

**Nutley Board of Adjustment
December 15, 2008
Meeting Minutes – Public Session**

CALL TO ORDER: A meeting of the Nutley Zoning Board of Adjustment was called to order at 7:39:50 by Chairman Scudato. The Pledge of Allegiance was recited. Roll was called and the “Sunshine Act” notice was read.

PRESENT: Robert Beck, Suzanne Brown, Thomas DaCosta Lobo, Frank Graziano, John Halligan, Michael Naughton, Ralph Pastore, Paul Scudato, Chairman and Diana McGovern, Board Attorney

ABSENT/EXCUSED: Diana Petolino.

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No. 1 7:41:30 MANGANARO - Approved 7-0

Applicant: Michael Manganaro, 131 Conover Avenue, Block 9304, Lot 3, Zone R-2

Application: Request to build a second-story addition on the reference premises, a non-conforming lot.

Appearances: Donald J. Manganaro, (father) (sworn) 45 Glendale Street

Letter of denial was read by Thomas DaCosta Lobo. Codes of Nutley requires: a minimum lot size of 60’x100’; a minimum 25-foot front yard setback; and a minimum 6-foot side yard setback.

Because Michael Manganaro was away on business, his father, Donald Manganaro testified on his behalf before the Board. Mr. Donald Manganaro is co-owner of the premises. He described the house as a one-bedroom house. Their original idea was to put a dormer on the house, but since they had to go through the same process with the township to get that, they decided they would like to put on an entire second floor so he can have three bedrooms and two bathrooms.

Mr. Graziano asked if the footprint would be affected. Mr. Manganaro said it would not. Looking at the property map, Mr. Manganaro pointed out that the town has a 10-foot easement on the front of the property because the street is only 30 feet wide. Mr. Graziano asked about the height of the proposed building. Mr. Manganaro said it will be about 5 feet higher than the current. Mr. Graziano noted that the applicant was not cited for height.

Mr. Pastore asked if the siding on the house will be repetitious or will the whole house be resided or just the upper portion. That would depend on whether or not the applicant can get a good price for siding. There are two motion sensors on the side and back and not extra lighting will be added.

The Chairman asked if the applicant will be building over the porch; he is not.

With no further questions from the Board members and no one in the audience to speak either for or against the application, Chairman Scudato asked for a motion. Mr. Graziano made a motion to grant the variance stating the lot is exceptionally narrow, there is no room to go out on the side, the footprint will not be changed. Mr. Pastore seconded the motion. The variance was approved by a vote of 7-0.

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LITIGATION: The members went into closed session to discuss litigation matters and this portion of the meeting was concluded at 7:48:18 p.m.

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ADJOURNMENT: 8:07:09

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Respectfully submitted,

Marie L. Goworek
Recording Secretary - ZBA