



CODE ENFORCEMENT DEPT.

THOMAS J. EVANS
Director of Revenue and Finance

TOWNSHIP OF NUTLEY

1 KENNEDY DRIVE
NUTLEY, NEW JERSEY 07110

TELEPHONE: (973) 284-4957 · FACSIMILE: (973) 284-0071

BUILDING
PLUMBING
ELECTRICAL
FIRE
ZONING

DAVID BERRY
Construction Official
Zoning Official

May 7, 2025

Chris and Jane Souza
139 Columbia Avenue
Nutley, NJ 07110

RE: Inground Pool
Rear Yard Pavers
139 Columbia Avenue
Block/Lot: 8005/9

Dear Mr. and Mrs. Souza,

Your request for a permit, at the above referenced premises, to install an inground pool, having a four (4') foot yard setback and to install pavers around the pool, which will increase the maximum impervious coverage to 80% and the rear yard coverage to 34%, as shown on the property survey by Arthur F. Mead, Jr. dated June 13, 1986 is denied for the following reason:

This property is located in an R-1 district as shown on the Nutley Zoning Map.

Chapter 700, Article V, Section 700-9 D (2) of the Codes of Nutley states the pool shall be no closer than eight feet to any side or rear lot line; or nearer to the side street line of a corner lot than the main building on the lot; or if the abutting lot to the rear faces said street line, then the distance equal to the depth of the front yard required on said lot to the rear. However, in no case shall a swimming pool on a corner lot be required to be set back more than 25 feet from a side street.

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

<u>Impervious Coverage</u>	<u>Proposed</u>
70%	80%

Chapter 700, Article XI, Section 700-67 A of the Codes of Nutley states detached accessory buildings and accessory uses may occupy in the aggregate an area not to exceed 30% of the area of any rear yard. The height of a detached accessory building shall be one story not to exceed 14 feet. *The proposed will be 34%.*

Chapter 700, Article XI, Section 700-67 E (3) of the Codes of Nutley states decks and patios must meet the following minimum setback requirements of Table 1.

The patio at the side rear yard are proposed to be a two (2') foot setback.

As part of the project, the applicant is proposing to construct a drywell system which will be reviewed by the Engineering Department.

A non-refundable filing fee of \$175.00 in connection with your appeal was received by the Code Enforcement Office in order to begin the application process. All tax and water bills must be paid to date prior to the processing of a variance fee.

Information on procedures for an appeal of this decision to the Board of Adjustment can be obtained from Antonette DeBlasio, adeblasio@nutleynj.org or Jessica D'Onofrio, jdonofrio@nutleynj.org or at 973-284-4957. It should be noted that, under State Statute, notice of appeal of this decision must be filed with this office no later than twenty (20) calendar days from the date of this notice.

Any changes to the proposed plans must be submitted prior to the applications being returned to the Code Enforcement Office. No changes can be made once the application is received by this office.

Very truly yours,

DAVID BERRY
Zoning Official
DB/jd



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OF ADJUSTMENT APPLICATION FORM

Docket No: ZBA-25-0015

TO ALL APPLICANTS: This application form is designed to obtain from you information necessary for the processing of your application by the Zoning Board of Adjustment.

Application Fee: \$ 175 (on denial letter)

Date of Denial Letter: 5/1/25

Section I: SUBJECT PROPERTY

Address: 139 COLUMBIA AVE.

Block: 8005 Lot: 9 Zone: R-1A

	District Requirements	Proposed
Lot Area		<u>5300sq.ft.</u>
Lot Width		<u>53'</u>
Lot Depth		<u>100'</u>
Front Yard		<u>9.95</u>
Side Yard		<u>7.2' + 24.5</u>
Rear Yard		<u>42.5</u>
Other		

Section II: APPLICANT INFORMATION

Name: CHRIS SOUZA

Address: 139 COLUMBIA AVE.

Telephone: C- 973-460-9915 W- 973-450-3582

Email Address: OFFSHORE426@AOL.COM

Applicant is a:

☐ Corporation

☐ Partnership

☐ LLC

☒ Individual

If the owner is not the applicant, the following must be provided:

Owner Name: _____

Address: _____

Telephone: _____

Email Address: _____

N/A

Section III: DISCLOSURE STATEMENT

Pursuant to N.J.S. 40:55D-48.1 the names and address of all persons owning 10% of the stock in a corporation or a 10% interest in any partnership must disclosed by the applicant. In accordance with N.J.S. 40:55D-48.2, that disclosure requirement applies to any corporation or partnership which owns more than 10% interest.

Name: _____

Address: _____

Interest: _____

Name: _____

Address: _____

Interest: _____

Name: _____

Address: _____

Interest: _____

N/A

Section IV: PROPERTY INFORMATION

Total existing and total proposed dwelling units
Total existing and total proposed professional offices
Total existing and total proposed parking spaces

Existing

2

N/A

10

Proposed

NO CHANGE

N/A

NO CHANGE

Present use of premises:

2 Family DWELLING

Has there been any previous appeal, request, or application to this or any other Township of Nutley Board or the Construction Code Official involving these premises? YES

If yes, state the nature, date and the disposition of each such matter:

REAR ADDITION

VARIANCE APPROVED - 1989 & 1990

Section V: PROFESSIONAL INFORMATION

Applicant's Attorney

Name: _____

Address: _____

Telephone: _____

Fax: _____

Email Address: _____

Applicant's Architect

Name: _____

Address: _____

Telephone: _____

Fax: _____

Email Address: _____

Applicant's Engineer

Name: _____

Address: _____

Telephone: _____

Fax: _____

Email Address: _____

Applicant's Planning Consultant

N/A
Name: _____
Address: _____

Telephone: _____ Fax: _____
Email Address: _____

***List any other expert who will submit a report or who will testify for the applicant.
(Attach additional sheets, if necessary)***

N/A
Name: _____
Address: _____

Telephone: _____ Fax: _____
Email Address: _____ Field of Expertise: _____

Section VI: GENERAL INFORMATION

In the space below, state the nature of the constraints imposed by the physical characteristics of the land under consideration (i.e. exceptional narrowness, shallowness 01' topographic conditions).

REAR LOT COVERAGE, REAR SET BACK,
to IMPERVIOUS SURFACE REQUIRES
LARGER LOT AREA

In the space below, state any other extraordinary or exceptional situation or condition of the land involved which would constrain development in accordance with Zoning Regulations

N/A

Explain how not granting this variance request would impose peculiar and exceptional practical difficulties or exceptional or undue hardship upon you.

IMPROVEMENT WOULD CREATE
BEAUTIFUL OUTDOOR AREA FOR
FAMILY

Explain how the granting of this variance will not detrimentally affect the public good or substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance.

LOT IS SITUATED & SURROUNDED
BY EXCEPTIONALLY LARGER
OVERSIZED LOTS & HAS NATURAL
SCREENING / HERBES & SEEPAGE
PIT WILL BE PROVIDED TO ACCOMMODATE
WATER RUNOFF

Sworn to and subscribed
before me this
8 day of May, 2025

JACQUELINE E. GUAMAN
Commission # 50081789
Notary Public, State of New Jersey
My Commission Expires
05/01/2028

CERTIFICATION

STATE OF NEW JERSEY }
COUNTY OF ESSEX } ss.

Chris Souza, being duly sworn, hereby certify (*check one*)

➤ ☒ that I am the applicant

or

➤ _____ that I am the _____ of _____,
(Title) (Company Name)
the Applicant, and that I am duly empowered and authorized to make this representation
on behalf of _____;
(Company Name)

and that the information presented in this application is true, complete and accurate.

[Signature]
Applicant/Applicant's Authorized
Officer or Representative

Subscribed and sworn to before me
this 7 day of May, 2025.

[Signature]
Signature of person authorized to take oaths

JACQUELINE E. GUAMAN
Commission # 50081789
Notary Public, State of New Jersey
My Commission Expires
05/01/2028



Nutley Parcel Offset List

Target Parcel(s): Block-Lot: 8005-9
SOUZA, CHRISTOPHER T. & JANE
139 COLUMBIA AVENUE

39 parcels fall within 200 feet of this parcel(s).

✓ **Block-Lot: 8005-13**

FORTE, PETER & JOYCE
119 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 119 COLUMBIA AVENUE

✓ **Block-Lot: 8103-5**

RAFFAELLI, ANTHONY V. JR. & DOROTHY I
82 HASTINGS AVE
NUTLEY, NJ 07110
RE: 82 HASTINGS AVENUE

Block-Lot: 8005-14

PSEG SERVICES CORP/PROPERTIES DEPT.
80 PARK PLZ 6TH FL
NEWARK, NJ 07102
RE: 120 MOUNT VERNON STREET

✓ **Block-Lot: 8005-6**

CONFORTI, DAVID & WARRENDER, LAURA
155 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 155 COLUMBIA AVENUE

✓ **Block-Lot: 8005-17**

ABU, EBENEZER D & MIRA, JEDDAH P
136 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 136 MOUNT VERNON STREET

✓ **Block-Lot: 8004-5**

DEROSA, MICHAEL E. & DANIELLE M.
39 CLEMENT ST
NUTLEY, NJ 07110
RE: 39 CLEMENT STREET

✓ **Block-Lot: 8005-16**

DEGEORGIS, EDWARD J. & MARY ANN
130 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 130 MOUNT VERNON STREET

✓ **Block-Lot: 8103-6**

ADDEO, VINCENZO & LUBRUNO, CHRISTINA
147 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 147 MOUNT VERNON STREET

✓ **Block-Lot: 8005-15**

GRAZIANO, FRANK O. & MARIANN
126 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 126 MOUNT VERNON STREET

✓ **Block-Lot: 8103-7**

HOVAN, ROBERT & NANCY A.
143 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 143 MOUNT VERNON STREET

✓ **Block-Lot: 8103-8**

KINGSTON, FREDERICK S.
137 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 137 MOUNT VERNON STREET

✓ **Block-Lot: 8204-5**

RAFAEL, ELSA C.
242 VAN WINKLE AVE
NUTLEY, NJ 07110
RE: 242 VAN WINKLE AVENUE

Block-Lot: 8005-19

PATEL, MANILAL A. & JASHODA M.
144 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 144 MOUNT VERNON STREET

Block-Lot: 8004-6

35 CLEMENT STREET LLC
35 CLEMENT ST
NUTLEY, NJ 07110
RE: 35 CLEMENT STREET

Block-Lot: 8004-7

ENG, CINDY
31 CLEMENT ST
NUTLEY, NJ 07110
RE: 31 CLEMENT STREET

Block-Lot: 8004-8

YOKA, CHRISTOPHER P. & ROSEMARY C.
25 CLEMENT ST
NUTLEY, NJ 07110
RE: 25 CLEMENT STREET

Block-Lot: 8004-9

CIFALINO, ROCCO J. & ANTOINETTE
23 CLEMENT ST
NUTLEY, NJ 07110
RE: 23 CLEMENT STREET

Block-Lot: 8005-5

SUSSKO, KATHLEEN M.
159 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 159 COLUMBIA AVENUE

Block-Lot: 8005-11

DE MATTEO, MICHELE & ERNEST
129 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 129 COLUMBIA AVENUE

Block-Lot: 8005-7

FRANCESCO, JOSEPH G.
151 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 151 COLUMBIA AVENUE

Block-Lot: 8005-8

DENTE, PAUL
147 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 147 COLUMBIA AVENUE

Block-Lot: 8004-15

MCLAUGHLIN, LESLIE ANN & GALLINA C.
132 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 132 COLUMBIA AVENUE

Block-Lot: 8004-4

DIMICCO FAMILY TRUST
43 CLEMENT ST
NUTLEY, NJ 07110
RE: 43 CLEMENT STREET

Block-Lot: 8004-22

SANZONE, ANTONINO & MARIA CATERINA
6 IVY PL
NUTLEY, NJ 07110
RE: 6 IVY PLACE

Block-Lot: 8004-3

ISABELLA, GABRIELLE & WALMSLEY, M
47 CLEMENT ST
NUTLEY, NJ 07110
RE: 47 CLEMENT STREET

Block-Lot: 8004-20

MICHAUD, DAVID & PHYLLIS
154 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 154 COLUMBIA AVENUE

Block-Lot: 8004-21

GERAGHTY, SUSAN
160 COLUMBIA AVENUE
NUTLEY, NJ 07110
RE: 160 COLUMBIA AVENUE

Block-Lot: 8004-19

MATHEW, MATHAI & BABY
150 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 150 COLUMBIA AVENUE

✓ **Block-Lot: 8004-18**

PHILICIONE, L. & WEEDO, P. & E.
148 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 148 COLUMBIA AVENUE

✓ **Block-Lot: 8004-17**

WELENOFSKY, ALFRED C.
140 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 140 COLUMBIA AVENUE

✓ **Block-Lot: 8004-16**

BRITO, ODALICE & PEREZ, MELQUIS
136 COLUMBIA AVENUE
NUTLEY, NJ 07110
RE: 136 COLUMBIA AVENUE

✓ **Block-Lot: 8004-14**

ANDRESS, NICOLE & BLAKE
128 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 128 COLUMBIA AVENUE

✓ **Block-Lot: 8004-13**

MOLINARI, FIORITO P
122 COLUMBIA AVENUE
NUTLEY, NJ 07110
RE: 122 COLUMBIA AVENUE

✓ **Block-Lot: 8005-22**

ZILIOOTTO, PAUL J.
160 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 160 MOUNT VERNON STREET

✓ **Block-Lot: 8005-21**

CETRULO, ELSIE TONI
156 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 156 MOUNT VERNON STREET

✓ **Block-Lot: 8005-20**

JANKOWSKI, KATHLEEN
152 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 152 MOUNT VERNON STREET

✓ **Block-Lot: 8005-10**

PATEL, HETAL
144 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 133 COLUMBIA AVENUE

✓ **Block-Lot: 8005-18**

HELM, CHRISTIAN B. & MARIA M. *C. W. TUDOR*
142 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 142 MOUNT VERNON STREET

✓ **Block-Lot: 8005-12**

MIKHAIL, MAHER N & GALLAB, HANAN E
125 COLUMBIA AVENUE
NUTLEY, NJ 07110
RE: 125 COLUMBIA AVENUE

UTILITIES

(A)

AT & T
Corporate Office
P.O. Box 7207
Bedminster, NJ 07921-7207

(B)

NJ Dept. of Transportation
1035 Parkway Avenue
CN-600
Trenton, NJ 08625

(C)

Essex County Planning Board
Public Works Building
900 Bloomfield Avenue
Verona, NJ 07044

(D)

PSE&G Company
Manager-Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

(E)

North Jersey District Water Supply Co.
1 F.A. Orechio Drive
Wanaque, NJ 07465

(F)

Passaic Valley Water Co.
1525 Main Avenue
Clifton, NJ 07011

(G)

Verizon
540 Broad Street, Room 305
Newark, NJ 07101

(H)

TCI of Northern New Jersey
40 Potash Road
Oakland, NJ 07436
Attn: Dan Gannon

(I)

Essex County Utilities Authority
Leroy R. Smith Jr. Public Safety Building
60 Nelson Place – 6th Floor
Newark, NJ 07102

(J)

Norfolk Southern Railway
125 County Road
Jersey City, NJ 07307

MAP OF PROPERTY

AT
139 Columbia Ave. Lot Area 5300φ
Town of Nutley
Essex Co., N.J.

Lot Coverage

35% = 1855φ

Dwellings = 1092φ
Garage = 456φ (1548φ)

E'ly. line of
East Passaic Ave.

Imp. Coverage

70% = 3710φ

30% = 1590φ

1018φ (V)

Rear yard

2226φ 30% = 668φ

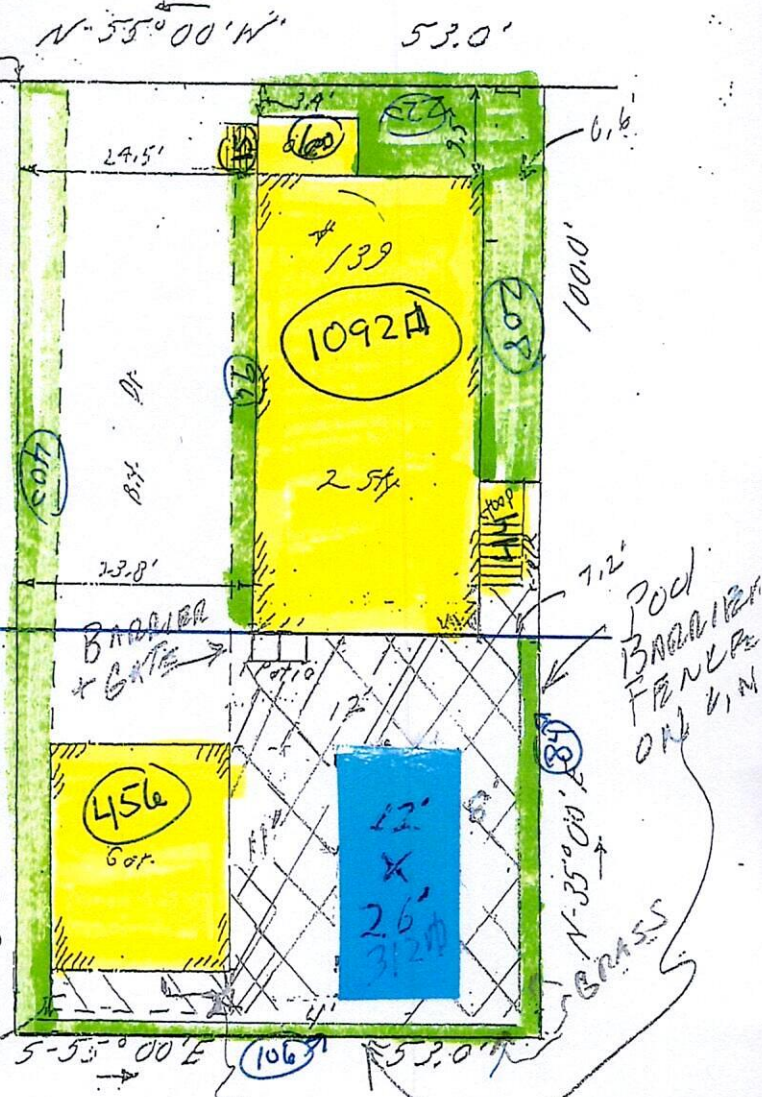
Garage 456φ

Pool 312φ (768φ (V))

12' x 26'
- INGROUND
POOL

- PAVERS

OVERHANG



Certified to:

John Wohlbold and Mark Fortunato and Constance Fortunato, (M/W)
Lucariello & Colavita, Esqs. / Hugh Lucariello, Esq.
The Home Title Agency
Saffell Title Insurance Co.
Montclair Savings Bank and/or its assigns

Survey Ref.; Deed Bk. 4389, Pg. 31.

Note: This survey is not for the purpose of erecting structures or fences.

Block: 48 (T.M.) Lot: 70 (T.M.) Scale: 1"=10' Date Sur: 6/13/88 Stakes: No

ARTHUR F. MEAD, JR.

Professional Engineer & Land Surveyor
N.J. License No. 13773

172 Montclair Ave.

Montclair, N.J.

File No. 86-117-06.