

THOMAS J. EVANS
Director of Revenue and Finance



CODE ENFORCEMENT DEPT.

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 6, 2025

Mr. Michael and Linda DeFillipo
376 Walnut Street
Nutley, NJ 07110

**Re: Rear Yard Pavers
376 Walnut Street
Block- Lots: 1601/3**

Dear Mr. DeFillipo,

Your request for a permit, at the above referenced premises, to install pavers in the rear yard, as shown on the property survey by Hallard & Associates dated September 17, 2003, is disapproved for the following reason.

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

In 2021, the Board of Adjustment approved a variance to rebuild a lower deck attached to the existing deck and pool.

Chapter 700, Article III, Section 700-46 A of the Codes of Nutley states the Schedule of Regulations requires the following for impervious coverage in an R-1 zoning district.

Max Impervious Coverage
70%

Proposed
76%

Chapter 700, Article XI, Section 700-67 E (3) of the Codes of Nutley states decks and patios are permitted accessory structures in residential zones. *The rear patio is 0' to the lot line at the rear and left side.*

A non-refundable filing fee of \$175.00 was received by the Code Enforcement Department 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 Jessica D'Onofrio, 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 the applications being returned to the Code Enforcement Office. No changes can be made once the application is received by this office.

Sincerely,

David Berry
Zoning Official



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OF ADJUSTMENT APPLICATION FORM

Docket No: ZBA-25-0013

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: 5/10/25

Section I: SUBJECT PROPERTY

Address: 376 Walnut Street

Block: 1401 Lot: 3 Zone: R-1

	District Requirements	Proposed
Lot Area	_____	_____
Lot Width	_____	_____
Lot Depth	_____	_____
Front Yard	_____	_____
Side Yard	_____	_____
Rear Yard	_____	_____
Other	_____	_____

Section II: APPLICANT INFORMATION

Name: Linda DeFilippo

Address: 376 Walnut Street

Telephone: 201-463-4730

Email Address: linda910@verizon.net

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: _____

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: _____

Section IV: PROPERTY INFORMATION

	Existing	Proposed
Total existing and total proposed dwelling units	<u>1</u>	<u>1</u>
Total existing and total proposed professional offices	_____	_____
Total existing and total proposed parking spaces	_____	_____

Present use of premises: One 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: A variance was granted on March 15, 2021 to rebuild a lower deck attached to the existing deck & pool.

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

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)***

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).

X * Back yard too small to accomodate powers
being 3' from property line.

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

X Same as above.*

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

X We enjoy spending time in our yard with family members and are trying to make nicer.

Doing these pavers will only increase the value of our property for future sale.

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.

X By doing these pavers it only increases the value of our property therefore the value of the neighborhood & town.

CERTIFICATION

STATE OF NEW JERSEY }
COUNTY OF ESSEX } ss.

X Linda DeFilippo, being duly sworn, hereby certify (*check one*)

➤ ✓ that I am the applicant

or

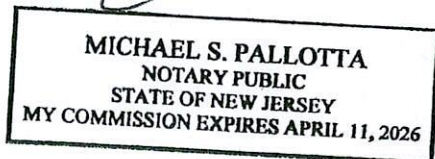
➤ _____ that I am the _____ of _____,
(Title) (Company Name)
the Applicant, and that I am duly empowered and authorized to make this representation
on behalf of _____;
(Company Name)

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

Linda DeFilippo
Applicant/Applicant's Authorized
Officer or Representative

Subscribed and sworn to before me
this 9 day of MAY, 20 25.

X [Signature]
Signature of person authorized to take oaths





Nutley Parcel Offset List

Target Parcel(s): Block-Lot: 1601-3
DE FILIPPO, LINDA & MICHAEL
376 WALNUT STREET

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

Block-Lot: 1704-1

FINKELSTEIN, ROBERT T. & CAROL M.
116 NORTH RD
NUTLEY, NJ 07110
RE: 116 NORTH ROAD

Block-Lot: 1704-28

BARONE, MATTHEW
363 WALNUT ST
NUTLEY, NJ 07110
RE: 363 WALNUT STREET

Block-Lot: 1601-18

ELAGMI, EMAD & SANCHEZ, JOANNE
481 WASHINGTON AVE
NUTLEY, NJ 07110
RE: 481 WASHINGTON AVENUE

Block-Lot: 1601-6

HOO, RICHARD & LYNN
388 WALNUT ST
NUTLEY, NJ 07110
RE: 388 WALNUT STREET

Block-Lot: 1704-24

IANNELLI, ANGELICA & VIRILI, VITTORIO
371 WALNUT ST
NUTLEY, NJ 07110
RE: 371 WALNUT STREET

Block-Lot: 1704-3

NIEBUHR, WILLIAM E. & MARGARET E.
124 NORTH RD
NUTLEY, NJ 07110
RE: 124 NORTH ROAD

Block-Lot: 1704-26

STOPPIELLO, NICHOLAS & LORENA
367 WALNUT ST
NUTLEY, NJ 07110
RE: 367 WALNUT STREET

Block-Lot: 1601-4

HEYDEN, LYNN T. & LISA C.
380 WALNUT ST
NUTLEY, NJ 07110
RE: 380 WALNUT STREET

Block-Lot: 1601-20

POMPONIO, LOUIS JR. & MARYANN
473 WASHINGTON AVE
NUTLEY, NJ 07110
RE: 473 WASHINGTON AVENUE

Block-Lot: 1704-2

CARLSON, BRIAN & MARGERITTE
120 NORTH RD
NUTLEY, NJ 07110
RE: 120 NORTH ROAD

Block-Lot: 1704-27

CHOUDHRY, VIQAS & JESSICA PONTON
365 WALNUT ST
NUTLEY, NJ 07110
RE: 365 WALNUT STREET

Block-Lot: 1601-21

JANI, MUKESH & SONAL JANI
469 WASHINGTON AVE
NUTLEY, NJ 07110
RE: 469 WASHINGTON AVENUE

Block-Lot: 1601-2

DEVITA, FRANK & MICHELE
372 WALNUT ST
NUTLEY, NJ 07110
RE: 372 WALNUT STREET

Block-Lot: 1704-29

NOCHIMSON, CATHEE
361 WALNUT ST
NUTLEY, NJ 07110
RE: 361 WALNUT STREET

Block-Lot: 1601-25

LONG, DAVID & NORMA
8 MCKINLEY ST
NUTLEY, NJ 07110
RE: 8 MCKINLEY STREET

Block-Lot: 1601-24

RONACHER, RONALD M. & AMY
6 MCKINLEY ST
NUTLEY, NJ 07110
RE: 6 MCKINLEY STREET

Block-Lot: 1601-22

ROTONDI, JEROME JR & NANCY
465 WASHINGTON AVE
NUTLEY, NJ 07110
RE: 465 WASHINGTON AVENUE

Block-Lot: 1601-1

AGRESTA, RICHARD R.
18 MCKINLEY ST
NUTLEY, NJ 07110
RE: 18 MCKINLEY STREET

Block-Lot: 1601-23

YONG, XIN SHEN
4 MCKINLEY ST
NUTLEY, NJ 07110
RE: 4 MCKINLEY STREET

Block-Lot: 1705-10

UGARTE, ANTONIO & BRITTANY
359 WALNUT ST
NUTLEY, NJ 07110
RE: 359 WALNUT STREET

Block-Lot: 1705-11

THOMAS, JAMIE
357 WALNUT ST
NUTLEY, NJ 07110
RE: 357 WALNUT STREET

Block-Lot: 1600-8

MAGLAQUI, ARNOLD
17 MCKINLEY ST
NUTLEY, NJ 07110
RE: 17 MCKINLEY STREET

Block-Lot: 1600-9

LATORRE, JOSEPH & SUSAN
7 MCKINLEY ST
NUTLEY, NJ 07110
RE: 7 MCKINLEY STREET

Block-Lot: 1600-10

HEALY, EDWARD H.
5 MCKINLEY ST
NUTLEY, NJ 07110
RE: 5 MCKINLEY STREET

Block-Lot: 1600-11

MARTE, LARRY & ORELLANA, MAYRA
3 MCKINLEY ST
NUTLEY, NJ 07110
RE: 3 MCKINLEY STREET

Block-Lot: 1704-21

GUGGER, SUSAN
393 WALNUT STREET
NUTLEY, NJ 07110
RE: 393 WALNUT STREET

Block-Lot: 1601-8

GWINNER, BRIAN J. & TARYN C.
394 WALNUT ST
NUTLEY, NJ 07110
RE: 394 WALNUT STREET

Block-Lot: 1704-7

COSTANZO, PHILIP C. & CAROL
136 NORTH RD
NUTLEY, NJ 07110
RE: 136 NORTH ROAD

Block-Lot: 1704-22

DEMBOWSKI, PATRICIA B.
389 WALNUT ST
NUTLEY, NJ 07110
RE: 389 WALNUT STREET

Block-Lot: 1601-7

PECORARO, PAUL D. & CAROLYN
392 WALNUT ST
NUTLEY, NJ 07110
RE: 392 WALNUT STREET

Block-Lot: 1601-17

CALLAGHAN, JAMES T. & MAUREEN E.
485 WASHINGTON AVE
NUTLEY, NJ 07110
RE: 485 WASHINGTON AVENUE

Block-Lot: 1704-6

BAUERLEIN, SHIRLEY
134 NORTH RD
NUTLEY, NJ 07110
RE: 134 NORTH ROAD

Block-Lot: 1704-23

SANDBERG, STEVEN & WEBBER, KATHLEEN
387 WALNUT ST
NUTLEY, NJ 07110
RE: 387 WALNUT STREET

Block-Lot: 1704-5

ZOLNOWSKI, ANDREW & DIABELEN P
130 NORTH ROAD
NUTLEY, NJ 07110
RE: 130 NORTH ROAD

Block-Lot: 1704-4

BOWES, RAYMOND & KERRY POWELL BOWES
126 NORTH RD
NUTLEY, NJ 07110
RE: 126 NORTH ROAD

Block-Lot: 1704-25

YAGER, STEPHEN & DONOVAN, MEGHAN K
369 WALNUT ST
NUTLEY, NJ 07110
RE: 369 WALNUT STREET

Block-Lot: 1601-5

SAMANO, JEAN
384 WALNUT ST
NUTLEY, NJ 07110
RE: 384 WALNUT STREET

Block-Lot: 1601-19

HIRSCH, BARBARA
477 WASHINGTON AVE
NUTLEY, NJ 07110
RE: 477 WASHINGTON 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

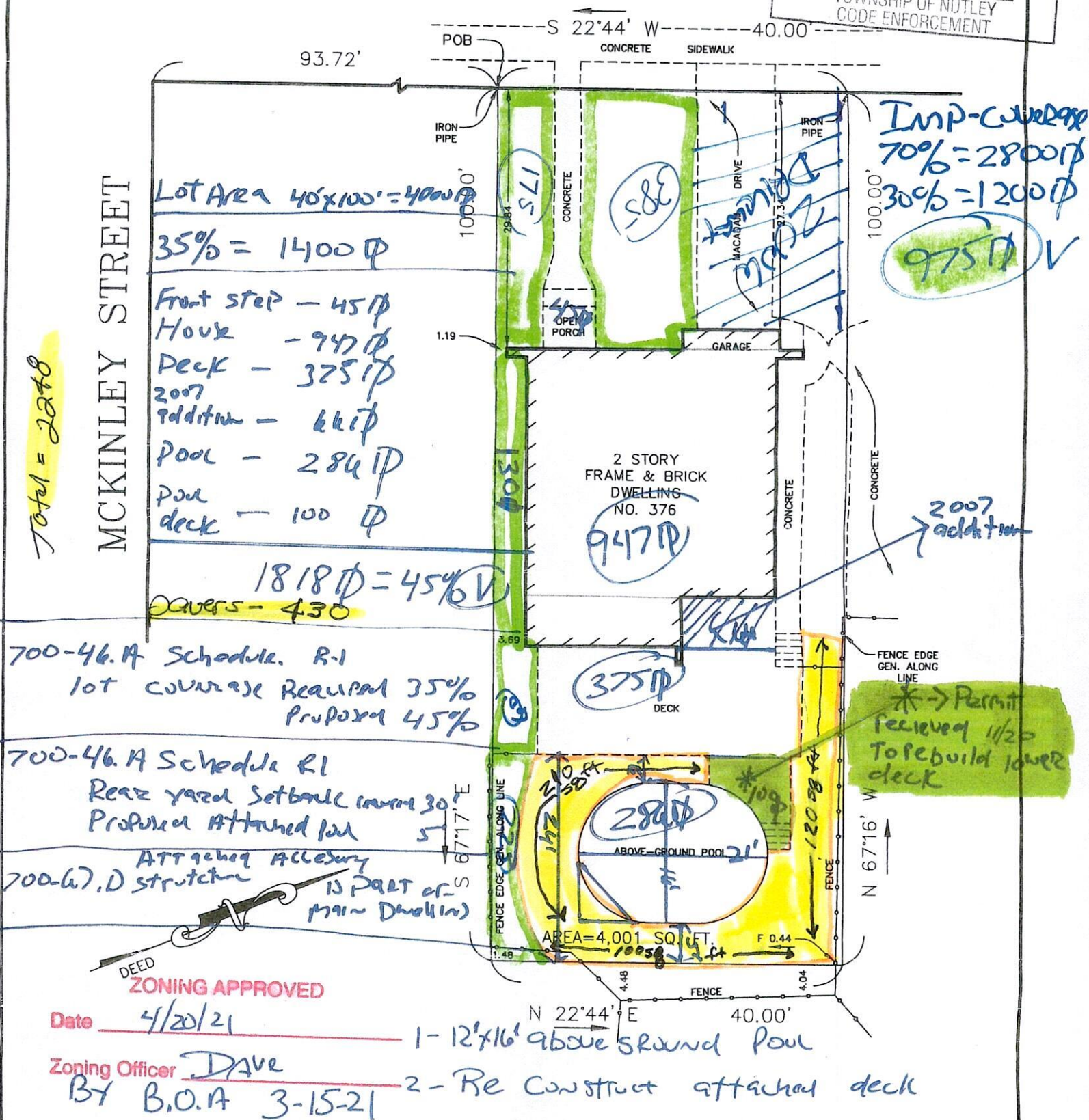
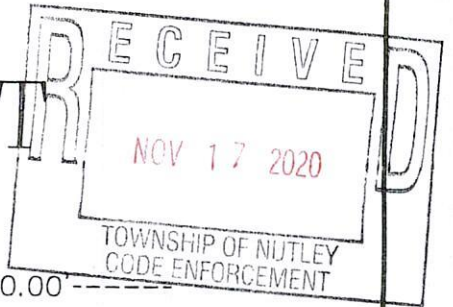
(J)

Norfolk Southern Railway
125 County Road
Jersey City, NJ 07307

SURVEY OF TAX LOT 12, BLOCK 478 TOWNSHIP OF NUTLEY, ESSEX COUNTY, N.J.

**Bldg Dept
Copy**

WALNUT STREET
(50' R.O.W.)



THIS SURVEY CERTIFIED TO:
 LINDA SHUSTER
 KELLY MATTHEISS, PC
 CARDINAL TITLE AGENCY, INC. (RE: CAR-14111)
 CHICAGO TITLE INSURANCE COMPANY
 WASHINGTON MUTUAL BANK, NA, ITS SUCCESSORS
 AND/OR ASSIGNS AS THEIR INTEREST MAY APPEAR

THIS SURVEY IS SUBJECT TO ANY EASEMENTS OF RECORD AND OTHER PERTINENT FACTS WHICH A TITLE SEARCH MIGHT DISCLOSE. THIS OFFICE MAKES NO DETERMINATION AS TO THE EXISTENCE OF WETLANDS. CERTIFICATION IS MADE ONLY TO ABOVE NAMED PARTIES. NO LIABILITY IS ASSUMED BY SURVEYOR FOR USE OF SURVEY FOR ANY PURPOSE INCLUDING, BUT NOT LIMITED TO, USE OF SURVEY FOR SURVEY AFFIDAVIT, RESALE OF PROPERTY, OR CONSTRUCTION, INCLUDING FENCES.

CERTIFICATE OF AUTHORIZATION: 24GA27982600

HALLARD & ASSOCIATES
 41 HILLCREST ROAD WATCHUNG, N.J. 07069
THEODORE A. HALLARD
 Prof. Land Surveyor No. 17784 P.P. No. 969

Theodore A. Hallard

TAX LOT 12	TAX BLOCK 478	MUNICIPALITY TOWNSHIP OF NUTLEY
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SCALE: 1"=15' DATE: 9-17-2003 DRAFTED BY: RF FILE: 40864