

NUTLEY ZONING BOARD OF ADJUSTMENT

Public Session Meeting Minutes

January 25, 2016

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: Lori Castro, Mary Ryder, Gary Marino, Tom DaCosta Lobo, Diana McGovern, Esq., Chairman Graziano

ABSENT: None

EXCUSED: Peter Sirica, Lou Fusaro, Serje Demerjian, Suzanne Brown

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No. 1 26 East Passaic Avenue APPROVED 5-0

Applicant: Ms. Josephine Sorisi, 26 East Passaic Avenue, Block-Lot: 8605-1

Application: to install a four (4') foot chain-link type fence in the front yard of a corner property and side yard along Briar Lane, which is in the front yard of the adjoining property, as shown on the survey prepared by G.B Associates, dated February 27, 1990

Appearances: Josephine Sorisi

Letter of Denial: was read by Mr. Tom DaCosta Lobo.

Chapter 700, Article XI, Section 700-71 A of the Codes of Nutley states no fences of any type shall be permitted in any front yard.

Chapter 700, Article XI, Section 700-71 D of the Codes of Nutley states a fence erected on any corner lot shall conform to the fence requirements for the adjoining properties. **The proposed fence is in the front yard of the adjoining property along Briar Lane.**

Chapter 700, Article XI, Section 700-75 of the Codes of Nutley states on every corner lot within the triangle formed by the street lines on such lot and a line drawn between points on such lines at the distance from their intersection specified below, there shall be no fence or wall higher than 2 1/2 feet nor any other obstruction to vision other than a post, column or tree not exceeding in cross section one square foot or one foot in diameter between a height of three feet

and a height of 10 feet above the established grade of either street. **The proposed four (4') foot fence is an obstruction.**

Applicant Josephine Sorisi testified before the board stating she had previously had a fence in the same spot. However, she advised the board, that she had done some construction and took the fence down. She stated that she did not know she needed another variance once she had taken the fence down, so she put up another fence. Ms. Sorisi advised the board she was then told by a judge to take the new fence down. She told the board that her house is currently up for sale and she has noticed that prospective buyers don't like the fact that the house is on a county road and doesn't have any privacy. Ms. Sorisi told the board she had the original fence up from 1985 until 1997. Mr. Tom DaCosta Lobo pointed out that in 1985, the applicant did not need a variance from the Zoning Board for a fence. Ms. Sorisi expressed that she wanted to put up a simple chain link fence. Mr. Tom DaCosta Lobo asked if the applicant would be putting the fence behind the evergreens and if she would consider continuing the evergreens along the property. The applicant responded that the fence would go behind the evergreens and that she would continue the evergreens.

With no further questions from the members and no one in the audience with questions or comments, a motion to grant the variance was made by Ms. Mary Ryder, seconded by Mr. Tom DaCosta Lobo. The variance was granted by a vote of 5-0.

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BUSINESS: None

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RESOLUTIONS MEMORIALIZED:

- 145 Hillside Avenue
- 50 Kingsland Street
- 6-20 Homer Avenue

MINUTES:

December 14, 2015 minutes approved

INVOICES:

Training for Ms. Castro-\$80.00

126 Washington Avenue-\$715.00

LITIGATED MATTERS: None

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Respectfully submitted,

Anjelica L. Mitchell

Minutes Approved

Anjelica Mitchell
2/22/2016