



101 Park Avenue, 17th Floor
New York, NY 10178
☎ 212.878.7900 📠 212.692.0940
WWW.FOXROTHSCHILD.COM

SCOTT A. LAVIN
Direct No: 212.878.7932
Email: slavin@foxrothschild.com

April 15, 2026

Michael Greco
The Borough of Demarest
118 Serpentine Road
Demarest, NJ 07627-2199

Re: 3 Central Avenue, Demarest, New Jersey

Dear Mr. Greco:

In connection with the upcoming May 6, 2026 planning board appeal for the above-referenced property, enclosed are twenty (20) sets of the Notice, along with exhibits, that was distributed to the 200-Foot Owner's list.

Sincerely

A handwritten signature in black ink that reads "Scott A. Lavin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Scott A. Lavin

SAL:sc
Enclosures

A Pennsylvania Limited Liability Partnership

Lantelme, Kurens & Associates, P.C.

ENGINEERS & SURVEYORS 101 West Street, P.O. Box 486, Hillsdale, New Jersey 07642 (201) 666-2450
Fax (201) 666-9745

Christopher J. Lantelme, P.E. & L.S.

November 6, 2025

Building Department
Borough of Demarest
118 Serpentine Road
Demarest, NJ 07627

Re: 3 Central Avenue, Lot 140, Block 65

Dear Building Department:

On 11/03/2025 this firm measured the elevation of the structure being built at the above referenced site and offer the following data:

First Floor Elevation	102.7'	
Highest Roof Peak Elevation	137.5'	
2 nd Highest Roof Peak Elevation	135.0'	
Distance from First Floor to Highest Roof Peak measured = 34.8 feet		
Distance from First Floor to Highest Roof Peak per Architect Plan = 35.0 feet		

Please direct any questions to the undersigned.

Sincerely,



Chris Lantelme, PE & LS

RE: 3 central ave

From Nick Chelius <nick.chelius@collierseng.com>
Date Mon 11/17/2025 5:38 PM
To Michael Greco <mgreco@demarestnj.gov>
Cc Deena Rosendahl <drosendahl@cgajlaw.com>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mike,

So here is all the math behind this:

FOR THE PRICIPLE BUILDING

From the plans:

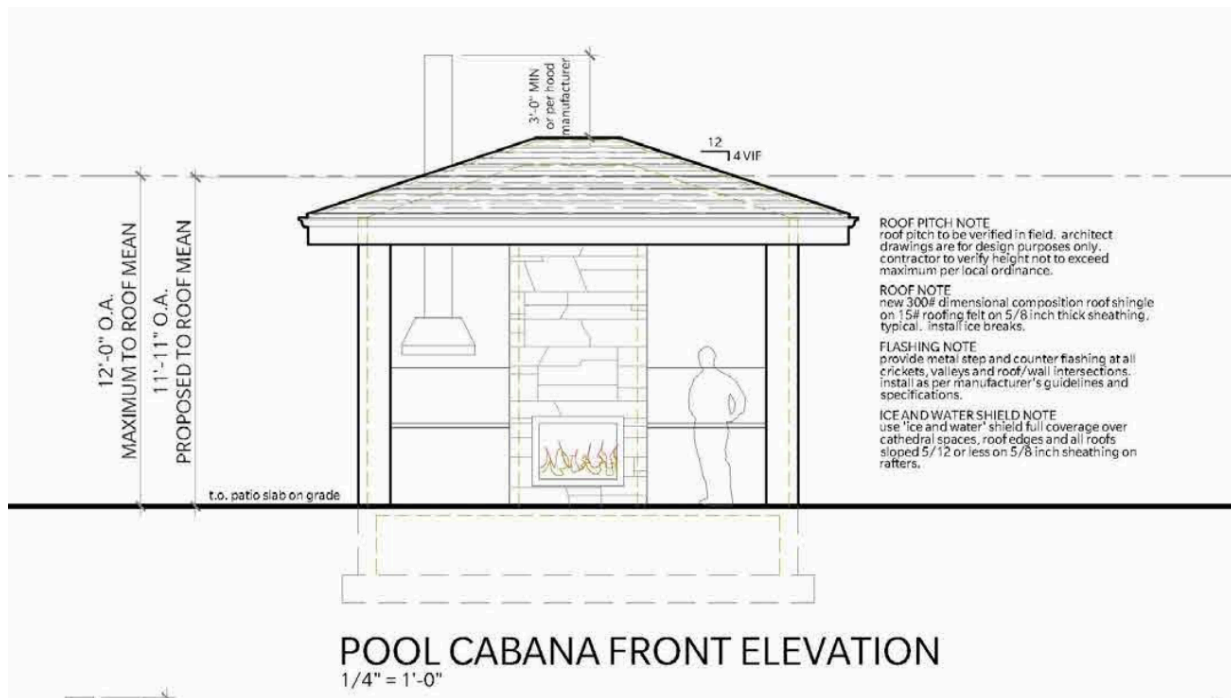
- Average existing grade elevation: 99.3
- First floor elevation: 102.5
- Average roof elevation: 129.0
- Roof Peak Elevation: 137.5

From the approved plans, from average grade to peak is 38.2 feet, average grade to average roof el is 29.7 feet.

The survey shows the same roof peak elevation of 137.5. I can't really verify the average roof elevation, we just have to trust that because the peak is the same, the roof slopes should be the same and so the average roof height should also be the same.

FOR THE CABANA

The engineering plans do not provide elevations, only dimensions. Here is what was on the architectural details:



The ordinance 175-19(B)1 says that no accessory building can be erected with mean roof height in excess of 12 feet, with mean roof height being defined as half the distance between the highest part of the roof and the top of its supporting wall.

- The **average EXISTING grade** around the cabana is not provided on the original plans, but looking at the drawings I would say it is around elevation **98** (97,97,99,99).
- The **average PROPOSED grade** around the cabana is **100.5** (100.1, 99.7, 100.9, 101.3)
- The installed **roof peak is 114.9**. They have not provided the top of supporting wall elevation so I cannot definitively determine the mean roof height. I can only approximate. But from scaling the architectural plans it looks like the distance between the peak and supporting wall is 9.75 feet so that would imply a **midpoint of roof elevation of 110.0**.

110-98=12 feet which is technically compliant. They should really provide the top of supporting wall elevation so it can be more precisely measured.

Let me know if you have any questions on this. Thanks,

Nick Chelius, P.E., C.M.E.

Project Manager | Government Services


Mt. Arlington, New Jersey

Colliers Engineering & Design

nick.chelius@collierseng.com

Direct: 201 775 1283 | Cell: 973 941 6995 | Main: 877 627 3772

colliersengineering.com | [affiliated authorized entities](#)



DISCLAIMER This e-mail is confidential. It may also be legally privileged. If you are not the addressee you may not copy, forward, disclose or use any part of this email text or attachments. If you have received this message in error, please delete it and all copies from your system and notify the sender immediately by return e-mail. Internet communications cannot be guaranteed to be timely, secure, error or virus free. The sender does not accept liability for any errors or omissions. Any drawings, sketches, images, or data are to be understood as copyright protected.

From: Michael Greco <mgreco@demarestnj.gov>
Sent: Monday, November 17, 2025 12:03 PM
To: Nick Chelius <nick.chelius@collierseng.com>
Cc: Deena Rosendahl <drosendahl@cgajlaw.com>
Subject: 3 central ave

This Message originated outside your organization.

Newly submitted survey please confirm the elevations match what was approved and are not creating issues.

Thank you,

Michael Greco

mgreco@demarestnj.gov
201-768-0167 Ext. 110

Deputy Borough Clerk

Zoning Officer

Land Use Secretary

Borough of Demarest

118 Serpentine Rd, Demarest, NJ 07627



101 Park Avenue, 17th Floor
New York, NY 10178
☎ 212.878.7900 📠 212.692.0940
WWW.FOXROTHSCHILD.COM

SCOTT A. LAVIN
Direct No: 212.878.7932
Email: slavin@foxrothschild.com

April 20, 2026

NOTICE TO ALL PROPERTY OWNERS WITHIN 200 FEET AND TO WHOM IT MAY CONCERN:

Re: 3 Central Avenue
Demarest, New Jersey
Applicant / Permit Holder: 3 Central Ave LLC

NOTICE OF APPEAL AND NATURE OF PROCEEDINGS

PLEASE TAKE NOTICE that the undersigned, residing at 40 Lincoln Street, Demarest, NJ 07627, has filed an appeal to the Borough of Demarest Planning Board and/or Zoning Board of Adjustment, pursuant to the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-70 and 40:55D-72), challenging the determination and actions of the Borough’s Zoning Officer relating to the issuance of a building permit for the above-referenced property.

Nature of the Appeal

The appeal challenges the Zoning Officer’s approval and continued validity of the building permit for 3 Central Avenue on the following grounds, among others that may be raised at the hearing:

1. Improper determination that the structure complies with applicable zoning height limitations, including roof height and/or building elevation as measured from permitted grade points under the Borough’s zoning ordinances;

A Pennsylvania Limited Liability Partnership



April 20, 2026

Page 2

2. Improper determination that finished and/or existing grades comply with the approved plans and the zoning ordinance, including reliance on surveys and elevation data that are disputed or inconsistent with ordinance requirements;
3. Improper determination that the appeal was untimely, where construction impacts, zoning violations, and/or final elevations were not reasonably ascertainable until after substantial construction occurred;
4. Error in concluding that the structure, as constructed, conforms to the approved plans and building permit, where the as-built conditions differ materially from ordinance-compliant standards or approved representations;
5. Failure to revoke, suspend, or require correction of a building permit issued or maintained in violation of the zoning ordinance or Municipal Land Use Law.

As part of this appeal, the Appellant seeks review of the Zoning Officer's determinations, appropriate relief authorized by statute, and such further relief as the Board deems just and proper so that the matter can be heard on the merits, which includes a determination that the structure exceeds the maximum height allowed by statute/ordinance in the applicable residential zone.

Public Hearing

A public hearing on this appeal has been scheduled before the Board on May 6, 2026, to take place at 118 Serpentine Road, Demarest, NJ 07627-2199. Any interested party may appear at the hearing, either in person or through counsel, and present testimony, argument, or other evidence.

Inspection of Application Materials

The appeal application and supporting materials are on file and available for public inspection at the office of the Borough Clerk during normal business hours; however, relevant **Exhibits** have been included with this letter for your convenience.



April 20, 2026

Page 3

Respectfully submitted,

A handwritten signature in black ink that reads "Scott A. Lavin".

Scott A. Lavin

40 Lincoln Street, Demarest, NJ 07627

215-432-6839

Slavin@FoxRothschild.com

Dated: April 15, 2026

Cc: The Borough of Demarest Planning Board/Zoning
118 Serpentine Road
Demarest, NJ 07627-2199

**BOROUGH OF DEMAREST
JOINT PLANNING BOARD
AMENDED NOTICE OF PUBLIC HEARING**

REGARDING THE DETERMINATION WHETHER THERE WAS A TIMELY APPEAL FILED BY SCOTT LAVIN ("APPELLANT") RELATING TO THE ISSUANCE OF A PERMIT FOR THE CONSTRUCTION OF A NEW HOME LOCATED IN THE "R-D" ZONE OF THE BOROUGH OF DEMAREST. THE SUBJECT PREMISES ON WHICH THE APPEAL IS TAKEN FOR BUILDING IN EXCESS OF THE MAXIMUM HEIGHT ALLOWED IS 3 CENTRAL AVENUE, DEMAREST, NJ 07627.

PLEASE TAKE NOTICE that the Planning Board of the Borough of Demarest will hold a public hearing on **WEDNESDAY, MAY 6, 2026, AT 7:00PM**, at the Demarest Borough Hall, 118 Serpentine Road, Demarest, New Jersey, to investigate and determine whether the above-referenced appeal of the Zoning Officer's legal determinations in his letter dated December 15, 2025, was untimely, where construction impacts, zoning violations, and/or final elevations were not reasonably ascertainable until after substantial construction occurred, and where the Zoning Officer and Borough's counsel had already received a letter inquiry from the Appellant on October 16, 2025, and the response was that the Borough was investigating the merits of the inquiry and requesting information from the developer; all in the public interest that this matter ultimately be heard on the merits at a subsequent hearing and not administratively quashed or nullified based on timing procedures, which are unclear, uncertain and should not apply to the evaluation of the present appeal.

THIS NOTICE is given in accordance with the requirements of New Jersey Law and is also published, as required by law.

During the public hearing, any interested party will have an opportunity to ask questions or provide comments.

The appeal, building permit in question, surveys and elevations, as well as related materials, will be available for inspection at least ten (10) days prior to the aforesaid meeting and may be inspected in the office of the Secretary of the Joint Planning Board in the Borough of Demarest Municipal Building, 118 Serpentine Road, Demarest, New Jersey 07627 between the hours of 8:00a.m. and 4:00p.m. Monday through Thursday and 8:00a.m.-12:30p.m. on Fridays. Appellant: Scott Lavin, Tel. (215) 432-6839.