



Borough of Demarest Planning Board Meeting MINUTES

September 4, 2024

7:30 PM

DEMAREST BOROUGH HALL

The Borough of Demarest Planning Board held its regular meeting on WEDNESDAY, SEPTEMBER 4, 2024, at 7:30 p.m. located at 118 Serpentine Road Demarest, NJ 07627.

CALL TO ORDER

Meeting was called to order at 7:30 PM by Chairwoman Hayden.

FLAG SALUTE

The Board was led in a salute to the flag by Chairwoman Hayden.

ROLL CALL

MEMBERS PRESENT: Theodore Alevrontas, Mayor Brian Bernstein, Jodi Brenner, Lynn Paulison, James Tabacchi, Youngsam Yu, Mary Hamilton, Marian Hayden

MEMBER(S) ABSENT: Councilwoman Daryl Fox, Fatemah Mamdani

ALSO PRESENT: Michael Greco – Secretary, Douglas Bern – Attorney

APPROVAL OF MINUTES

Motion to approve the minutes with corrections for the July 30, 2024, Special meeting minutes, was made by: Vice Chair Tabacchi and Seconded by Mayor Bernstein:

On roll call, the vote was recorded as follows

Mr. Alevrontas:	Yes	Mayor Bernstein:	Yes	Ms. Brenner:	Yes
Councilwoman Fox:	Absent	Ms. Mamdani:	Absent	Mrs. Paulison:	Yes
Vice Chair Tabacchi:	Yes	Mr. Yu:	Yes	Mrs. Hamilton:	Yes
Chairwoman Hayden:	Yes				

Motion carries.

APPROVAL OF RESOLUTIONS

Motion to approve Resolution PB 2024-06 recommending that the Governing Body designates the Area in Need of Redevelopment, was made by: Vice Chair Tabacchi and Seconded by Mayor Bernstein:

On roll call, the vote was recorded as follows

Mr. Alevrontas:	Yes	Mayor Bernstein:	Yes	Ms. Brenner:	Yes
Councilwoman Fox:	Absent	Ms. Mamdani:	Absent	Mrs. Paulison:	Yes
Vice Chair Tabacchi:	Yes	Mr. Yu:	Yes	Mrs. Hamilton:	Yes
Chairwoman Hayden:	Yes				

Motion carries.

Resolution PB-24-001, Woodlands

Chair Hayden opened the meeting to the board for discussion. Chair Hayden stated that some clarifications, reviews and questions were requested by Board members for the resolution.

Ms. Brenner asked for an explanation of a word used in the resolution.

The board discussed with Mr. Schepisi the wording in the resolution.

The board clarified the indemnification clause with the applicant.

Chair Hayden explained that the applicant wished to make a request about the height of the walls between the buildings.

Mr. Schepisi requested that Mr. Hubschman be called back up and he confirmed with the board that Mr. Hubschman was still under oath as the applicant's engineer.

Mr. Bern explained to the board the change in wall height being requested.

Mr. Hubschman stated that the board engineer seemed okay with the change.

The board asked for an explanation of why the walls need to be taller.

Mr. Hubschman gave testimony on the necessity of the six-foot wall height.

Mayor Bernstein requested testimony on where the height of six-foot wall is being measured from and how the perception of the height of the wall might differ for the neighbors due to the slope.

Mr. Hubschman directed the board to the elevations to show the relative heights of the walls to each other and the edges of the property.

Ms. Brenner asked if there are any steps on the wall, if there is a barrier to prevent people from falling off the wall.

Mr. Hubschman explained that it is a wall, and that there is no access to the area at the bottom of the wall. Mr. Hubschman stated that there is a guard on top of the wall. Ms. Brenner confirmed that there would be a railing on top of the wall.

Mayor Bernstein asked how tall the railing would be, and Mr. Hubschman stated that it would be 42 inches.

Mr. Schepisi explained that the engineer misspoke at the last meeting when he stated that the walls are only 4 feet tall.

Mayor Bernstein explained that the zoning ordinance does not allow for a fence to be erected on a wall, the height is cumulative and that the total height is the height of the wall.

The board discussed the zoning ordinance and the issue with the guard on the wall.

Mr. Schepisi asked his engineer if the plan is compliant with the Demarest zoning ordinance.

Chair Hayden answered that it does not, and Mr. Bern read the ordinance.

Mr. Hubschman offered that the railing could be moved inward from the wall towards the walkway.

Mr. Schepisi and Mr. Hubschman offered to the board that the 42-inch guard would be 3 feet in from the fence.

Mayor Bernstein expressed concern over the safety of the wall.

Mr. Hubschman drew a simple sketch of the design and showed the board how the guard would provide safety for the residents in terms of the wall.

Mr. Yu asked about the impervious area, but the applicant stated that they are in compliance with the impervious area.

The board confirmed that with the new plan of the six-foot wall and the guard three feet in from the wall would not create a variance and that these would become conditions in the resolution.

Chair Hayden stated that the applicant needs to use the proper field change procedure if any more changes arise.

Motion to approve Resolution PB 24-001, Woodlands Holding Inc LLC, with the modifications as discussed, was made by:

Ms. Brenner and Seconded by Mrs. Paulison:

On roll call, the vote was recorded as follows

N/E = Not Eligible to vote

Mr. Alevrontas:	<i>N/E</i>	Mayor Bernstein:	Yes	Ms. Brenner:	Yes
Councilwoman Fox:	Absent	Ms. Mamdani:	Absent	Mrs. Paulison:	Yes
Vice Chair Tabacchi:	<i>N/E</i>	Mr. Yu:	<i>N/E</i>	Mrs. Hamilton:	<i>N/E</i>
Chairwoman Hayden:	Yes				

Motion carries.

NEW/OLD BUSINESS

PUBLIC COMMENT PERIOD – CORRESPONDENCE

A motion to open the meeting to the public was made by: Mayor Bernstein and seconded by Mr. Alevrontas.

All in Favor – Motion Passed

Chair Hayden confirmed that there were no members of the public in attendance to make comment.

A motion to close the meeting to the public was made by: Mayor Bernstein and seconded by Mr. Alevrontas.

All in Favor – Motion Passed

ADJOURNMENT

With no further business presented, a motion to adjourn the meeting was made by: Mayor Bernstein and seconded by Vice Chair Tabacchi.

All in Favor – Motion Passed

The meeting was adjourned at 8:24 PM.

Respectfully Submitted,
Michael Greco
Planning Board Secretary