

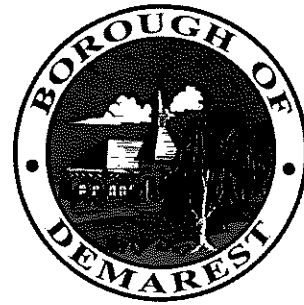
BOROUGH OF DEMAREST

JOINT PLANNING BOARD

REGULAR MEETING AGENDA

Wednesday, September 3, 2025 @ 7:30 PM

118 Serpentine Road, Demarest, NJ 0762



1. CALL TO ORDER

2. PUBLIC ANNOUNCEMENT OF MEETING

Sunshine Law Statement: The notice requirements of the Open Public Meetings Act of the State of New Jersey, P.L. 1975, Chapter 231, have been satisfied by the publication of the date, time and place of this Regular meeting in the Record and Star Ledger on January 12, 2025, notice posted at Borough Hall, on the Borough website was filed in the office of the Borough Clerk.

3. FLAG SALUTE

4. ROLL CALL

- | | |
|--|---|
| <input type="checkbox"/> Todd Adelman | <input type="checkbox"/> Camille DiSclafani |
| <input type="checkbox"/> Ted Alevrontas | <input type="checkbox"/> Councilwoman Daryl Fox |
| <input type="checkbox"/> Mayor Brian Bernstein | <input type="checkbox"/> Fatemah Mamdani |
| <input type="checkbox"/> Jodi Brenner | <input type="checkbox"/> Timothy Woods |
| <input type="checkbox"/> Kiran Chin | <input type="checkbox"/> Mary Lynn Hamilton |

5. RESOLUTION(S)

6. NEW/CONTINUING APPLICATIONS

JPB-25-007 – 32 Brookside Avenue – Patrick Min

Seeking a Variances related to an existing building built out of compliance.

APPROVE DENY CARRY DATE:

BOARD MEMBER	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	N/E
Mr. Adelman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Alevrontas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Chair Brenner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Chin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. DiSclafani	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Fox	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Mamdani	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Hamilton <i>(Alt)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Bernstein	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chair Woods	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

JPB-25-008 – 29 John Street – Austin Siboni

Seeking a Variances related to single-family home addition.

APPROVE DENY CARRY DATE:

BOARD MEMBER	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	N/E
Mr. Adelman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Alevrontas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Chair Brenner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Chin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. DiSclafani	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Fox	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Mamdani	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Hamilton <i>(Alt)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Bernstein	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. DISCUSSION ON BOARD MATTERS – NEW/OLD BUSINESS
 8. APPROVAL OF MINUTES:

JULY 2, 2025 REGULAR MEETING MINUTES

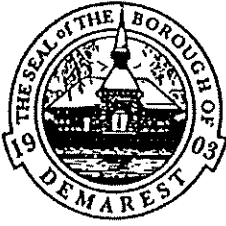
BOARD MEMBER	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	N/E
Mr. Adelman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Alevrontas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Chair Brenner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Chin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. DiSclafani	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Fox	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Mamdani	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Hamilton <i>(Alt)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Bernstein	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chair Woods	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUGUST 6, 2025 REGULAR MEETING MINUTES

BOARD MEMBER	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	N/E
Mr. Adelman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Alevrontas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Chair Brenner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Chin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. DiSclafani	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Fox	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Mamdani	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Hamilton <i>(Alt)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Bernstein	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chair Woods	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9. PUBLIC COMMENT PERIOD
 10. ADJOURNMENT

NEXT REGULAR MEETING – WEDNESDAY, OCTOBER 1, 2025



THE BOROUGH OF DEMAREST

118 SERPENTINE ROAD
DEMAREST, N.J. 07627-2199

MICHAEL GRECO
ZONING OFFICER
(201) 768-0167 x 110
mgreco@demarestnj.gov

August 8, 2025

The Joint Planning Board
Borough of Demarest

RE: Application No. JPB-25-007
32 Brookside Avenue (Block 14 / Lot 759.02)

Dear Board Members,

This office became involved with the property located at 32 Brookside Avenue (Block 14, Lot 759.02) in 2024 when the previous owner applied for a Certificate of Continued Occupancy in connection with the sale of the premises. At that time, the incoming buyer acknowledged and signed documentation agreeing to seek board approval for several non-compliant conditions on the property.

The sale was completed on June 10, 2024. The new owner was advised that they would need to appear before the Zoning Board of Adjustment to address the noted issues. An application was submitted on October 1, 2024, but was subsequently deemed incomplete. Since then, the property owner's professionals have met with me on multiple occasions to discuss the matter. They have been informed that several elements on the property are non-compliant due to work performed by the prior owner without the necessary permits, and that either removal or variance approval is required.

Upon review of a new survey submitted by Christopher J. Lantelme, Land Surveyor, dated March 25, 2025, last revised on June 23, 2025, I have identified the following issues:

- 1. Building Coverage - 20.4%**
The maximum permitted building coverage in the R-D zone is 20%. The current structure exceeds this limit. No documentation has been submitted to demonstrate that this condition was previously permitted or granted a variance.
- 2. Residential and Parking Coverage - 36.74%**
The R-D zone allows a maximum of 25% for combined residential and parking coverage. The current condition exceeds this limit, with no evidence of prior approvals or variances.
- 3. Improved Lot Coverage - 44.6%**
The maximum allowable improved lot coverage in this zone is 30%. The property exceeds this limit without any supporting approvals or variance documentation.
- 4. Livable Floor Area - Unknown**
The allowable maximum livable floor area in the R-D zone is 30%. The application lacks specific information on the existing livable floor area. However, based on the other coverage figures, it is likely that this threshold has also been exceeded.

5. **Front Yard Setbacks - 24.8 ft (Serpentine) & 24.9 ft (Brookside)**

A minimum front yard setback of 25 feet is required. Both measured setbacks fall slightly below the minimum.

6. **Accessory Structure Rear Yard Setback - Patio**

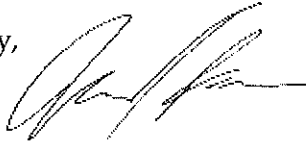
Rear yard setbacks for all accessory structures must be a minimum of 10 feet from all property lines. The submitted plans do not show the rear setback for the patio, but field measurements indicate it is approximately 5 feet from the property line.

7. **Retaining Walls**

Retaining walls along the south and east sides are located less than 10 feet from the property lines. Additionally, the walls along the north and west sides of the property are encroaching into the Borough Right-of-Way and must be removed, as such placement is not permitted.

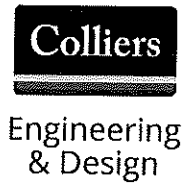
The owner has submitted a new application to the Joint Planning Board on June 26, 2025. These items must be addressed by the Board. A determination should be made as to whether the existing conditions warrant removal or should be permitted via variance relief.

Sincerely,



MICHAEL GRECO, *CMR, Notary Public State of New Jersey*
ZONING OFFICER

400 Valley Road Suite 304
Mt. Arlington, NJ 07856
Main: 877 627 3772



August 21, 2025

Michael Greco, Board Secretary
Zoning Board of Adjustment
Borough of Demarest
118 Serpentine Road
Demarest, NJ 07627

32 Brookside Avenue
Block 14, Lot 759.02
Borough of Demarest, Bergen County, NJ
Joint Land Use Board Application - Engineering Review
Colliers Engineering & Design Project No. DEZ0046

Dear Mr. Greco:

Pursuant to your request, our office has reviewed the following plans and other documents filed by the Applicant in support of a Variance Application. The Applicant recently constructed a new 2 story dwelling, driveway, rear patio, walkways, and other related improvements.

- a) Property Survey consisting of one (1) sheet, prepared and signed by Christopher J. Lantelme, PE, LS, dated December 23, 2025;
- b) Zoning officer denial letter, prepared and signed by Michael Greco, dated March 25, 2025;
- c) Variance Application for the subject property and attachments; signed and dated April 14, 2025;

The Property Owner/Applicant is:

Patrick Min
32 Brookside Avenue
Demarest, NJ 07627

The Applicant/Owner shall notify the Borough of Demarest Zoning Board of Adjustment of any changes to the above information.

Engineering Review

I. Project Description & Location

According to the property survey, the site is currently occupied by a 2-story single-family dwelling with associated paver driveway, walkways, patio, retaining wall, shed, and other related improvements. We understand that the improvements have already been constructed and are not in compliance with zoning regulations. The Applicant is retroactively seeking site plan and variance approval.

The property is an irregular shaped parcel consisting of 10,006 SF. The property is a corner lot, with frontage on Serpentine Road to the north and Brookside Avenue to the west. The

dwelling front faces Brookside Avenue and driveway access is provided on Brookside Avenue. The property is located in the residential D Zone according to the Borough Zoning Map.

The property is located in Zone X (area determined to be outside the 0.2% annual chance floodplain) as shown on the Flood Insurance Rate Map (FIRM) for the Borough of Demarest dated August 2019.

II. Zoning Requirements & List of Variances / Waivers Requested

A. Bulk Zoning Requirements:

Zone: D

Use: Single Family Residential

Description	Required	Existing	Complies
Lot area	10,000 sf.	10,006 sf.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot Frontage (Brookside)	100 ft.	130.50 ft.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot Frontage (Serpentine)**	100 ft.	75 ft.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Lot depth (E/W Direction)**	100 ft.	75 ft.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Lot depth (N/S Direction)	100 ft.	130.5 ft.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Front yard setback (Serpentine Road)*	25 ft.	24.8 ft.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Front yard setback (Brookside Ave)*	25 ft.	24.9 ft.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Side yard setback (South)	10 ft.	31.0 ft.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Accessory Setback (Patio)*	10 ft.	5 ft. +/-	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Rear yard setback*	30 ft.	19.9 ft.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Building Height	30 ft.	Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No
Max Building Coverage*	20 %	20.4%	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Bldg./ Drive Coverage	25 %	36.74%	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Improved Coverage*	30 %	44.6%	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Livable Floor Area	30%	Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No

N/A = not applicable
 * = variance required
 ** = pre-existing non-conformance

B. The following pre-existing nonconformities appear to be present on the property:

1. Lot Frontage (Serpentine Road) – Lot frontage of 75 feet is existing where a minimum of 100 feet is required.
2. Lot Depth (East/West Direction) – Lot depth of 75 feet is existing where a minimum of 100 feet is required.

C. The Following Variances Appear to be Required:

1. Front Yard Setback (Serpentine Road) – A front yard setback of 24.8 feet is existing where a minimum of 25 feet is required.
2. Front Yard Setback (Brookside Ave) – A front yard setback of 24.9 feet is existing where a minimum of 25 feet is required.
3. Accessory Structure Setback – The survey does not provide a dimension to the rear yard patio from the rear property line. Measurement of the survey suggests that the patio is approximately 5 feet from the property line where a minimum of 10 feet is required.
4. Rear Yard Setback – A rear yard setback of 19.9 feet is provided where a minimum of 30 feet is required.
5. Building Coverage – Building coverage of 2,037 SF (20.4%) is existing where a maximum of 20% is permitted.
6. Residential and Parking Coverage – Residential and Parking Coverage of 3,677 SF (36.7%) is existing where a maximum of 25% is permitted.
7. Improved Lot Coverage – Existing Improved lot coverage is 4,465 SF (44.6%) where a maximum is 3,002 SF (30%) is permitted.
8. Livable Floor Area – The ordinance requires a maximum of 3,002 SF (30%) livable floor area. We note that floor area calculations have not been provided. We note that the majority of the building footprint contains a second floor, and the first floor has a 1,983 SF footprint. The Applicant should be prepared to provide testimony on the total livable floor area in the dwelling.

III. Engineering Review

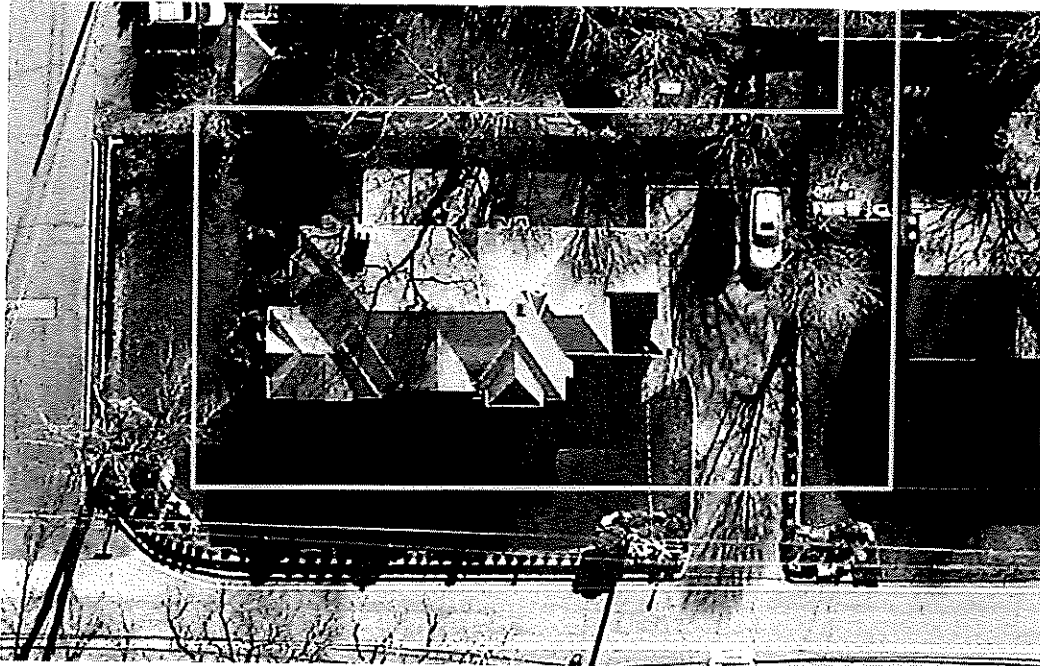
- A. The survey should be updated to provide a zoning table showing all existing setbacks and coverages.
- B. The Applicant has submitted a survey of the previously constructed improvements. Based on the survey, it is unclear if there are any existing drainage improvements or stormwater measures on the site. The Applicant should provide testimony if there are drainage improvements on site. In addition, drainage calculations should be provided verifying the sufficiency of any stormwater measures constructed.



Engineering
& Design

C. Retaining Walls

1. There is a retaining wall constructed within Borough ROW along the Serpentine Road and Brookside Avenue frontages. The wall is approximately 175 feet long and appears to be decorative. The Applicant should provide testimony as to the need for this wall. We recommend the wall is removed unless sufficient evidence is provided to justify it remaining.
 2. There is a retaining wall constructed along the southern property boundary adjacent to the driveway. Top and bottom of wall elevations have not been provided. Google imagery suggests that the wall is approximately 1-2 ft high. The Applicant should confirm in testimony. A portion of this wall encroaches into Borough ROW and should be removed.
 3. There appears to be a wall located along the eastern property boundary which is not labeled on the survey. Top and bottom of wall elevations have not been provided. The Applicant should provide testimony to clarify.
- D. We note that no proposed topography is shown on the survey. As such, CED has limited information available to evaluate any concerns related to grading or drainage as it relates to this application.
- E. The Applicant should provide testimony if there are any drainage improvements on site. Testimony should be provided as to where roof leader drains are directed.
- F. The Applicant should be prepared to provide documentation of any building permits filed or prior variance approvals. It is unclear if the dwelling and associated improvements were constructed lawfully or with the proper approvals.
- G. Historical Imagery
1. We note that historical imagery suggests that the dwelling, rear, patio, driveway, and walkways existed as they are shown dating back to 2014 (no imagery is available prior to this date). See imagery below.
 2. It appears an expanded rear patio area was constructed sometime in 2017 which occupied almost the entire rear yard area. This patio was removed in late summer/early fall of 2024. See imagery below.



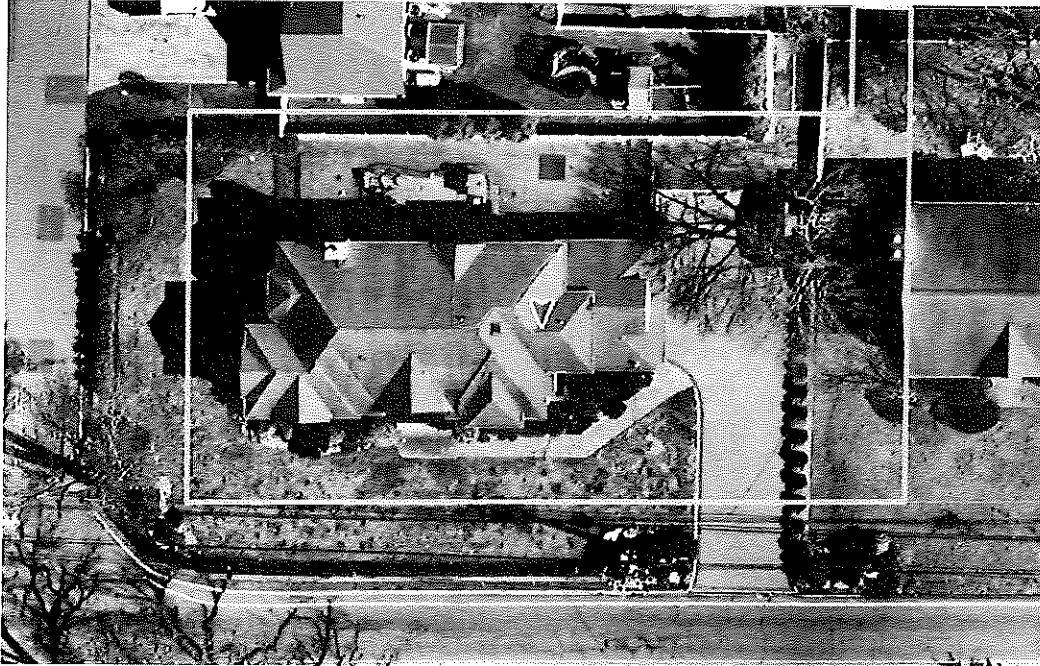
Historical Imagery - Conditions from 2014 - 2017



Historical Imagery - Conditions from 2017 - 2024



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Historical Imagery – Conditions from 2024 – Current

Should you have any questions, you may contact me at (201) 775-1283.

Sincerely,

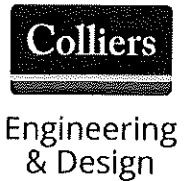
Colliers Engineering & Design

A handwritten signature in black ink, appearing to read "Nick Chelius".

Nick Chelius, P.E., C.M.E.
Joint Land Use Board Engineer

cc: Board Members (via Zoning Board Secretary)
Patrick Min, Applicant (patrickmin@gmail.com)
Christopher Lantelme, Applicant's Engineer (C1 | 1@verizon.net)

400 Valley Road Suite 304
Mt. Arlington, NJ 07856
Main: 877 627 3772



August 22, 2025

Michael Greco, Board Secretary
Zoning Board of Adjustment
Borough of Demarest
118 Serpentine Road
Demarest, NJ 07627

29 John Street
Block 154, Lot 11
Borough of Demarest, Bergen County, NJ
Zoning Board Application Engineering Review
Colliers Engineering & Design Project No. DEZ0055

Dear Mr. Greco,

Pursuant to your request, our office has reviewed the following plans and other documents filed by the Applicant in support of a Variance Application. The Applicant is proposing to construct an addition and renovations to an existing dwelling. Additional improvements include a new driveway, walkways, rear deck, drainage improvements and other related improvements.

- a) Architectural Plans consisting of two (2) sheets, prepared by Piero F. Gabucci AIA, dated March 5, 2025;
- b) Topographic survey of the property consisting of one (1) sheet, prepared and signed by Andrew Schmidt, PLS, of Schmidt Surveying, dated March 31, 2025;
- c) Zoning Officer denial letter dated July 28, 2025, prepared and signed by Michael Greco;
- d) Variance Application for the subject property and attachments.

The Property Owner/Applicant is:

29 John Demarest LLC
c/o Austin Siboni
205 Fairview Avenue
Westwood, NJ 07675

The Applicant/Owner shall notify the Borough of Demarest Zoning Board of Adjustment of any changes to the above information.

Engineering Review

I. Project Description & Location

According to the site plans, the site is currently occupied by a single-family dwelling with associated driveway, walkways, and other related improvements. The Applicant is proposing to construct an addition and renovate the existing 1.5 story dwelling. Additional improvements

include a new driveway, walkways, rear deck, drainage improvements and other related improvements.

The property is an undersized mostly rectangular-shaped parcel consisting of 11,734 SF located on the corner of Demarest Ave and John Street. The property is located in the residence C Zone according to the Borough Zoning Map.

The property is located in Zone X (area determined to be outside the 0.2% annual chance floodplain) as shown on the Flood Insurance Rate Map (FIRM) for the Borough of Demarest dated August 2019.

II. Zoning Requirements & List of Variances / Waivers Requested

A. Bulk Zoning Requirements:

Zone: R-C

Use: Single Family Residential

Description	Required	Existing	Proposed	Complies
Lot area**	15,000 sf.	11,734 sf.	11,734 sf.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Lot Width	100 ft.	118.33 ft.	118.33 ft.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot depth	100 ft.	100.00 ft.	100.00 ft.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Front yard setback*	35 ft.	29.1 ft.	29.1 ft.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Side yard Abutting Street setback*	35 ft.	12.5 ft.	26.67 ft.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Side yard setback	15 ft.	24.2 ft.	24.2 ft.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Rear yard depth	30 ft.	42.8 ft.	36.13 ft.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Maximum Building Height	30 ft.	22 ft	29.5 ft.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Max Building Coverage*	20 %	17.31%	20.9 %	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Max. Improved Coverage	30 %	27.85%	29.9 %	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Max. Residential & Parking Coverage*	25 %	23.21%	25.7 %	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Livable Floor Area	30%	17.31%	29.87%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

N/A = not applicable
 * = variance required
 ** = pre-existing non-conformance

B. We note the following pre-existing non-conforming conditions:



Engineering
& Design

1. Minimum Lot Area – 11,734 SF is existing where a minimum of 15,000 SF is required. The Applicant does not propose to acquire additional property to bring lot area into conformance.
 2. Front Yard Setback – 29.1 Feet is existing where a minimum of 35 feet is required.
- C. The Applicant has requested the following variances:
1. Front Yard Setback - The Applicant to expand a pre-existing non-conforming condition with additions having a front yard setback of 29.1 FT where a minimum of 35 FT is required.
 2. Minimum side yard abutting street - The Applicant to expand a pre-existing non-conforming condition with additions having a side yard setback of 26.67 FT where a minimum of 35 FT is required.
- D. Discussion and Potential Additional Variances
1. Building Coverage – The plans indicate a building coverage of 2,341 SF (19.95%). Based on the coverage breakdowns provided:
 - Dwelling – 1,917 SF
 - Garage – 500 SF
 - Front Porch – 40 SF
 - Total – 2,457 SF (20.9%)

It appears an additional variance may be required for Building Coverage.
 2. Residential and Parking Coverage – The plans indicate a residential and parking coverage of 2,417 SF (20.59%). Based on the coverage breakdowns provided:
 - Building Coverage – 2,457 SF
 - Driveway – 562 SF
 - Total – 3,019 SF (25.7%)

It appears an additional variance may be required for Residential and Parking Coverage. We note that scaling of the plans shows a driveway area of 576 SF. We suggest the Applicant verify the square footage of the proposed driveway prior to the hearing.
 3. The Applicant has not provided building height calculations in accordance with ordinance requirements. Building height must be based off of the average natural grade calculated by taking spot elevations around the perimeter of the dwelling. The provided plans do not provide this calculation. Building height on the plans is measured from the garage floor elevation to the roof peak. We recommend the Applicant prepare building height calculations in accordance with ordinance requirements prior to the hearing.

III. Technical Review

- A. The Applicant is proposing to increase improved lot coverage from 3,269 SF (27.85%) to 3,509 SF (29.87%) with a net increase in coverage of 240 SF.
- B. The Applicant is proposing three (3) stormtech MC-4500 chambers to collect and store stormwater runoff from what appears to be the roof area of the proposed dwelling. We offer the following comments related to the drainage design:
 - 1. The Applicant has provided design calculations which indicate approximately 2,340 SF of roof area being collected and conveyed to the proposed drywell. The Applicant has provided adequate storage for this drainage area. We take no exception to the calculations provided.
 - 2. It is suggested that the chambers are located further from the property boundary if feasible. CED typically recommends at least fifteen (15) feet from property boundaries and foundation walls.
- C. The site plans do not appear to show any existing or proposed elevations. As such, it is assumed that no changes to existing grades are proposed. The Applicant should confirm in testimony.
- D. The site shows limited SESC details but does not show where the SESC measures will be placed on the site. Additional SESC measures should be provided such as tracking pad, silt fence etc. Should the Board look favorably upon this application, the Applicant should revise the plans to include this information.
- E. The Applicant should provide construction details for the proposed driveway and walkway. The Applicant should provide testimony to clarify the proposed material for these improvements.
- F. The Applicant indicates 40CY of soil to move to construct the proposed improvements. The Applicant should provide cut and fill calculations and include all proposed improvements including the installation of the chambers. Should the Board act favorably upon this application, the Applicant shall provide cut and fill calculations for all proposed improvements with the submission of the soil movement application. The Applicant should be aware that any soil movement quantity in excess of 250 CY will require mayor and council approval pursuant to Chapter 147 of Borough Ordinance.
- G. Should the Board act favorably upon this application, the Applicant is hereby made aware that drainage issues may arise during or after the proposed construction. It will be the Applicant's responsibility to remedy any drainage issues caused by the proposed improvements. In addition, water runoff directed to neighboring properties is prohibited. If runoff water does enter neighboring properties as a result of the proposed improvements, the Applicant will be responsible to remedy the issue at no cost to the Borough.

Should you have any questions, you may contact me at (201) 775-1283.

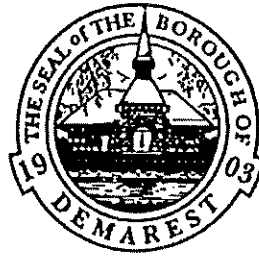
Sincerely,

Colliers Engineering & Design



Nick Chelius, P.E.
Zoning Board Engineer

cc: Board Members (via Zoning Board Secretary)
Michael Greco, Zoning Board Secretary (mgreco@demarestnj.gov)
Matthew G Capizzi, Applicant's Attorney (matthew@capizzilaw.com)



**Borough of Demarest
Joint Planning Board Regular Meeting
MINUTES**

July 2, 2025

7:30 PM

DEMAREST BOROUGH HALL

The Borough of Demarest Planning Board held a special meeting on WEDNESDAY, July 2, 2025, 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 Tim Woods.

FLAG SALUTE

The Board was led in a salute to the flag by Tim Woods.

ROLL CALL

MEMBERS PRESENT: Todd Adelman, Mayor Brian Bernstein, Jodi Brenner, Kiran Chin, Camille DiSciafani, Councilwoman Daryl Fox, Fatemah Mamdani, Timothy Woods

MEMBER(S) ABSENT: Theodore Alevrontas, Mary Hamilton

ALSO PRESENT: Nick Chelius – Engineer, Darlene Green – Planner, Danielle Federico – Attorney, Michael Greco – Secretary, Zoning Officer

NEW/OLD BUSINESS

JPB-25-006 - 30 Hardenburgh Avenue

Chair Woods asks Mr. Capizzi about which dates work best to address the board. Mr. Capizzi states that July 23, 29, or 31 would work best. Mr. Greco explains that these dates would also accommodate the professionals required to come in for the application. Ms. Federico states she can't do July 23, and therefore the considerations are now for July 29 and July 31 only. All members present agreed on July 29, 2025. Chair Woods sets the hearing of 30 Hardenburgh Ave for a special meeting on Tuesday, July 29, 2025.

JPB-25-001 - 44 Pine Terrace

Mr. Capizzi reminds the board that this is the second hearing about the application, with the first one on June 4, 2025. Mr. Capizzi summarizes that the lot is oversized in the R-D zone, with the proposal to split the lot into two (3.08 & 3.09). Lot 3.08 would be the existing dwelling with some improvements removed, while Lot 3.09 would contain the whole dwelling. All coverage and improvements would be conforming in terms of bulk conditions, with variances required in lot areas as they would both be slightly undersized. Mr. Capizzi explains that soil explorations have been done since the last meeting, and that the drainage system, as well as trench drain that the board required at the last meeting, will function. Mr. Capizzi calls Mr. Costa to speak to the drainage.

Ms. Federico confirms that Mr. Costa was previously sworn in, and that his credentials are still valid. Ms. Federico marks the pit testing sheet handed to the board as Exhibit A4. Ms. Federico marks the plan on the board as Exhibit A5.

Mr. Costa reviews the drainage plan for the property. Mr. Costa explains how the soil samples were taken as per instructions from last meeting, and seepage pits were added to both properties. Councilwoman Fox clarifies that 3.08 has two pits with 3.09 having two pits. Mr. Costa confirms this, stating seepage pits for 3.08 are in the rear, and stating the drainage rates for each seepage pit.

Mayor Bernstein clarifies that these drainage rates come from the trench train. Mr. Costa states that he does not use percolation in the drainage rate calculations, rather considers the ability for the drainage system to hold a "100-year storm". Councilwoman Fox clarifies that one of the seepage pits in 3.09 is in the driveway, and therefore only drains what is piped in. Mr. Costa confirms this.

Mr. Capizzi clarifies that the pits meet all required standards, and Mr. Costa confirms this. Mr. Costa adds that if for any reason this plan does not comply, the applicant is happy to move the location of drainage to conform.

Mayor Bernstein asks what the 3rd column of soil core on the plan refers to, while Mr. Costa explains it refers to the diameter. Mayor Bernstein then asks whether the saturation of the area behind the house affects how quickly the water drains from the seepage pits. Mr. Costa explains it will not, because there is no evidence of groundwater. Mayor Bernstein states he did not see how quickly the seepage pits would empty. Mr. Costa points out the drain time calculation on the revised plan issued today, confirming it would take 72 hours.

Mr. Costa expands on the mayor's concerns, stating that the neighboring houses are 180 ft apart from each other and therefore would be unaffected by the drainage. Mayor Bernstein asks to describe the purpose of putting the trench drain in on 3.08 for the record. Mr. Costa explains it is to collect water before it goes into the street. Mayor Bernstein questions the location of the seepage pits in 3.09, claiming there is nothing to divert water from the patio or rear of the house, and therefore nothing that protects the property to the east. Ms. Chin directs this question to the board engineer. Mr. Chelius states his previous comments on the location of the seepage pits concern a different issue. In response to the mayor's question, Mr. Costa states a seepage pit can be put back there if needed. Councilwoman Fox asks about the location of the trench drain. Chair Woods and Mr. Costa clarify this.

Mr. Costa states the changes on the new revised plan, which includes the location of the seepage pits on 3.09, the inclusion of the trench drain, and the drainage time calculations. Mayor Bernstein stated that a conditional should be the seepage pits in the wetland areas of the back of 3.09, if a review of the land requires one.

Chair Woods asks for the board engineers' opinion on this plan. Mr. Chelius has no issues. Chair Woods specifies if this opinion extends to Mayor Bernstein's concerns. Mr. Chelius states that since the math makes sense on the plan, there is most likely no need for an additional seepage pit. Ms. Brenner asks whether there is a grade issue in the wetlands area. Mr. Chelius states that it is inherent to a wetland area but still shouldn't cause an issue.

Chair Woods asks if there are any further witnesses. Mr. Capizzi states there aren't. Chair Woods asks if there are any further questions. Ms. Chin asks what the purpose of the application is. Mr. Capizzi states the variances are for lot area and width on each property.

Ms. Green states there are a few things that need to be clarified in the application. Ms. Green states that there is no plan for tree removal, although the applicant stated they would comply. Ms. Green also adds that a waiver is needed in addition to the variances. Councilwoman Fox states that it is in the application. Ms. Green states it is in the application but not in the site plans. Mr. Capizzi states this would be rectified.

A motion was made to open to the public for questions of the professionals by Mayor Bernstein. Mr. Adelman seconds. All in favor – Motion Passes

No member of the public wishes to ask a question.

A motion was made to close the meeting to the public by Councilwoman. Mayor Bernstein seconds. All in favor – Motion Passes

Mr. Capizzi makes a closing statement.

A motion was made to open to the public for comments on the application by Mayor Bernstein. Councilwoman Fox seconds.

All in favor – Motion Passes

No member of the public wishes to make a comment.

A motion was made to close the meeting to the public by Councilwoman Fox. Mayor Bernstein seconds.

All in favor – Motion Passes

Chair Woods asks for any comment from the board. Mayor Bernstein reminds about the possibility of adding seepage pits on 3.09 if needed.

A motion was made to approve the application with conditions by Vice Chair Brenner. Mayor Bernstein seconds.

On a roll call, the vote was recorded as follows *n/e = not eligible*

Board Member	Vote	Board Member	Vote	Board Member	Vote
Mr. Adelman	Yes	Mr. Alevrontas:	Absent	Mayor Bernstein:	Yes
Vice Chair Brenner:	Yes	Ms. Chin:	Yes	Ms. DiSclafani:	Yes
Councilwoman Fox:	Yes	Ms. Mamdani:	-	Chair Woods:	Yes
Mrs. Hamilton:	Absent				

Motion passed

JPB-25-002 - 7 Christie Street

Mayor Bernstein and Councilwoman Fox step down from the board and exit the chamber as required due to the inclusion of a F.A.R. D Variance in the application, bringing the board back to a 7 member board for the consideration of this variance.

Mr. Capizzi explains that this applicant lives in the R-D zone with an undersized lot of 8,000 sq ft versus the normal 10,000 sq ft. The variances being sought after would not need to exist had the lot been the normal size. However, variances in building coverage, Livable Floor Area, improved lot coverage, and the combined residential and parking coverage are required. These are directly related to the width and length of the property being 20% smaller. Mr. Capizzi introduces the witnesses. Chair Woods clarifies that this applicant would still require variances if on a normal sized lot, due to Mr. Capizzi's calculations not including the patio/pergola. The board and Mr. Capizzi discuss if a pergola counts as building or improved lot coverage.

Mr. Capizzi invites Michael Dipple to the stand. Ms. Federico swears in Michael Dipple as a civil engineer with a current license. Mr. Dipple summarizes the description of the land. Mr. Dipple states that the lot is now vacant because the owner tore down the dwelling. Mr. Dipple also states that Christie St is a dead-end street. Mr. Dipple then describes the new dwelling plan, including a 20ft wide driveway, a two-car garage, a small walkway, a pergola over a deck or patio, and an additional patio. Mr. Dipple states that the impervious coverage calculation has already accounted for any additional AC units or generators, and the building coverage calculation is also within conforming standards. Mr. Dipple then reviews the variances as Mr. Capizzi stated earlier.

Mr. Chelius clarifies a discrepancy on the improved lot coverage calculation versus the net change calculation. Mr. Dipple clarifies this discrepancy.

Mr. Dipple continues by describing the grade change on the property, as it slopes down towards the Demarest Nature Center. Mr. Dipple states that the grading will be kept consistent, and a drywell will be moved to the backyard as it is too close to the property line. Mr. Dipple details the shade tree removal plan, replacing 11 trees.

Mr. Capizzi asks whether the vegetation on the rear property line exists or is added to the plan. Mr. Dipple states some exist, but a total of 5 more trees will be added as well. Mr. Capizzi asks if the trees would provide privacy for the pergola area. Mr. Dipple states that it would.

Ms. Chin asks where the rear yard setback line is. Mr. Dipple points it out. Ms. Chin asks to consult the board engineer. Mr. Chelius asks about the pergola on top of the deck, and whether the 12 ft height requirement would be exceeded as both are elevated structures. Mr. Dipple states that it is possible and will be addressed later in the application for detail. However, it is possible that the deck might turn into a patio, and therefore not exceed the 12 ft height maximum.

Ms. Green asks to clarify minor discrepancies in the plan. Mr. Dipple clarifies them. Mr. Chelius clarifies that the seepage pit will be moved further from the property line, which Mr. Dipple confirms.

Chair Woods asks if a variance for the rear yard would be needed due to the pergola, which Mr. Capizzi states it was his understanding there wouldn't be one, due to a pergola being an accessory structure.

Mr. Capizzi asks whether a pergola will be defined as an accessory or principal structure of the building. Chair Woods states it will be called a principal structure as per the ordinance. Ms. Chin asks for the direct language of the ordinance to confirm or deny this, asking for a discussion on this issue.

The Board, Ms. Federico and Mr. Greco discuss the nature of a pergola and what type of coverage it should count as.

Mr. Capizzi suggests a 2-minute recess for the board to discuss. The board takes a 2-minute recess.

The board continues its discussion on pergolas.

Chair Woods summarizes that the pergola has been determined as being part of building coverage, and the patio is in question – asking the opinion of the zoning officer. Mr. Greco states that a pergola can be deemed building coverage due to the Boroughs' definition of building as a structure with a roof. Mr. Greco states a patio should not be deemed building coverage because it is not a building.

Chair Woods suggests that the pergola should be determined by building coverage, and the patio should be improved lot coverage. Ms. Chin asks that at the next board meeting they can discuss the definition of pergola.

Mr. Capizzi asks if the board has any further questions for Mr. Dipple. Chair Woods asks if the board has any questions. The board has nothing further, so Mr. Capizzi calls the next witness.

Ms. Federico swears Anthony Zampolin, the plan's architect. Mr. Zampolin begins to describe the site plan. He describes how the homes are single family homes on Christie St. The architect describes the interior plan design, consisting of two floors and a basement with an open living space on the first floor, a raised deck/pergola next to the second floor and a patio in the rear. On the basement level, the patio sits raised on top, which is a safer build for the basement ceiling. Mr. Zampolin continues to describe the interior design plan on each floor. Mr. Zampolin explains that to keep the home relatively open despite the undersized nature of the lot, a living floor area variance will be needed. Per the definition of living floor area (LFA), the basement and garage are not included in the calculation. On the first floor and second floor, there will be livable floor area variances, including the grand staircase into the calculation for the first floor. Mr. Zampolin discusses the elevation of the house as well, explaining how the average grade and elevation calculations fall just under the maximum requirements, therefore not requiring a variance.

Chair Woods asks for a further explanation of the elevation of the pergola. Mr. Zampolin describes how the pergola is not attached to the house. Mr. Zampolin also describes how the measurement of the pergola is taken from the first floor to the top of the structure. Chair Woods asks to confirm this with Mr. Chelius. Mr. Chelius states the calculation is taken from the average grade to the top of the pergola. Mr. Zampolin corrects his initial statement, stating that the pergola's elevation taken from the average grade is 11ft 9in. Chair Woods asks for any questions from the board. Ms. Chin commends the witness on the plan, having no further questions. Mr. Chelius agrees.

Chair Woods asks if there are any further witnesses. Mr. Capizzi calls Mr. Pessolano, the city planner, to the stand. Ms. Federico swears Mr. Pessolano in. Mr. Pessolano begins to describe the property from a planning perspective. Chair Woods asks for any questions from the board. Ms. Green asks for clarification on the new building coverage due to the interpretation of the patio and pergola as building. Mr. Capizzi responds that the pergola was deemed building coverage

and the patio was not, which Ms. Green agrees to. She clarifies that the building coverage is therefore 25.6% rather than the required 25%. Mr. Capizzi and Mr. Pessolano confirm this number.

Chair Woods asks for more witnesses from Mr. Capizzi. Mr. Capizzi states there aren't any more. Chair Woods asks for a motion from the public to talk to the experts.

A motion was made to open to the public for questions of the professionals by Mr. Adelman. Ms. Chin seconds.
All in favor – Motion Passes

No member of the public wishes to ask a question.

A motion was made to close the meeting to the public by Mr. Adelman. Ms. Chin seconds.
All in favor – Motion Passes

A motion was made to open to the public for comments on the application by Mr. Adelman. Ms. Chin seconds.
All in favor – Motion Passes

Ms. Federico swears in Ms. Nadalie Federal. Ms. Federal testifies two properties that are slightly upset at this new development on 7 Christie, due to the replacement plan of 11 trees being planted on the border of the new property and the existing ones. This is due to the existing large tree already having large branches break off into the properties, and at some points hitting the dwellings. Ms. Federal would like to know what types of the trees will be, out of fear of the trees remaining unkempt and affecting the other properties. Ms. Federal expands that the large trees that might create privacy for the new property also create shade on her property, not allowing the ground underneath to dry properly and encouraging moss to grow.

Chair Woods asks if the resident got to see the landscape plan, which Ms. Federal claims she has, but didn't know about the tree replacement plan. Chair Woods invites Mr. Dipple to discuss the tree plan. Mr. Dipple explains the tree replacement plan as it stands is consistent with the Boroughs' tree replacement ordinance. Mr. Dipple explained that the trees should be placed at the back, both because the trees there are dying and the property closest to the front of the new dwelling is only 10ft away versus the rear having a larger distance between the new property and the adjacent one. Mr. Dipple concedes that the large tree in the back is very distressed and will be taken out. He details that the tree species will be Armstrong maple, Eastern Hemlock, and Serviceberry trees. Ms. Federal asks how large the trees are, and Mr. Dipple explains they can get very large, but it takes decades to grow to that height and diameter. Ms. Federal restates her concerns about the large replacement trees, adding that the possible seepage pit in the back as well could disrupt her land.

Chair Woods states there might not be much to do about the tree issue. Ms. Federal suggests that the trees be moved to the right side of the property, where there is 20ft of distance. Chair Woods reiterates that the property to the residents is about 30ft away, and the tree plan as well as the pergola placement is conforming. Chair Woods also allows for comment from Mr. Chelius on the seepage pit and possible drainage issues. Ms. Federal first asks for clarification on the pergola's height, which Mr. Dipple explains is conforming due to the elevation calculations.

Ms. Brenner asks how many trees and shrubs there are. Mr. Dipple states the exact amount isn't known, but not all 11 plants are trees. However, they are there for shade. Mr. Adelman states that the new trees will never be as large as the ones currently exist.

Mr. Dipple adds that when the trees get planted, they come in at 2 inches, and it would be decades before they grow to a substantially large amount. Ms. Chin asks how many trees are being removed. Mr. Dipple details that 8 trees are being removed, with 2 at the back and 1 near the middle. Ms. Chin asks if it is possible to trim the tree branches on the residents' side. Ms. Federal states it is possible. Ms. Chin also adds that the current tree problems will be removed, and the 10 to 12ft trees will add a level of privacy for the residents not having to see the pergola.

Ms. Federal brings concerns with the boards' conversations around pergolas and that the window wells should not encroach into the side yards. The Board assures the residents on both of those points that the applicant is conforming,

and/or relevant variances have already been discussed. Chair Woods specifically references how the engineer will ensure that the seepage pit is conforming on the new property, and the seepage pit in the rear was merely a suggestion because of this meeting. The resident finishes her testimony.

With no other member of the public seeking to make a comment.

A motion was made to close the meeting to the public by Mr. Adelman. Ms. Chin seconds.
All in favor – Motion Passes

Chair Woods asks if Mr. Capizzi has anything further. Mr. Capizzi states there is nothing further.

Chair Woods asks if the board has any further comments. Ms. Chin asks Ms. Federico about the procedure for D variances in terms of the boards' approach. Ms. Federico states there is a mixture of D-variances and C-variances, but the voting process is the same, with one motion to approve. Chair Woods asks for a motion to approve the application. Ms. Chin makes the motion, and Ms. DiSclafani seconds.

A motion was made to approve the 7 Christie Street variances by Ms. Chin. The motion was seconded by Ms. Disclafani.

On a roll call, the vote was recorded as follows *n/e = not eligible*

Board Member	Vote	Board Member	Vote	Board Member	Vote
Mr. Adelman	Yes	Mr. Alevrontas:	Absent	Mayor Bernstein:	n/e
Vice Chair Brenner:	Absent	Ms. Chin:	Yes	Ms. DiSclafani:	Yes
Councilwoman Fox:	n/e	Ms. Mamdani:	Yes	Chair Woods:	Yes
Mrs. Hamilton:	Absent				

Motion passed

APPROVAL OF MINUTES

A motion was made to approve June 4, 2025, meeting minutes, by Mr. Adelman and was seconded by Ms. Discalfani.

On a roll call, the vote was recorded as follows *n/e = not eligible*

Board Member	Vote	Board Member	Vote	Board Member	Vote
Mr. Adelman	Yes	Mr. Alevrontas:	Absent	Mayor Bernstein:	Absent
Vice Chair Brenner:	Absent	Ms. Chin:	Yes	Ms. DiSclafani:	Yes
Councilwoman Fox:	Absent	Ms. Mamdani:	Yes	Chair Woods:	Yes
Mrs. Hamilton:	Absent				

Motion passed

A motion was made to approve the June 5, 2025, special meeting minutes by Mr. Adelman and seconded by Ms. Chin.

On a roll call, the vote was recorded as follows *n/e = not eligible*

Board Member	Vote	Board Member	Vote	Board Member	Vote
Mr. Adelman	Yes	Mr. Alevrontas:	Absent	Mayor Bernstein:	Absent
Vice Chair Brenner:	Absent	Ms. Chin:	Yes	Ms. DiSclafani:	n/e
Councilwoman Fox:	Absent	Ms. Mamdani:	Yes	Chair Woods:	n/e
Mrs. Hamilton:	Absent				

Motion passed

Ms. Chin asks whether Mr. Greco will be presenting the new variance application at the next board meeting, which Mr. Greco confirms will be happening. Ms. Chin brings up concerns with the large site plan pages, asking for smaller requirements on that front. With some pushback from Ms. Federico and Mr. Chelius on that due to scale, readability and proportionality on the plan, Ms. Federico adds a digital copy would also be helpful. Mr. Greco comments that

professionals can receive the full plan with a smaller version given to the board members to make things easier. Mr. Adelman shares Ms. Chin's concerns.

Ms. Chin adds that at the next meeting, she plans to bring up revisions for the bylaws.

Chair Woods asks for any further comments.

ADJOURNMENT

With no further business presented, a motion to adjourn the meeting was made by: Mr. Adelman and seconded by Ms. Chin.

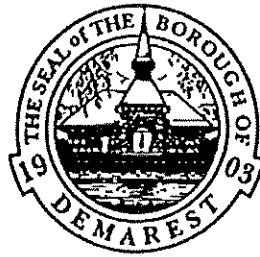
All in Favor – Motion Passed

The meeting was adjourned at 9:49 PM.

Respectfully Submitted,

Michael Greco, Joint Planning Board Secretary

DRAFT



**Borough of Demarest
Joint Planning Board Regular Meeting
MINUTES**

August 6, 2025

7:30 PM

DEMAREST BOROUGH HALL

The Borough of Demarest Planning Board held a special meeting on WEDNESDAY, AUGUST 6, 2025, 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 Jodi Brenner.

FLAG SALUTE

The Board was led in a salute to the flag by Jodi Brenner.

ROLL CALL

MEMBERS PRESENT: Todd Adelman, Theodore Alevrontas, Mayor Brian Bernstein, Jodi Brenner, Kiran Chin, Fatemah Mamdani,

MEMBER(S) ABSENT: Mary Hamilton, Chair Woods, Councilwoman Daryl Fox, Camile DiSclafani

ALSO PRESENT: Julie Falkenstern – Acting Borough Clerk, Darlene Green – Planner, Danielle Federico – Attorney, Michael Greco – Secretary, Zoning Officer

RESOLUTIONS

Resolution JPB-010-25 – Variance JPB-25-002 – 7 Christie Street – Ed Yezekian

A motion was made to approve resolution JPB-010-25 for the Joint Planning Board Application JPB-25-002, requesting variances related to the construction of a new single-family dwelling by Mr. Adelman, and was seconded by Ms. Mamdani.

On a roll call, the vote was recorded as follows *n/e = not eligible*

Board Member	Vote	Board Member	Vote	Board Member	Vote
Mr. Adelman	Yes	Mr. Alevrontas:	<i>n/e</i>	Mayor Bernstein:	<i>n/e</i>
Vice Chair Brenner:	<i>n/e</i>	Ms. Chin:	Yes	Ms. DiSclafani:	<i>Absent</i>
Councilwoman Fox:	<i>Absent</i>	Ms. Mamdani:	Yes	Chair Woods:	<i>Absent</i>
Mrs. Hamilton:	<i>Absent</i>				

Motion passed

Mr. Greco clarified that Mayor Bernstein was unable to participate in this application due to the inclusion of a D Variance in the application.

Resolution JPB-011-25 – Subdivision JPB-25-001 – 44 Pine Terrace – BF Development LLC

A motion was made to approve resolution JPB-011-25 for the Joint Planning Board Application JPB-25-001, requesting variances related to the subdivision of an existing lot into two new lots by Mr. Adelman, and was seconded by Ms. Chin

On a roll call, the vote was recorded as follows *n/e = not eligible*

Board Member	Vote	Board Member	Vote	Board Member	Vote
Mr. Adelman	yes	Mr. Alevrontas:	yes	Mayor Bernstein:	yes
Vice Chair Brenner:	n/e	Ms. Chin:	yes	Ms. DiSclafani:	absent
Councilwoman Fox:	absent	Ms. Mamdani:	yes	Chair Woods:	absent
Mrs. Hamilton:	absent				

Motion passed

Resolution JPB-012-25 – Subdivision JPB-25-006 – 30 Hardenburgh Ave – M&M Developers

A motion was made to approve resolution JPB-012-25 for the Joint Planning Board Application JPB-25-006, requesting variances related to subdividing an existing lot into three new lots by Mr. Adelman, and was seconded by Mr. Alevrotnas.

On a roll call, the vote was recorded as follows *n/e = not eligible*

Board Member	Vote	Board Member	Vote	Board Member	Vote
Mr. Adelman	yes	Mr. Alevrontas:	yes	Mayor Bernstein:	n/e
Vice Chair Brenner:	n/e	Ms. Chin:	absent	Ms. DiSclafani:	absent
Councilwoman Fox:	absent	Ms. Mamdani:	yes	Chair Woods:	absent
Mrs. Hamilton:	absent				

Motion passed

Mr. Greco clarified that Mayor Bernstein was unable to participate in this application due to the proximity of the applicant’s property to Mayor Bernstein’s house.

APPROVAL OF MINUTES

A motion was made to approve the regular meeting minutes of May 7, 2025, by Mr. Adelman and was seconded by Mayor Bernstein.

On a roll call, the vote was recorded as follows *n/e = not eligible*

Board Member	Vote	Board Member	Vote	Board Member	Vote
Mr. Adelman	yes	Mr. Alevrontas:	yes	Mayor Bernstein:	yes
Vice Chair Brenner:	yes	Ms. Chin:	yes	Ms. DiSclafani:	absent
Councilwoman Fox:	absent	Ms. Mamdani:	yes	Chair Woods:	absent
Mrs. Hamilton:	absent				

Motion passed

A motion was made to approve July 29, 2025, special meeting minutes, by Ms. Mamdani and was seconded by Mr. Adelman

On a roll call, the vote was recorded as follows *n/e = not eligible*

Board Member	Vote	Board Member	Vote	Board Member	Vote
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Mr. Adelman	yes	Mr. Alevrontas:	yes	Mayor Bernstein:	yes
Vice Chair Brenner:	yes	Ms. Chin:	absent	Ms. DiSclafani:	absent
Councilwoman Fox:	absent	Ms. Mamdani:	yes	Chair Woods:	absent
Mrs. Hamilton:	absent				

Motion passed

NEW/CONTINUING BUSINESS

Variance Application Review

The board then began a discussion regarding updates to the variance application form. Mr. Greco introduced the new version, explaining that it was redesigned in response to the establishment of a joint planning board. Ms. Chin played a key role in organizing and designing the new form to be more visually appealing and user-friendly for both applicants and board members. Ms. Brenner asked if the information required had changed, and Mr. Greco confirmed that while the core content remained the same, the instructions had been clarified and redundancies removed.

Ms. Brenner asks if the fees are the same as well, which Mr. Greco confirms. Ms. Chin explains her volunteering for this project was to put input as a board member wanting to make applications more efficient. Ms. Chin mentions Section 1 as being significantly improved to make it easier to read and complete. Sections 1 through 4, which were previously open-ended, were restructured so that open-ended questions now appear on the final page.

Ms. Brenner asks about the field limitations on electronic form for explanation, especially if the applicant fills out the application on paper. Ms. Chin explained that while the form is designed to be brief, attachments can be included if needed. Mayor Bernstein inquired about the "variance project summary" and what kind of answers the board expects from applicants. He also suggested revising the language regarding the FAR (Floor Area Ratio) to more accurately reflect the ordinance. Ms. Federico agreed with this, suggesting a slash be included between FAR and Living Floor Area. Mayor Bernstein also recommended numbering every page. On Section 2 concerning application fees, Mayor Bernstein asked whether the notes section was sufficient in addressing escrow requirements. Mr. Greco explained that escrow is used to pay borough professionals, and Ms. Federico added that professionals are not paid until after their services are completed. She further suggested including a section where applicants acknowledge requests both in writing and verbally.

Mr. Adelman proposed that Section 1 be updated to identify whether a property is a corner lot or a through lot. He also suggested aligning Section 2c with 1c and 1d regarding zoning maximums, adding a section specifying borough existing borough requirements. Mr. Greco and Ms. Chin initially felt that might be redundant but agreed to reintroduce the information. Mr. Adelman then asked whether the form should include only variance-specific data, to which Mr. Greco responded that having all information is preferable, and Mr. Adelman agreed.

The discussion turned to how basements affect LFA calculations. Mr. Adelman asked about the phrasing "only if less than 70% of basement is below average grade," and Mr. Greco explained how average grade is calculated and its relevance. Mr. Adelman suggested clearer wording, such as "include only if 30% or more of the basement is above average grade." The board agreed.

Mr. Adelman asked whether the term "attic" needs to be defined. Ms. Brenner questioned whether the attic is finished or unfinished, and Ms. Chin asked if attics came up in the context of basement-related discussions. Mr. Greco clarified that attics are often used colloquially to refer to third floors, which is why it was included. Ms. Chin

asked how to determine whether an attic counts toward LFA. Mr. Greco pointed to the relevant definition. Ms. Brenner requested removing "attic" from the application, and Mr. Greco agreed.

Ms. Chin specified the board should discuss what should be required or recommended in the application. Ms. Brenner suggested including a photo of the property, especially for corner lots. Ms. Brenner and Mr. Adelman both agreed that photographs should be required. Mr. Greco added that surveys and site plans are also required. The board reviewed plan sizes and digital requirements. Ms. Federico asked if all surveys and exhibits were submitted digitally, and Mr. Greco confirmed that it is already part of the process. Mr. Adelman emphasized the importance of including photographs to help assess the existing condition of the dwelling. Mayor Bernstein raised concerns about the newspaper notice section; Mr. Greco stated that revisions are planned for that.

Ms. Federico brought up the need to ask for copies of previous applications in Section 4 and Section F. In Section 3, she emphasized that corporate entities must have legal representation, while sole proprietors do not. Ms. Brenner asked for clarification on phrasing related to past use — specifically, the distinction between "what it is for" and "what it was for" — and recommended requiring previous variance documentation. Ms. Federico asked if the corporate disclosure statement is currently part of the application. Mr. Adelman questioned whether it needs to be disclosed, and Ms. Federico stated that it does so recusals can take place if necessary. Mayor Bernstein asked whether failing to disclose corporate status waives conflict of interest rights. Ms. Federico clarified that it does not. If approved, a conflict can still be challenged later.

The board discussed the potential need to make certain requirements explicit in the application to ensure completeness. Mr. Greco noted that a checklist is provided on the first page, and that while not all documents are required for completeness, the board can ask for more information as needed. Ms. Brenner asked when the board must act on a complete application. Mr. Greco and Ms. Federico confirmed that once deemed complete, the statutory timeline begins, according to MLUL rules.

Mayor Bernstein asked whether the variance form should include a note indicating that it is subject to MLUL requirements to avoid misunderstandings. Ms. Federico suggested adopting the finalized checklist via ordinance. Mr. Greco stated that while an ordinance can set standards, the board should retain discretion over checklist items through ordinance already. Ms. Chin supported earlier comments about allowing for plan size options. She also noted that the "variance application summary" should become the central reference for what the board wants to review.

Mayor Bernstein asked whether the application addresses outdoor lighting, citing concerns over brightness. Mr. Greco said most applications don't include a lighting plan, which makes it difficult to require. Mayor Bernstein suggested that if applicants are installing lighting, then a lighting plan should be required. Ms. Chin asked whether landscape lighting is included and whether height requirements should apply. Mayor Bernstein agreed and noted that if lighting plans include sections A, B, and C, then they should be submitted. Mr. Greco asked Ms. Federico whether a blanket statement could be added to require additional materials if necessary. Ms. Federico said that likely wouldn't hold up legally. Ms. Brenner raised enforcement questions regarding lighting requirements, and Mr. Greco confirmed that lighting is governed by existing ordinance rules.

In order to address specific applicant completeness, Ms. Federico suggested that a Technical Review Committee (TRC) could informally determine application completeness before formal review. Ms. Brenner and Mayor Bernstein expressed concern that this process would be time-consuming and costly. Mayor Bernstein reiterated the need for a designated area for lighting plans on the application, and Ms. Brenner asked where it would go in the application. Mr. Greco stated that the board can always request more information if what's submitted is insufficient, and Mayor Bernstein agreed.

Mr. Adelman inquired whether the amount of soil to be added or removed should be required. Ms. Brenner commented on this issue, and Ms. Chin asked whether Section 4C should include questions about pre-existing or potential flooding and drainage issues. She argued that this information helps contextualize the application. Ms. Federico shared environmental collection forms used by other towns, and the board agreed they were useful. Ms. Chin also requested a consistent numbering format — currently, the form switches between numbered lists, Roman numerals, and lettered sub-points.

Interpretation of Pergolas and other Accessory Structures

Mr. Greco explained that this question came up at the prior board meeting, in which members of the board seemed to disagree on what a pergola is considered. He requested that the board should seek to set a standard, so that the board and the zoning officer should be consistent. He stated that the full board is not present and that a final decision should involve more members, but the discussion should start.

The board asked for Mr. Greco's view as the zoning officer, and he stated that he believes that a pergola is a structure and not a building, since a building is defined as having a roof.

The board asked questions about approval at the zoning level and enforcement should the applicants looking to make a pergola not describe what they are building, and Mr. Greco explained that he has the right as the zoning officer to request specifics.

Mr. Adelman asked where a pergola is calculated in terms of coverage, and Mr. Greco explained that a pergola in his review falls into Improved Lot Coverage.

Ms. Chin asked if the board could work to define what counts as a pergola.

Mayor Bernstein explained that he spoke with Chair Woods, and he had several concerns with a pergola that can close its open roof and could have walls that lower and enclose the space. Mayor Bernstein explained that these concerns are valid and better define the pergola to create consistency.

Curbs and Sidewalks

Mayor Bernstein stated that although not directly a planning board issue, several items were flagged for potential referral to the Mayor and Council. These included the need for uniform curb standards, determining how many streets lack curbs, and addressing drainage problems when individual residents install curbs. Ms. Brenner asked whether it's the homeowner's responsibility to install curbs. Mayor Bernstein said that it is. She then asked whether curbs can be added on streets where none exist once a home is built. Mayor Bernstein questioned what happens when someone installs a curb without town approval. He also raised the issue of sidewalk requirements. His concern was that individual curb installations on unimproved streets could affect drainage.

Ms. Federico stated that while concerns have been raised, homeowners typically avoid curb installations due to maintenance responsibilities. Mayor Bernstein asked what the current policy is. Ms. Federico responded that no clear policy exists but that the topic could be reviewed. Mr. Greco added that permits are required for curbs.

Ms. Brenner asked about the criteria for approval. Ms. Chin questioned how a large curb project like the one on Forrest Road was approved, and whether such a burden can reasonably fall on individual homeowners. She asked whether standardized, aesthetically pleasing curb designs exist to address drainage concerns. Mr. Greco replied that there isn't a current standard, but one could be developed.

Ms. Brenner inquired about how many streets still lack curbs. Ms. Mamdani commented on safety concerns stemming from missing sidewalks. Ms. Federico asked whether sidewalks are placed within the right-of-way or on private property. Ms. Chin said most are within the right-of-way. Mayor Bernstein mentioned that he asked Julie Falkenstern to consider safe curb and sidewalk installations in school zones.

Ms. Chin questioned why the planning board was discussing the matter at all, and if the planning board would have any jurisdiction over the issue. Mayor Bernstein replied that Chair Woods wants to create a committee, though Bernstein feels it's unnecessary and prefers collecting suggestions instead. Ms. Brenner requested example images from the town engineer. Mayor Bernstein said that would be handled in the future.

Ms. Federico asked if a street map could indicate where curbs are required or discouraged. Mr. Adelman asked how Forrest Road handled curb installation. Mayor Bernstein and Ms. Chin confirmed that it was a town project.

Ms. Federico proposed using signage to indicate areas where curbs or sidewalks are not allowed, particularly in flood-prone zones. Mayor Bernstein noted that the town does not have jurisdiction over county roads. Ms. Federico said this might require code adoption at the county level. Ms. Brenner emphasized the need for a standard. Ms. Chin suggested different curb standards depending on the type of road—e.g., busier roads with vertical curbs, flatter ones with more flexible options. Ms. Brenner said some narrow roads may not be suitable for curbs at all. Mayor Bernstein asked Mr. Greco to relay the discussion to Julie Falkenstern and Chair Woods. Mr. Greco agreed.

Mayor Bernstein said the county would be visiting the next day and that the matter could be brought up with them. Ms. Brenner asked about a blinking light issue, and Mayor Bernstein clarified that the light is now the town's responsibility and that the county would need to repurpose it to take control again. This explains the lack of recent action. Ms. Brenner noted there have been many accidents on that street, and the borough had previously contacted the county, which denied responsibility.

A motion was made to open the meeting to the public by Mayor Bernstein. Mr. Adelman seconds.
All in Favor – Motion Passed

No member of the public wished to make a comment.

A motion to close the public session was made by Mayor Bernstein. Mr. Adelman seconds.
All in Favor – Motion Passed

ADJOURNMENT

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

All in Favor – Motion Passed

The meeting was adjourned at 9:08 PM.

Respectfully Submitted,

Michael Greco, Joint Planning Board Secretary