



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

CODE ENFORCEMENT DEPT.

BUILDING
PLUMBING
ELECTRICAL
FIRE
ZONING

DAVID BERRY
Construction Official
Zoning Official

May 13, 2025

Thomas Hurley
380 Mount Vernon Street
Nutley, NJ 07110

RE: **Corner Property-Six (6') Solid Fence**
380 Mount Vernon Street
Block/Lot: 8002/26

Dear Mr. Hurley,

Your request for a permit, at the above referenced address, to install a six (6') foot solid type fence located in the side yard street side, which is located in the front yard of the adjoining property along East Passaic Avenue, as shown on the property survey by Caulfield Associates, LLP dated January 30, 2023 is denied for the following reasons:

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

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.

A non-refundable filing fee of \$75.00 was received by the Code Enforcement Department. **All tax and water bills must be paid to date.**

Information on procedures for an appeal of this decision to the Board of Adjustment can be obtained from 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 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



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OF ADJUSTMENT APPLICATION FORM

Docket No: 2BA-25-0019

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: \$ 75 (on denial letter)

Date of Denial Letter: 5/13/25

Section I: SUBJECT PROPERTY

Address: 380 Mount Vernon Street

Block: 8002 Lot: 26 Zone: R-1

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

Section II: APPLICANT INFORMATION

Name: Thomas Hurley

X Address: 380 Mount Vernon St
Nutley, NJ 07110

Telephone: (201) 452-4292

Email Address: hurleerealty@gmail.com

Applicant is a:

____ Corporation ____ Partnership ____ LLC X 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 Sept. 18, 1978 to construct a 3' canopy over front entrance to dwelling and which is not to be enclosed as agreed by applicant.

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 or topographic conditions).

X We have an oversized lot, not applicable.

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 We have an oversized lot, not applicable.

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

We have a elementary school daughter, whom is autistic and non-verbal. Our existing fence poses a safety risk as she is able to climb over it. She loves to be outdoors and is an eloper. So in order to prevent her from leaving yard parameters it is beneficial to replace the existing fence and extend new door leading outdoors.

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.

Replacing our existing fence will help alleviate the stress of knowing our daughter may escape and get hit by a car as we are located on a corner property off of E. Passaic Ave (very busy road).

The fence will not obstruct anyones view as it will not be off of the corner. We also want to ensure the security of our two small dogs which are service animals for our daughter.

CERTIFICATION

STATE OF NEW JERSEY }
COUNTY OF ESSEX } SS.

X Thomas Hurley, 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.

X 
Applicant/Applicant's Authorized
Officer or Representative

Subscribed and sworn to before me
this 04 day of JUNE, 2025.

X V. R. Thakkar
Signature of person authorized to take oaths

VISHAL R THAKKAR
Notary Public, State of New Jersey
Comm. # 50214325
My Commission Expires 09/17/2028





Nutley Parcel Offset List

Target Parcel(s): Block-Lot: 8005-26
TATZZ LLC
380 MOUNT VERNON STREET

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

Block-Lot: 8102-16

CARACCIO, STEVEN & NANCY
75 HASTINGS AVE
NUTLEY, NJ 07110
RE: 75 HASTINGS AVENUE

Block-Lot: 8005-1

HERNANDEZ, VENUS
274 E PASSAIC AVE
NUTLEY, NJ 07110
RE: 274 EAST PASSAIC AVENUE

Block-Lot: 8102-13

CIANCI, JOSEPH & THERESA
248 E PASSAIC AVE
NUTLEY, NJ 07110
RE: 248 EAST PASSAIC AVENUE

Block-Lot: 8005-27

VALE, TAKISHA & TAJ GIBSON
270 E PASSAIC AVE
NUTLEY, NJ 07110
RE: 270 EAST PASSAIC AVENUE

Block-Lot: 8005-2

PADERON, JORDAN & APRIL ANNE YALONG
171 COLUMBIA AVENUE
NUTLEY, NJ 07110
RE: 171 COLUMBIA AVENUE

Block-Lot: 8005-3

PETRUCELLI, MICHAEL D. & CAROLYN G.
167 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 167 COLUMBIA AVENUE

Block-Lot: 8005-4

GUERRERO, WARNER R & OSORIO, YESENIA
163 COLUMBIA AVENUE
NUTLEY, NJ 07110
RE: 163 COLUMBIA AVENUE

Block-Lot: 8005-5

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

Block-Lot: 8005-25

TASKOS, NATALYA
378 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 378 MOUNT VERNON STREET

Block-Lot: 8102-15

SHAH, RUPAM
81 HASTINGS AVENUE
NUTLEY, NJ 07110
RE: 81 HASTINGS AVENUE

Block-Lot: 8005-24

THATIPARTHE, VENKATESWARAREDDY ETAL
376 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 376 MOUNT VERNON STREET

Block-Lot: 8005-23

GRILLO, JENNIFER
374 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 374 MOUNT VERNON STREET

Block-Lot: 8001-10

WALSKI, HARRY R JR & AMY WARREN
282 E PASSAIC AVE
NUTLEY, NJ 07110
RE: 282 EAST PASSAIC AVENUE

Block-Lot: 8001-9

GUERRIERO, ANGELA
172 COLUMBIA AVE
NUTLEY, NJ 07110
RE: 172 COLUMBIA AVENUE

Block-Lot: 8005-22

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

Block-Lot: 8102-14

AGUILA, ELISEIS & GARCIA, RAQUEL
175 MOUNT VERNON ST
NUTLEY, NJ 07110
RE: 175 MOUNT VERNON STREET

Block-Lot: 8102-12

PRIETO, CONSTANTINO & SILVIA M.
244 E PASSAIC AVE
NUTLEY, NJ 07110
RE: 244 EAST PASSAIC 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

P. CAULFIELD JR.
IC NO 18757
PATRICK L. CAULFIELD
LIC NO 37579

CAULFIELD ASSOCIATES, LLP.

PROFESSIONAL LAND SURVEYOR
132 MADISON STREET
HOBOKEN, N.J. 07030

DATE: 1/30/23
1:00 PM

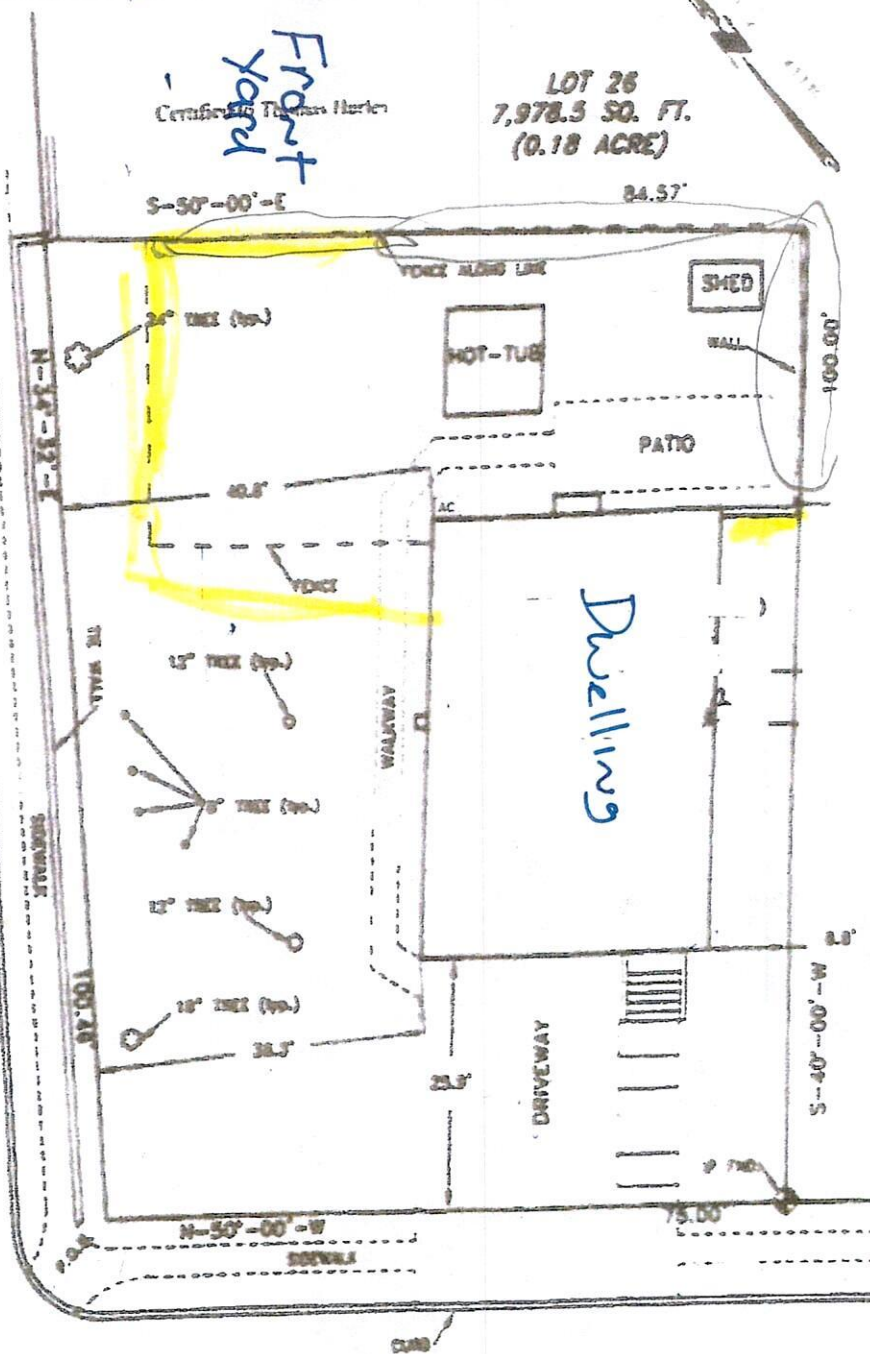
Solid wood slabs with closed fence

Front Yard

Certified Thomas Harlan

LOT 26
7,978.5 SQ. FT.
(0.18 ACRE)

EAST PASSAIC AVENUE



MOUNT VERNON STREET

SURVEY OF PROPERTY
380 MOUNT VERNON STREET
TOWN OF NUTLEY, ESSEX CO., N.J.

LOCATED AT

BLOCK 8005
LOT 26
DATE JAN. 30, 2023
SCALE 1 INCH = 15 FEET

A Survey "Return and Creation, Inc." has been obtained from the original owner pursuant to P.L. 2003-14, R.S. 14-2.3, and R.S. 14-2.4. This survey is not to be used for any other purpose. It is subject to the 7-1/2% rule for any change in the boundary and the 1/4% rule for any change in the area. The survey is not to be used for any other purpose. It is subject to the 7-1/2% rule for any change in the boundary and the 1/4% rule for any change in the area. The survey is not to be used for any other purpose. It is subject to the 7-1/2% rule for any change in the boundary and the 1/4% rule for any change in the area.

Patrick L. Caulfield, Jr.

PATRICK L. CAULFIELD, JR.
PROF. LAND SURVEYOR
N. J. IC NO 18757