



CODE ENFORCEMENT DEPT.

THOMAS J. EVANS
Director of Revenue and Finance

TOWNSHIP OF NUTLEY

1 KENNEDY DRIVE
NUTLEY, NEW JERSEY 07110

BUILDING
PLUMBING
ELECTRICAL
FIRE
ZONING

DAVID BERRY
Construction Official
Zoning Official

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

May 4, 2026

Garry Facher
96 Howard Place
Nutley, NJ 07110

RE: 6' Solid Fence-Side Yard
96 Howard Place
Block/Lot: 5602/14

Dear Mr. Facher,

Your request for a permit, at the above referenced premises, to install a six (6') foot solid type fence located in both side yards, as shown on the property survey prepared by Starry G. Paxton dated June 9, 1956, is denied for the following reasons:

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

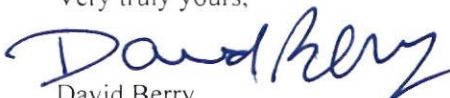
Chapter 700, Article XI, Section 700-71 B of the Codes of Nutley states a fence erected along the side lines from the front line of a main structure to the rear line of such structure and within such lines shall not exceed four feet in height and shall be not less than two feet in height and shall be of 50% open construction (i.e., the open spaces in the fence shall be at least the same width of each picket, slat or other construction element of such fence). The setback for any such fence shall be in line with the furthest setback of the adjacent property or the property upon which the fence is being erected, whichever setback is greater.

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 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 Liebold, jliebold@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/jl



TOWNSHIP OF NUTLEY, NEW JERSEY

ZONING BOARD OF ADJUSTMENT APPLICATION FORM

Docket No: ZBA-20-0009

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: 5/4/20

Section I: SUBJECT PROPERTY

Address: 90 Howard Place

Block: 5002 Lot: 14 Zone: R-1

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

Section II: APPLICANT INFORMATION

Name: Garry Facher

Address: 90 Howard Pl

Nutley, NJ 07110

Telephone: 973-979-7824

Email Address: fatch79@yahoo.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: _____

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	_____ _____	_____ _____
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? no

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

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 There are no constraints imposed by the physical characteristics of the land under consideration.

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 There are no other extraordinary or exceptional situation or conditions.

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

X Not granting this variance would create a hardship because our dogs are able to jump a standard 4-foot fence. A 6-foot vinyl fence is necessary to safely contain them and prevent escapes that could create safety concerns for the dogs, neighbors, and passing vehicles.

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 Granting this variance will not negatively affect the surrounding neighborhood or the public good because the 6-foot vinyl fence is consistent with residential use and its intended purpose is solely for safety, privacy, and responsible pet containment. The fence will be properly maintained, aesthetically appropriate, and installed within our property boundaries. It will not interfere with traffic visibility, neighboring properties, or public access, and it will preserve the overall character and intent of the neighborhood and zoning ordinance.



Nutley
Parcel Offset List

Target Parcel(s): Block-Lot: 5602-14
FACHER, GARRY
96 HOWARD PLACE

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

Block-Lot: 5601-15

GOLDEN LEGACY GROUP LLC
56 POVERSHON RD
NUTLEY, NJ 07110
RE: 56 POVERSHON ROAD

Block-Lot: 5602-12

DOVIDAS, JULIE & THOMAS
88 HOWARD PL
NUTLEY, NJ 07110
RE: 88 HOWARD PLACE

Block-Lot: 5601-18

MC CORMACK, JAMES
81 HOWARD PL
NUTLEY, NJ 07110
RE: 81 HOWARD PLACE

No Data

No Data

No Data

Block-Lot: 5600-27

TOWEY, JAMES P. & MARIE
81 POVERSHON RD
NUTLEY, NJ 07110
RE: 81 POVERSHON ROAD

Block-Lot: 5600-28

BERDINK, RYAN & GENCARELLI, ROSALINA
77 POVERSHON RD
NUTLEY, NJ 07110
RE: 77 POVERSHON ROAD

Block-Lot: 5600-29

STAROPOLI, ANTONINO & ROBIN
73 POVERSHON ROAD
NUTLEY, NJ 07110
RE: 73 POVERSHON ROAD

Block-Lot: 5602-17

TUTELA, MARIE
108 HOWARD PL
NUTLEY, NJ 07110
RE: 108 HOWARD PLACE

Block-Lot: 5600-30

RUFFO, THERESA
69 POVERSHON RD
NUTLEY, NJ 07110
RE: 69 POVERSHON ROAD

Block-Lot: 5602-16

SPINO, NICOLE ELIZABETH
104 HOWARD PLACE
NUTLEY, NJ 07110
RE: 104 HOWARD PLACE

Block-Lot: 5600-31
TORRES, ALISON M.
65 POVERSHON RD
NUTLEY, NJ 07110
RE: 65 POVERSHON ROAD

Block-Lot: 5602-15
GIZZO, JOHN I. & DENISE ANN
100 HOWARD PL
NUTLEY, NJ 07110
RE: 100 HOWARD PLACE

Block-Lot: 5601-17
MASUCCI, MICHAEL & SHARON K.
64 POVERSHON RD
NUTLEY, NJ 07110
RE: 64 POVERSHON ROAD

Block-Lot: 5600-32
GIELLA, MICHAEL & ANGIE
61 POVERSHON RD
NUTLEY, NJ 07110
RE: 61 POVERSHON ROAD

Block-Lot: 5603-16
GREEN, ELIZABETH A.
88 AFTERGLOW AVE
VERONA, NJ 07044
RE: 373 BLOOMFIELD AVENUE

Block-Lot: 5602-13
BOSE, SANKU
92 HOWARD PL
NUTLEY, NJ 07110
RE: 92 HOWARD PLACE

Block-Lot: 5601-16
SAINZ, PHILIP & PATRICIA A.
60 POVERSHON RD
NUTLEY, NJ 07110
RE: 60 POVERSHON ROAD

Block-Lot: 5601-14
FALLACARO, JOSEPH & LISA
52 POVERSHON ROAD
NUTLEY, NJ 07110
RE: 52 POVERSHON ROAD

Block-Lot: 5602-11
ISLAM, TARIQ
84 HOWARD PL
NUTLEY, NJ 07110
RE: 84 HOWARD PLACE

Block-Lot: 5603-17
HUNTER, RYAN C & MARLA
371 BLOOMFIELD AVE
NUTLEY, NJ 07110
RE: 371 BLOOMFIELD AVENUE

Block-Lot: 5602-10
LUKASZ, MAREK & MONIKA
80 HOWARD PL
NUTLEY, NJ 07110
RE: 80 HOWARD PLACE

Block-Lot: 5601-19
RANDAZZO, MARIO A. & SHERRY A.
77 HOWARD PL
NUTLEY, NJ 07110
RE: 77 HOWARD PLACE

Block-Lot: 5603-15
NUTLEY BOARD OF EDUCATION
375 BLOOMFIELD AVE
NUTLEY, NJ 07110
RE: 381 BLOOMFIELD AVENUE

No Data

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)

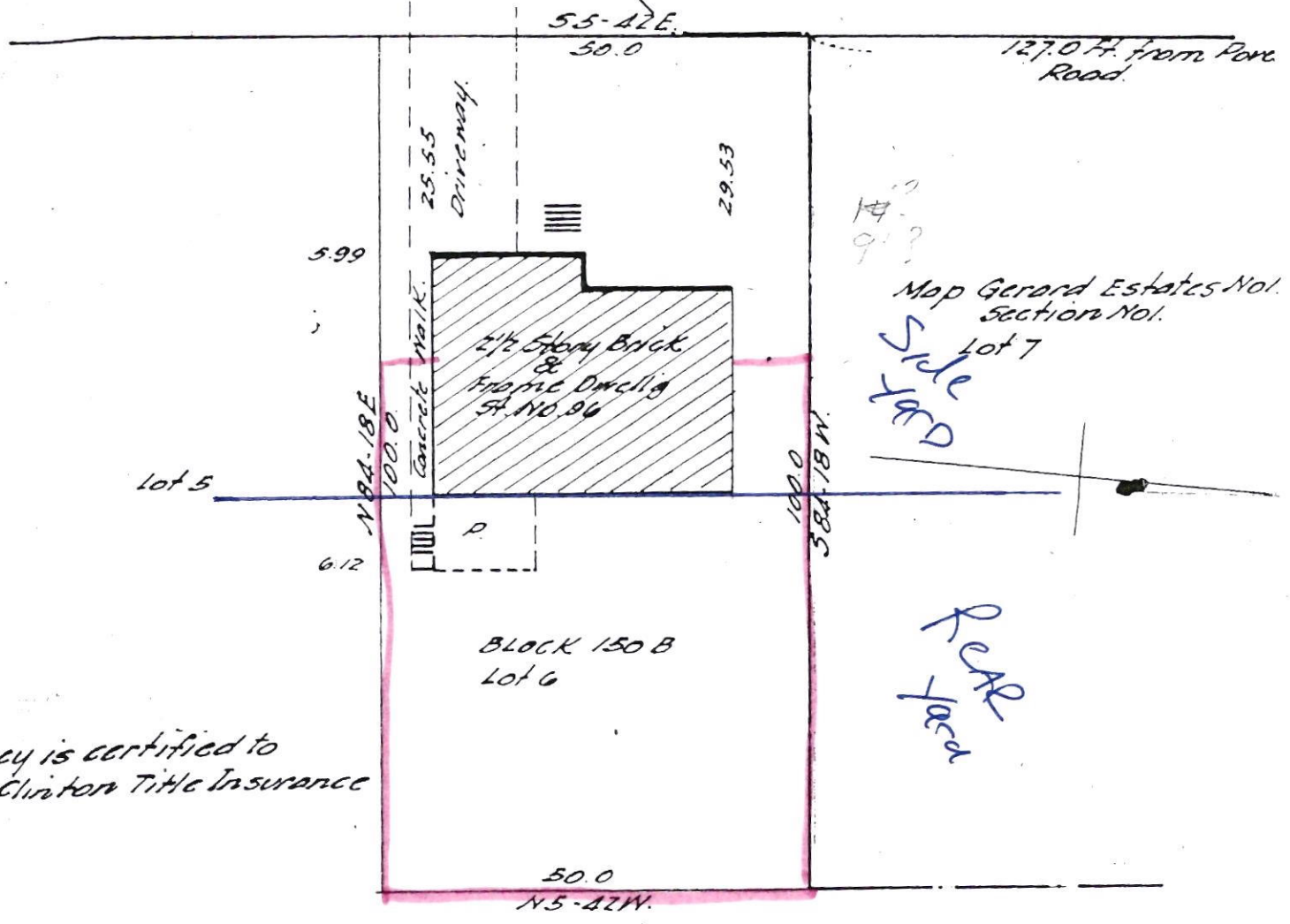
Essex County Utilities Authority
Leroy R. Smith Jr. Public Safety Building
60 Nelson Place – 6th Floor
Newark, NJ 07102

(J)

Norfolk Southern Railway
125 County Road
Jersey City, NJ 07307

HOWARD PL.

Grand Estates No. 1 Sect. 1



is survey is certified to
byers Clinton Title Insurance

CITY OF NEWARK
R. of N.

6' solid

Martene Facher

Premises Nutley, N.J. Frank Zichelli
County of Essex. Map of Gerard Estates No. 2 Section 2
Property of Gerard Brondi Inc.
Dated March 12, 1954.

Nutley, N.J. June 9, 1956.
Harry L. Castro
Surveyor Lic. No. 4770.
Re-examined Feb. 27, 1956

Scale 1" = 20 Ft.