutley (the "Board"), requesting a variance from the terms of the *Zoning Ordinance*;**

**AND the Board having held a public hearing on the application on July 20, 2026, after due public notice and due notice to property owners in the manner and within the time frames prescribed by the *Zoning Ordinance* and by the *Municipal Land Use Law* and the *Open Public Meetings Act* of the State of New Jersey;**

**AND the Applicant having presented testimony from Mohammed Reda, P.E. and the Board having examined the exhibits presented at the hearing, and there being no opposition presented;**

**NOW, THEREFORE, WE, the Zoning Board of Adjustment of the Township of Nutley, find as follows:**

1. **That Applicant's proposed use of the Premises as proposed would violate the provisions of the *Zoning Ordinance.***

2. **That Applicant has met his burden of demonstrating that sufficient legal grounds exist for the granting of the requested variance.**

    a. **Applicant has adequately demonstrated peculiar and exceptional practical difficulties arising out of the exceptional narrowness, shallowness, or shape of the Premises such that strict application of the *Zoning Ordinance* would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, Applicant.**

    b. **Specifically, the evidence presented demonstrates to the satisfaction of the Board that during construction of the addition previously approved by the Board it became necessary to raise the ceiling height so that the addition could match the existing floor height of the house. All new roofing and siding will be installed over the entire house. The hardship was created by pre-existing architectural deficiencies and the proposed front yard change also is hampered by the fact that the house is located on a corner lot.**

3. **That, on the basis of the evidence presented and subject to the terms and conditions described below, the requested relief can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan or the *Zoning Ordinance*.**

**BE IT THEREFORE RESOLVED by the Zoning Board of Adjustment of the Township of Nutley that for the reasons stated above, a VARIANCE from the provisions of the *Zoning Ordinance* is hereby GRANTED to permit Applicant to modify the approval of the Zoning Board of Adjustment to include increasing the height of the front foyer, having a 16'6"front yard setback, as shown on the plans by MAR Architecture Engineering dated May 29, 2026;**

**BE IT FURTHER RESOLVED that the following TERMS and CONDITIONS apply to the with Variance:**

1. **The Applicant is bound by the contents of his testimony as if this testimony was incorporated herein.**

2. **All construction shall be completed in accordance with the plans submitted and/or the testimony of the Applicant.**

3. **The approvals granted herein shall expire unless construction is begun within one year of the date of the memorializing resolution as per Chapter 700, Article II, Section 85-19 of the Codes of Nutley.**

4. **All new siding and roof (on entire house) must be installed.**

5. **Applicant must comply with all conditions set forth in the resolution memorialized on October 20, 2025.**

**AND BE IT FURTHER RESOLVED that nothing in this resolution is intended to imply that the documentation submitted by Applicant to the Board in support of this application is adequate for the issuance of a construction permit by the Code Official, and nothing herein should be so construed.**

**Address: 624 Bloomfield Avenue**

**Block: 2901** **Lot: 36**

**Date: July 20, 2026**

| NAME | MOTION | SECOND | YES | NO | NOT VOTING |
|---|---|---|---|---|---|
| GRAZIANO | | | ✓ | | |
| D. TOLVE | | | | | |
| G. TOLVE | | ✓ | ✓ | | |
| CAFONE | | | | | |
| DUVA | | | | | |
| WALLACE | | | | | |
| DOHERTY | ✓ | | ✓ | | |
| CASTRO | | | | | |
| CALICCHIO | | | | | |
| LEPRE | | | ✓ | | |
| | | | | | |

APPLICATION/APPEAL GRANTED

__X__ c(bulk) ____ d(use) variance(s)
____ site plan approval
____ appeal ____other _____

Applicant(s): **Esric Freckleton**

Property: **624 Bloomfield Avenue**

Block: **2901** Lot: **36**

**BE IT FURTHER RESOLVED that the Construction Code Official is hereby directed to issue a permit in accordance with this decision.**

| | |
|---|---|
| Frank Graziano, Chairman — Y | Daniel Tolve, Vice Chairman — Ex |
| Gregory Tolve — Y | John Cafone — Ex |
| Theresa Duva — Ex | Yvette Casabona Wallace — Ex |
| Patricia Doherty, Secretary — Y | Lorraine Castro (First Alternate) — Ex |
| Marc Calicchio (Second Alternate) — Ex | Robin S. LePre (Third Alternate) — Y |
| (Fourth Alternate) | |

**Prepared by:** _____
**Diana Powell McGovern, Esq.**

**Memorialized:** August 17, 2026