



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

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**October 15, 2025** **7:30 PM** **DEMAREST BOROUGH HALL**

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The Borough of Demarest Planning Board held a special meeting on WEDNESDAY, OCTOBER 15, 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 Chair Woods.

**FLAG SALUTE**

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

**ROLL CALL**

**MEMBERS PRESENT:** Todd Adelman, Theodore Alevrontas, Mayor Brian Bernstein, Jodi Brenner, Kiran Chin, Camile DiSclafani, Councilwoman Daryl Fox, Mary Hamilton, Fatemah Mamdani, Chair Woods

**MEMBER(S) ABSENT:** N/A

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

**RESOLUTIONS**

**Resolution JPB-013-25 – Variance JPB-25-008 – 29 John Street – Austin Siboni**

Ms. Chin requested clarification on the conditions in the resolution. Ms. Federico explained all the conditions in the resolution and confirmed with the board that everything that was requested was in the resolution.

A motion was made to approve resolution JPB-013-25 for the Joint Planning Board Application JPB-25-008, requesting variances related to the construction of an addition on a single-family dwelling by Mr. Adelman, and was seconded by Ms. Chin.

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

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

*Motion passed*

Mr. Greco clarified that Chair Woods was unable to participate in this application due to his proximity living within 200 feet of the application property.

**ORDINANCE CONSISTENCY REVIEW**

ORDINANCE # 1169-25 AN ORDINANCE AMENDING CHAPTER 175 – ZONING TO INCREASE THE AFFORDABLE SET-ASIDE IN SECTION 175-46E.(1), AND TO CLARIFY AFFORDABLE PAYMENTS-IN-LIEU IN ORDER TO IMPLEMENT THE RECOMMENDATIONS OF THE 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Ms. Federico explained that it is within the board’s powers and responsibilities to review changes to the zoning ordinance and decide as to whether the changes are consistent with the master plan.

A motion was made to find Ordinance # 1169-25 is consistent with the master plan by Councilwoman Fox 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:	Yes
Councilwoman Fox:	Yes	Dr. Mamdani:	Yes	Chair Woods:	Yes
Ms. Hamilton:	-				

*Motion passed*

**NEW/CONTINUING BUSINESS**

JPB-25-005 – 93 Pine Terrace – Jason Leiberman

Jason Leiberman, 93 Pine Terrace, was sworn in by Ms. Federico, and stated that he is the property owner and applicant.

Mr. Leiberman explained to the board that his property, due to the nature of the curved street around his home, he has three front yards. He explained that he is seeking a variance for a fence which he wants to install partially in his second front yard, and fully in his third front yard.

Ms. Chin asked for clarification on what he considers to be the true front yard of the property. Mr. Leiberman explained that his home faces Pine Terrace and he considers that to be his true front yard. He went on to explain that the back and right side of his home faces Emily Court, which is the area he wishes to put the fence. He explained his family situation and why he is looking to create a safe yard space for his kids and his dogs to play in.

Councilwoman Fox clarified that the fence he is seeking is a 6 ft. tall fence, as a 4 ft. tall fence would be allowed in the front yard. Mr. Leiberman confirmed that the variance he needs is for the height of the fence. Mr. Leiberman explained that he is keeping the fence out of the Borough right-of-way, and the fence would follow along that line.

Councilwoman Fox requested that the board attorney explain to the board a c(1) hardship variance. Ms. Federico explained the required proof for c variances.

Councilwoman Fox asked Mr. Leiberman to make it clear to the board what document and criteria he is relying on. Mr. Leiberman explained that he is relying on the fact that his property has three front yards. Councilwoman Fox clarified that houses in the neighborhood have similar rear yard fences. Mr. Leiberman explained that he took the inspiration for his style of fence from one of his neighbor’s rear yards. Councilwoman Fox confirmed that he is relying on a survey prepared by Schwanewede Hals & Vince dated 11/19/2025.

Chair Woods asked about the sight lines for the corner around Emily Court, stating that a six-foot fence with arborvitae could block sight for someone backing out of the driveway from seeing another car coming around the corner. Chair Woods discussed his concern with Mr. Leiberman, who stated that he does not believe the fence will obstruct the view, though the trees might. Chair Woods stated that a living fence cannot block sight lines either, and reasserted his concern.

Ms. Chin asked if the plantings are existing and asked if the fence would be on the outside of them. Mr. Leiberman confirmed this. Chair Woods clarified that the plantings are very new, but will eventually grow to block sight.

Vice Chair Brenner asked what Chair Woods would suggest. Chair Woods stated that the trees should be removed at a larger angle to create a better sight to Emily Court.

Mayor Bernstein stated that the fence itself does not seem to be obstructing view, because the fence is 50% open, but the plantings could. He expressed concern over how close the plantings are to the edge of the property, and whether they or the fence would be in the Borough right-of-way. Councilwoman Fox asked if the survey was created after the trees were planted. Mr. Leiberman stated that it was. Councilwoman Fox stated that the board can rely on the survey as showing the trees in their correct location. Mr. Greco confirmed with Mr. Leiberman that with the trees in that location, the fence would still be able to be placed on the outside so that it does not encroach into the right-of-way.

Vice Chair Brenner asked if the applicant would be willing to put into that corner that is providing the board concern a set of smaller shrubs to keep from blocking any line of sight. Mr. Leiberman explained that the location is a very small street with only a few houses, and if the trees became a problem in the future, he would take care of it.

Ms. Federico explained to the applicant that a safety concern is a reason for a board to impose a reasonable condition on the application decision should they be inclined to approve the application.

Councilwoman Fox stated that the safety concern is more about the trees than the fence, and that the police could at any time request the applicant move or remove the trees if it became a problem.

Mayor Bernstein clarified that the trees are on the property line and confirmed which side the fence would be on.

Chair Woods stated that if the fence and trees were cut at a forty-five-degree angle it would provide a lot more visibility on the concerning corner. Mr. Leiberman stated that this would be a costly move for the trees. Vice Chair Brenner stated that this might be a condition of approval to ease the board's concerns.

The board asked for Mr. Chelius to weigh in. Mr. Chelius explained that there is an existing calculation for sight triangles. He explained that not every town utilizes these sight triangles, but it is a good basis for a condition.

Mr. Leiberman debated with the board about the sight concerns.

Ms. DiSclafani asked why the applicant needs a six-foot fence instead of a four-foot fence. Mr. Leiberman explained that he has dogs that could potentially jump a four-foot fence, and that a lot of neighbors have similar fences.

Mr. Adelman explained that there is an house right next to him with a similar set up, but he understands Chair Wood's safety concern.

Vice Chair Brenner asked the attorney that having heard a safety concern, is the board liable for anything that could happen from the raised concern if the board approved the application. Ms. Federico explained that they could be opening themselves up to liability.

Mayor Bernstein stated that the safety issue needs to be addressed by the applicant to make the board feel more comfortable in granting a variance.

Mr. Leiberman continued to explain why he did not feel that the fence was a safety concern.

The board explained to Mr. Leiberman that they are concerned, and if he wants an approval, he needs to present a solution to their concerns. Mayor Bernstein asked for confirmation from Mr. Leiberman that he is not changing the grade of the property at all.

Chair Woods asked Mr. Leiberman if there is any specific number that the board should use for distance the fence should be. Mr. Chelius suggested that the condition be subject to the approval of the borough engineer.

Mr. Leiberman agreed to comply with any conditions the board chooses to impose.

A motion was made to open the meeting to the public by Councilwoman Fox. Second by Mayor Bernstein.  
All in Favor – Motion Passed

With no public present seeking to speak on this application.

A motion to close the meeting to the public was made by Councilwoman Fox. Second by Mayor Bernstein.  
All in Favor – Motion Passed

A motion was made to approve the application with respect to the six-foot and fifty percent open fence along various front yards of the property with the condition that some adaptation be made to the trees at the corner of the driveway to the satisfaction of the borough engineer and that no grading change be made by Councilwoman Fox and was seconded by Mayor Bernstein.

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

<b>Board Member</b>	<b>Vote</b>	<b>Board Member</b>	<b>Vote</b>	<b>Board Member</b>	<b>Vote</b>
Mr. Adelman	Yes	Mr. Alevrontas:	Yes	Mayor Bernstein:	Yes
Vice Chair Brenner:	Yes	Ms. Chin:	Yes	Ms. DiSclafani:	Yes
Councilwoman Fox:	Yes	Dr. Mamdani:	Yes	Chair Woods:	Yes
Ms. Hamilton:	-				

*Motion passed*

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

Ms. Federico announced that this application would be moved to the November 5, 2025, meeting with no further notice.

Mr. Greco explained that there was an item on the agenda to discuss a special meeting, but that request has since gone away and there is no longer a need for a special meeting.

ZONING ORDINANCE DISCUSSION – MICHAEL GRECO

Chair Woods introduced to the board the first draft of the zoning ordinance changes. Chair Woods confirmed that Darlene the Board Planner has not finished her review or provided comments. He stated that this is a good chance to start the discussion on the changes.

Mr. Greco presented his changes, explaining that there are specific more prominent changes to be discussed first, those being, Floor Area Ratio, Improved Lot Coverage and accessories.

Vice Chair Brenner asked for clarification on the process Mr. Greco took. Mr. Greco explained that he began by restructuring the ordinance to make it more readable and create a more cohesive flow, then section by section looked through the ordinance and compared it to other towns based on comments he had received from residents, professionals and board members. He pointed so sections in the ordinance which were written by the borough planner during the first look at the ordinance.

Mayor Bernstein suggested that a better approach might be to specifically home in on more pressing issues or topics and make comments on those. He then spoke on some of the topics he saw as more pressing, including height and scale of buildings and location of accessory structures related to the principal building.

A motion was made to open the meeting to the public by Mayor Bernstein. Second by Councilwoman Fox.  
All in Favor – Motion Passed

Mike Dipple, 64 Northwood Avenue, explained that he is an engineer who often appears before the board, and that he noted some issues at the last hearing he attended. Mr. Dipple explained that he thinks the code is unclear about what it wants, and that it would be very helpful if the code was clearer for builders and residents. He discussed the definition of basements and their vagueness. He also brought up architectural features and what counts and what does not, and what are we trying to keep the homeowner from doing by including features like this which could give the town and buildings more character. He also discusses the sliding scale for coverage and floor area ratio, and that his belief is that the town is being too rigid with their requirements and limitations. He mentioned that a town like Tenafly has a formula for calculating Floor Area Ratio. His main point was that Demarest is too restrictive.

Chair Woods stated that the town believes that the mass and scale of buildings is too large, but Mr. Dipple is stating that the town is too restrictive. Mr. Dipple explained that it is the Improved Lot Coverage which is too restrictive but explained that a lot of towns limit building by having a combined side yard setback. He stated that a lot of towns don't have Floor Area Ratio because they handle those scale problems with other restrictions like height and setbacks.

Councilwoman Fox asked if neighboring towns have higher percentages than Demarest. Mr. Dipple confirmed that other towns do have higher percentages.

Mr. Dipple stated that the structure of bonuses to Floor Area Ratio for architecture is a bad idea.

Mayor Bernstein asked how Mr. Dipple believed swimming pools should be counted. Mr. Dipple stated that he likes the Borough's current use of Improved Lot Coverage, but that there is a way to grant a larger percentage in a rear yard compared to a smaller percentage in the front yard to encourage your accessories to be in the rear yard.

Vice Chair, Brenner asked if Mr. Dipple could send the board some of the better definitions, he has encountered that could make the code better and clearer.

Mr. Dipple explained that accessories can be controlled by defining that they are not part of the principal based on proximity to the principal building.

Mr. Chelius explained that some towns do not count pools as impervious coverage, because they store water instead of preventing it from getting to the ground.

Gene Amsel, 88 Northwood Road, stated that he is a realtor. He expressed concern that new restrictions would limit residents being able to sell their homes. He requested to see a side-by-side comparison of the new and old definitions being suggested.

Councilwoman Fox stated that it is a good point about residents not being able to sell their homes in the future due to these types of changes.

Mr. Amsel spoke with the board about various homes in Demarest and expressed that what the town should seek is to make sure that the houses being built should fit in the neighborhood where it is built.

Jeffrey Shaari, 37 Lincoln Street, spoke about curbs in the town, and asked questions about the standards the borough has for the installation of curbs and sidewalks.

Chair Woods stated that the board had some initial discussion about curbs and asked where the town is on this.

Mr. Chelius explained that the town does not have an active policy on this, but the town has been discussing it.

Councilwoman Fox asked that if the curb goes on borough property, she asked if the council would have to approve this. She stated that no one from central came to the council seeking approval to install curbs.

Chair Woods asked how other towns handle curbs. Mr. Chelius explained that other towns have details which describe what kind of curbs can be installed, but it is up to the residents if they wish to install them. Mr. Chelius explained that this opens an opportunity for the borough to encourage curbs if they want them.

Ms. Chin asked Mr. Greco if he had any insight. Mr. Greco explained to the board that the borough has an ordinance which governs repair and installation of curbs, sidewalks and driveways, and that the few he had seen were all approved by the prior zoning officer and construction official. Councilwoman Fox said that he does not have the authority to do that.

Chair Woods asked how a curb would affect stormwater. Mr. Chelius explained that he looks at the street as whole when evaluating the effect an added curb would create, looking to confirm that the water can get to an inlet.

Mayor Bernstein asked if the addition of curbs creates a path to move water from their property to a neighbor's property. Mr. Chelius said that because the water is not on their property to begin with, they are more preventing it from going on to their property, but they are not responsible for where it ends up.

Councilwoman Fox stated that the aesthetic of having piecemeal curbing would not look good for the town.

Mr. Shaari expressed concern over requiring curbs.

The board discussed the borough right-of-way and property lines with Ms. Federico.

Councilwoman Fox directed Mr. Greco to direct curb and sidewalk permits to the council to make the decision.

The board discussed what standard they could use, and they requested that someone go out and figure out what parts of town have curbs.

Chair Woods asked Mr. Greco to watch on zoning applications and make sure that curbs and sidewalks go to the council. The board also directed that Mr. Greco ask the construction official about the properties on Central Avenue. Mr. Chelius explained the history of this issue.

A motion to close the meeting to the public was made by Mayor Bernstein. Second by Councilwoman Fox.  
All in Favor – Motion Passed

Chair Woods raised a concern over the code's view on height. Chair Woods stated that the board previously discussed height and that there are multiple possible interpretations of the code. The board asked for Mr. Greco's view. Mr. Greco explained what is currently written in the ordinance, and how he reads it. Chair Woods disagreed with Mr. Greco's interpretation of the ordinance and requested that it be moved to a faster timeline than the rest of the ordinance.

Mayor Bernstein requested that the board have more time to review the current ordinance prior to making a determination on the definition of height. Chair Woods agreed to this and asked that the board discuss and interpret the ordinance for height at the next meeting. Chair Woods explained his interpretation of the ordinance. His explanation included that the ordinance that amended the code and changed the definitions seems to have been written into the code and the limiting schedule incorrectly.

Councilwoman Fox confirmed Chair Wood's view claiming to have been present during the writing of the ordinance and having been one of the authors of the ordinance. She concurred the intention behind it.

Mayor Bernstein asked the Board's counsel for how this would best be handled. Ms. Federico stated that she will look into the best solution for this. The board continued to debate the history behind the changes in the ordinance with Mr. Greco and Mr. Chelius.

The board agreed to come back and continue this discussion as an interpretation at the next meeting.

#### **PUBLIC COMMENT**

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

No public present sought to make comment.

A motion to close the meeting to the public was made by Mayor Bernstein. Second 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 Ms. Chin.

All in Favor – Motion Passed

The meeting was adjourned at 10:00 PM.

Respectfully Submitted,  
Michael Greco, Joint Planning Board Secretary