9/21/2026 approved DPM

NUTLEY ZONING BOARD OF ADJUSTMENT
Public Session Meeting Minutes
August 17, 2026

CALL TO ORDER: A meeting of the Nutley Zoning Board of Adjustment was called to order at approximately 7:30 p.m. by Chairman Frank Graziano. The Pledge of Allegiance was recited. Roll was called and the Sunshine Notice was read.
PRESENT: Robin LePre, Marc Calicchio, Yvette Wallace, John Cafone, Patricia Doherty, Daniel Tolve, Chairman Graziano, Diana Powell McGovern Esq.
EXCUSED: Lorainne Castro, Theresa Duva, Greg Tolve
ABSENT:

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No. 1. 12 White Terrace – Denied 6-1

Applicant: Lenin Gomez, 12 White Terrace, Nutley, NJ 07110

Application: Your request, at the above referenced premises, to widen the existing driveway to 19', reducing the front yard coverage to 54%, as shown on the property survey by Morgan Engineering & Surveying dated February 6, 2016

Appearances: Lenin Gomez

Letter of Denial: Letter of Denial was read by Patricia Doherty

Chapter 700, Article VIII, Section 700-48 of the Codes of Nutley states any lot containing a residence for one or two families shall have at least 60% of the required front yard in landscaping. This area shall not be covered with paving, walkways or any other impervious surface. Landscaping may consist of grass, ground cover, shrubs and other plant material. The required is 60%, the proposed is 54%.

Chapter 700, Article XIII, Section 700-94 A (1) of the Codes of Nutley states the driveway shall consist of the area directly opposite to an attached garage, detached 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 depressed garage or the extension of the side yard into the front yard. The driveway width shall not exceed 16 feet in width for lots up to 50 feet in width. 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. However, if there is no garage and no available side yard, a driveway not to exceed 16 feet in width from the side lot line may be constructed. The required driveway width is 16', the proposed is 19'.

Mr. Gomez states that he wants to widen his driveway another 3' to increase it to 19' wide.

He states that it is currently tight in his driveway, and he will soon have 4 cars in his driveway and wants more room to open the doors and maneuver around his vehicles. He states that he has 5 feet to his property line on the right side. The Board also noted that a portion of the driveway already in front of the house (extending past the garage) and admittedly five vehicles (including one in the garage) can fit on the property. The board informs Mr. Gomez that he must demonstrate a hardship unique to the land.

With no further questions or concerns a motion to deny the variance was made by John Cafone and was seconded by Daniel Tolve. The motion was approved by a vote of 6-1.

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No. 2. 51 Ridge Road – Approved 7-0

Applicant: Tejas Bhandari, 51 Ridge Road, Nutley, NJ 07110

Application: Your request for a permit at the above referenced address, to construct a covered porch addition, having a 3.05' side yard, as shown on the plans by VP Architectural Design, LLC dated July 15, 2026

Appearances: Tejas Bhandari

Letter of Denial: Letter of Denial was read by Patricia Doherty

Chapter 700, Article VIII, Section 700-46 A of the Codes of Nutley states the Schedule of Regulations requires the following for a front yard in an R-1 district:

Side Yard	Required	Proposed
6'	6'	3.05'

Mr. Bhandari states that he would like to cover his porch. He will install a new sliding door and match the roofing to what exists on the home. This will not change they side yard setback it will only cover the existing porch.

A motion to grant this variance was made by Yvette Wallace and seconded by Daniel Tolve. The motion was approved by a vote of 7-0.

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No. 3. 4 Villa Place – Approved 7-0

Applicant: James and Michelle Garatina, 4 Villa Place, Nutley, NJ 07110

Application: Your request for a permit at the above referenced address, to construct additions and portico on to the existing dwelling, as shown on the plans prepared by Pulice/Williams Architects dated July 22, 2026

Appearances: James and Michelle Garatina, Peter Pucile (Architect)

Letter of Denial: Letter of Denial was read by Patrcia Doherty

Chapter 700, Article VIII, Section 700-46 A, the Schedule of Regulations, requires the following in an R-1 zoning district.

New proposed two-story addition:

	Required	Proposed	
Front yard	25'	14.80' and 18.5'	Variance
Rear yard	30'	3.3' and 5'	Variance
Lot Coverage	35%	43%	Variance

Chapter 700, Article VIII, Section 700-46 B (d) (3) of the Codes of Nutley states by any open portico and porch, no variance from front yard setback requirements of Chapter 700, Zoning, shall be required for an open portico added to an existing single-family, two-family and three-family dwelling, which dwelling was constructed prior to August 1, 2023, in an R-1, R-1A, R-1AA, R-2, or R-3 Zoning District, provided that the following conditions are met:

(3) The portico shall not encroach more than 10 feet into the minimum required front yard for the zone in which it is located. The required front yard is 25', the maximum encroachment is 10', (25'-10'=15'). The proposed setback will be 8.82.'

Mr. and Mrs, Garatina state that they have been in town for 10 years and own a business in town. They state their kids are getting older and they want more space in their home so they can stay in Nutley. Their son will soon be driving, and they can only fit one car in their garage. Mr. Pulice, a registered architect and planner, states that the property is only 5,000 square feet which is an undersized lot, and they want to completely renovate the house. The home currently very small and the update will bring the home up to the standard of the town. There will be more spacious bedrooms, completely new roofing, siding, and windows.

A motion to grant this variance was made by Theresa Duva and seconded by John Cafone. The motion was approved by a vote of 7-0.

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No. 4. 31 Overlook Terrace – Approved 6-0

Applicant: 708 Harmon LLC/Shorena Peikrishvili, 31 Overlook Terrace, Nutley, NJ 07110

Application: Your request for a permit, at the above referenced premises, to install a six (6') foot solid type fence located in the left and right-side yards, as shown on the property survey prepared by Morgan Engineering & Surveying dated July 24, 2025

Appearances: Shorena Peikrishvili

Letter of Denial: Letter of Denial was not read.

John Cafone recuses himself.

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.

Mrs. Peikrishvili states that she is returning because she didn't realize that the plan agreed upon by the board would have her fence in line with the center of her window. The board will allow her to move her fence 4 inches in front of the window. She will also need to have 6' arborvitaes planted along the 6ft fence withing 6 months.

A motion to grant this variance was made by Yvette Wallace and seconded by Patricia Doherty. The motion was approved by a vote of 6-0.

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Bill: Secretary Fee $150

Public Comment : None.

Resolutions: 217 Ridge Road, 624 Bloomfield Ave, 117 St. Mary's Place, 435 Prospect Street

NOTE: THE PROCEEDINGS IN THIS MATTER WERE VOICE RECORDED. THE RECITAL OF FACTS IN THE MINUTES IS NOT INTENDED TO BE ALL-INCLUSIVE, BUT IS A SUMMARY AND HIGHLIGHT OF THE COMPLETE RECORD MADE BEFORE THE ZONING BOARD

Respectfully Submitted,

Paul Marranzino

Paul Marranzino
Board Secretary