

NUTLEY ZONING BOARD OF ADJUSTMENT

Public Session Meeting Minutes

February 12, 2018

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: Joseph Frusteri, Lori Castro, Daniel Tolve, Greg Tolve, Theresa Duva, Joseph Battaglia, Gary Marino, Suzanne Brown, Chairman Graziano and Board attorney, Diana McGovern, Esq.

ABSENT: None

EXCUSED: Peter Sirica, Tom DaCosta Lobo

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No. 1 143 Watchung Place APPROVED 7-0

Applicant: Mr. & Mrs. John Barry, 143 Watchung Place, Block-Lot: 5201-12

Application: to construct a new open front porch in front of the main dwelling having an 11.57' front yard setback, as shown on the survey and sketches received by the Code Enforcement department on January 16, 2018,

Appearances: John Barry

Letter of Denial: was read by Mr. Gary Marino.

Chapter 700, Article VIII, Section 700-46 A of the Codes of Nutley, the schedule entitled "Schedule of Regulations as to Bulk, Height and Other Requirements," requires a minimum front yard setback of 25' in an R-1 zoning district. ***The proposed new open front porch will have a front yard setback of 11.57'.***

Applicant John Barry testified to the board that he had lived in his home since 1977. He stated that he attained a permit to enlarge the home, and now wanted to square off the front of his home to enclose his front porch. Mr. Barry stated that he had a medical condition that prohibited him from being in the sun, and if the board granted the application, it would allow him to get fresh air. Chairman Graziano stated that this was a shallow lot. Mr. Barry explained it would be a screened in porch and the landscaping would be replaced and not just removed. The

applicant stated that he will match his existing railings. Ms. Suzanne Brown stated that the property also had the hardship of being on a hill.

With no further questions from the members and no one in the audience with questions or comments, a motion to grant this variance was made by Ms. Suzanne Brown, seconded by Mr. Gary Marino. The variance was granted by a vote of 7-0.

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RESOLUTIONS MEMORIALIZED: 4 McKinley Street, 40 Franklin Avenue, 16 Lake Street

MINUTES: December 2017 minutes

INVOICES:

NEW BUSINESS:

LITIGATED MATTERS: None

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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.

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Respectfully submitted,

Anjelica L. Mitchell

Minutes Approved

Anjelica L Mitchell
3/19/18