



**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:	n/e	Mayor Bernstein:	n/e
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

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:	<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

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. Alevrontas.

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:	<i>n/e</i>
Vice Chair Brenner:	<i>n/e</i>	Ms. Chin:	<i>absent</i>	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 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:	<i>absent</i>
Councilwoman Fox:	<i>absent</i>	Ms. Mamdani:	yes	Chair Woods:	<i>absent</i>
Mrs. Hamilton:	<i>absent</i>				

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