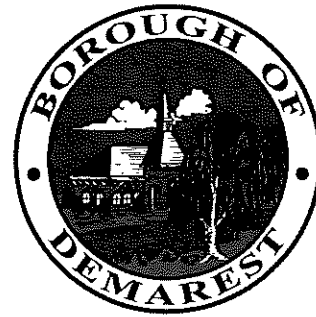


BOROUGH OF DEMAREST
JOINT PLANNING BOARD
REGULAR MEETING AGENDA
Wednesday, October 7, 2026 @ 7:30 PM
118 Serpentine Road, Demarest, NJ 0762



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 inclusion of the date, time and place of this meeting in the annual schedule of meetings. Such schedule of meetings was published as required by law and is posted at Borough Hall, on the Borough website and filed in the office of the Borough Clerk.

3. FLAG SALUTE

4. SWEARING IN NEW MEMBERS

Diana Pavlova – Alternate #2

5. ROLL CALL

- | | |
|---|---|
| ☐ Mr. Adelman | ☐ Mr. Lerner |
| ☐ Mayor Bernstein | ☐ Dr. Mamdani |
| ☐ Ms. Brenner | ☐ Chair Woods |
| ☐ Vice Chair Chin | ☐ Mr. Yu |
| ☐ Councilman Jiang | ☐ Ms. Pavlova |
| ☐ Ms. Hamilton | ☐ Mr. Alevrontas |

6. RESOLUTION(S)

Resolution JPB-017-26 - JPB-25-007 – 32 Brookside Avenue – Patrick Min

Seeking Variances related to an existing non-conforming house with accessory structures.

BOARD MEMBER	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	N/E
Mr. Adelman							
Ms. Brenner							
Vice Chair Chin							
Ms. Hamilton							
Mr. Lerner							
Mayor Bernstein							
Chair Woods							

7. NEW/CONTINUING APPLICATIONS

JPB-26-006 – 25 Meadow St – 25 Meadow St., LLC

Seeking approval to build a new single family home with variances.

☐ APPROVE ☐ DENY ☐ CARRY DATE:

BOARD MEMBER	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	N/E
Mr. Adelman							
Ms. Brenner							
Vice Chair Chin							
Ms. Hamilton							
Mr. Lerner							
Dr. Mamdani							
Mr. Yu (<i>Alt #1</i>)							
Ms. Pavlova (<i>Alt #2</i>)							
Mr. Alevrontas (<i>Alt #3</i>)							
Chair Woods							

Resolution JPB-018-26 - JPB-26-006 – 25 Meadow St – 25 Meadow St., LLC

Seeking approval to build a new single family home with variances.

BOARD MEMBER	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	N/E
Mr. Adelman							
Ms. Brenner							
Vice Chair Chin							
Ms. Hamilton							
Mr. Lerner							
Dr. Mamdani							
Mr. Yu (<i>Alt #1</i>)							
Ms. Pavlova (<i>Alt #2</i>)							
Mr. Alevrontas (<i>Alt #3</i>)							
Chair Woods							

8. APPROVAL OF MINUTES

February 4, 2026, Regular Meeting Minutes

BOARD MEMBER	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	N/E
Mr. Adelman	☐	☐	☐	☐	☐	☐	☐
Ms. Brenner	☐	☐	☐	☐	☐	☐	☐
Vice Chair Chin	☐	☐	☐	☐	☐	☐	☐
Mr. Lerner	☐	☐	☐	☐	☐	☐	☐
Ms. Hamilton (<i>Alt #2</i>)	☐	☐	☐	☐	☐	☐	☐
Mr. Alevrontas (<i>Alt #3</i>)	☐	☐	☐	☐	☐	☐	☐
Mayor Bernstein	☐	☐	☐	☐	☐	☐	☐
Chair Woods	☐	☐	☐	☐	☐	☐	☐

March 4, 2026, Regular Meeting Minutes

BOARD MEMBER	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	N/E
Mr. Lerner	☐	☐	☐	☐	☐	☐	☐
Dr. Mamdani	☐	☐	☐	☐	☐	☐	☐
Ms. Hamilton <i>(Alt #2)</i>	☐	☐	☐	☐	☐	☐	☐
Mr. Alevrontas <i>(Alt #3)</i>	☐	☐	☐	☐	☐	☐	☐
Mayor Bernstein	☐	☐	☐	☐	☐	☐	☐

9. PUBLIC COMMENT PERIOD

10. ADJOURNMENT

NEXT REGULAR MEETING – WEDNESDAY, NOVEMBER 4, 2026

**JOINT PLANNING BOARD OF THE
BOROUGH OF DEMAREST**

RESOLUTION JPB-017-26

VARIANCE APPROVAL

In the Matter of the Application of
Patrick Min
32 Brookside Avenue
Block 14, Lot 759.02

WHEREAS, Patrick Min is the applicant and owner (the “Applicant”) of the property located at 32 Brookside Avenue and designated as Lot 759.02 in Block 14 on the Tax Maps of the Borough of Demarest (the “Property”); and

WHEREAS, the Applicant filed a request variance relief arising from a impervious coverage condition which violates the prior approval regarding impervious coverage for the Property, which was granted by Resolution File No.: 667-06 (adopted October 17, 2006) to the prior owner, Sang Bae Kim; and

WHEREAS, thereafter, the Applicant, represented by Dean Stamos, Esq., of Ferraro & Stamos, LLP filed an application with the Joint Planning Board of the Borough of Demarest (the “Board”) “C” variance approval to address the non-conformity arising from the additional impervious coverage added as a rear patio and expanded paver driveway (the “Application”); and

WHEREAS, public hearings were held by the Board on September 3, 2025 and September 2, 2026 in accordance with the Open Public Meetings Act and the Municipal Land Use Law (the “MLUL”), at which time the Applicant, represented at the September 2, 2026 meeting was by counsel, Dean Stamos, Esq. of Ferraro and Stamos, LLP: (a) presented proof of

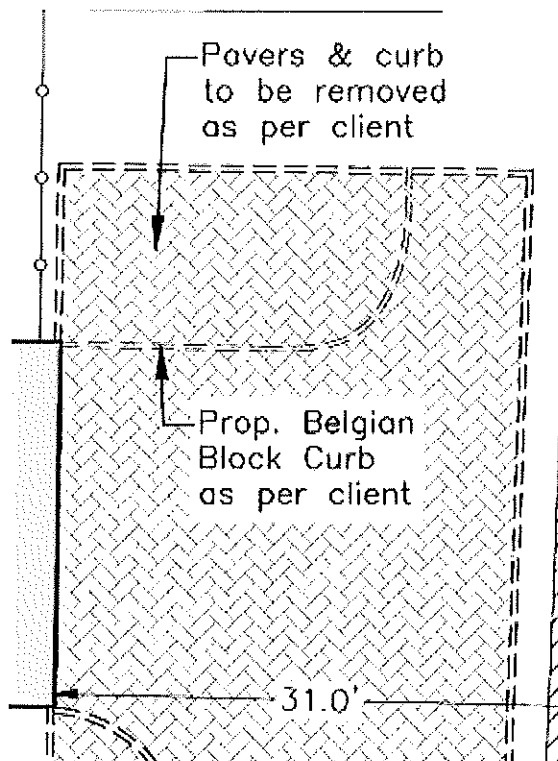
notice and publication as required by law; and (b) submitted the following evidence to the Board in support of Applicant's Application including:

- A. Boundary Survey, signed and sealed by Andrew Schmidt, PLS, dated December 30, 2025 noting sections of pavers to be removed on the patio and the area of the driveway to be removed to bring the property into closer conformity with the prior approval, with coverage analysis tables as reproduced below:

Exist. Impervious Cov.	SqFt	% of Total
House	1951	19.5%
Paver Driveway	1512	15.1%
Front Paver Walk	270	2.7%
Front Porch & Step	62	0.6%
Rear Paver Patio	270	2.7%
Chimney	11	0.1%
Paver AC Pad	29	0.3%
Concrete Block Walls	129	1.3%
Total Impervious	4234	
Lot Area	10006	
Percent Impervious	42.3%	

Prop. Impervious Cov.	SqFt	% of Total
House	1951	19.5%
Paver Driveway	1319	13.2%
Front Paver Walk	270	2.7%
Front Porch & Step	62	0.6%
Rear Paver Patio	266	2.7%
Chimney	11	0.1%
Paver AC Pad	29	0.3%
Concrete Block Walls	129	1.3%
Total Impervious	4037	
Lot Area	10006	
Percent Impervious	40.3%	

And a proposed renovation of the driveway as shown below:



- B. Testimony of the Applicant regarding: 3 photographs entered in the record and noted below; there are no drainage issues on the site; he would like to retain a portion of the driveway that was improperly installed by his predecessor in title to allow for a safer “K” turn (approximately 9’ wide) in the driveway so cars do not have to back up the long driveway into the street; the area of pavers that are removed will be replaced with grass;
- C. Resolution File No.: 667-06;
- D. A complete Application, received by the Board on June 26, 2025;
- E. Letter dated December 5, 2007, received by the Borough of Demarest on December 10, 2007 from Gary Vander Veer, PE with attached final “as built” survey signed and sealed by Robert J. Mueller, PLS of Hubschman Engineering, dated November 20, 2007, show the patio and paver driveway to be smaller than what was later constructed;
- F. Certification dated June 2, 2025, confirming the taxes are paid;
- G. Letter dated August 21, 2025 from Colliers Engineering & Design comprised of six pages, signed by Nick Chelius, PE, CME, the Board Engineer identifying the variance relief required as:
- Front yard setback (Serpentine Road) 24.8’ existing, 25’ required
 - Front yard setback (Brookside Ave) 24.9’ existing, 25’ required
 - Rear yard setback 19.9’ existing, 30’ required
 - Rear yard setback to patio, survey shows approximately 5’ existing, 10’ required and 10’ proposed

- Building coverage of 2,037 existing, which is 20.4%, and 20% is permitted
 - Residential and parking coverage of 3,677 SF, which is 36.7% and a maximum of 25% is permitted
 - Improved lot coverage existing at 44.6%, which is 4,465 SF, where a maximum of 30%, 3,002 SF is permitted
 - Potential FAR variance
 - Building coverage variance,
- H. Letter dated December 1, 2025 from Colliers Engineering & Design, comprised of 7 pages signed by Nick Chelius, PE, CME, updating his prior letter
- I. Escrow/Closing Letter dated July 25, 2024, between Patrick Min and Annie Min, the owners of the Property and Michelle J. Sin, as seller, stating that \$50,000 has been placed in escrow to permit a closing to take place on that date and requiring the seller to comply with any and all Borough requirements regarding the reduction of the rear patio as well as curing the existing violation and patio permit close out
- J. Fifty-six (56) pages of documents from the Demarest Building department evidencing the history of construction, permits, inspection, soil movement, affordable housing fee, insurance, application from 2007 with review letter(s),
- K. Nine (9) pages Architectural Plans showing floor plans/details and elevations, dated June 26, 2006, signed and sealed by Simon Kim, signed and approved by the Borough of Demarest Building subcode official, plumbing subcode official, electrical subcode official and fire protection subcode official

- L. Soil erosion and sediment control plan; existing conditions plan and etial signed and sealed by Robert J. Mueller, PLS and Michael J. Hubschman, PE, PP, dated June 21, 2006, comprised of eight (8) pages
- M. Coverage Analysis Driveway Option 2, prepared by Christopher J. Lantelme, PE, PLS, dated June 23, 2025 showing areas of driveway contemplated to be removed (at that time)
- N. Coverage Analysis plan prepared by Christopher J. Lantelme, PE, PLS, dated June 23, 2025
- O. Boundary survey prepared by Andrew A. Schmidt, PLS, dated December 30, 2025, certified to Hong Sin, showing existing conditions
- P. Permit number 835, issued on November 13-2013 for a “16” wall around garden as per survey” signed by the Borough Clerk and copied to the Borough DPW Superintendent;
- Q. Three photographs taken by the Applicant showing current conditions, including the area of the patio which has now been reduced in size and is conformity with the required 10’ rear yard setback; and

WHEREAS, the Board, the Board Engineer and the Board Planner had extensive questions for the Applicant’s professionals regarding the proposed dwelling; and

WHEREAS, adjoining property owners appeared at the public hearing to ask questions of the Applicant’s professionals and express concerns regarding stormwater management and flooding and, thereafter, offer comments in support of the Application; and

WHEREAS, the Board having heard and considered the testimony, arguments and documents referenced above and having heard from its own professional engineer and planner and having fully considered the matter.

NOW, THEREFORE, RESOLVES that the Joint Planning Board of the Borough of Demarest makes the following findings of fact and conclusions of law with respect to the within Application:

1. All of the “**WHEREAS**” clauses set forth above are incorporated by reference. All of the testimony, documents, and exhibits produced by the Applicant, including those produced at the public hearings are incorporated herein by reference.

2. The Property is located at 32 Brookside Avenue and designated as Lot 759.02 in Block 14 on the Tax Maps of the Borough of Demarest and is a rectangular-shaped corner lot (with Serpentine Road) with a gore protruding off of its south east corner measuring 20.92’ by 10.5’, and is approximately 10,006 SF.

3. The Property is located in the Single-Family Residence D Zone (the “R-D Zone”).

4. The Board agrees with the identified zoning conditions and relief requested by the as described in the Board Engineer’s review letters set forth in the table reproduced below:

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.	☒ Yes ☐ No
Lot Frontage (Brookside)	100 ft.	130.50 ft.	☒ Yes ☐ No
Lot Frontage (Serpentine)**	100 ft.	75 ft.	☐ Yes ☒ No
Lot depth (E/W Direction)**	100 ft.	75 ft.	☐ Yes ☒ No
Lot depth (N/S Direction)	100 ft.	130.5 ft.	☒ Yes ☐ No
Front yard setback (Serpentine Road)*	25 ft.	24.8 ft.	☐ Yes ☒ No
Front yard setback (Brookside Ave)*	25 ft.	24.9 ft.	☐ Yes ☒ No
Side yard setback (South)	10 ft.	31.0 ft.	☒ Yes ☐ No
Accessory Setback (Patio)*	10 ft.	5 ft. +/-	☐ Yes ☒ No
Rear yard setback*	30 ft.	19.9 ft.	☐ Yes ☒ No
Building Height	30 ft.	Unknown	☐ Yes ☐ No
Max Building Coverage*	20 %	20.4%	☐ Yes ☒ No
Bldg./ Drive Coverage	25 %	36.74%	☐ Yes ☒ No
Improved Coverage*	30 %	44.6%	☐ Yes ☒ No
Livable Floor Area	30%	Unknown	☐ Yes ☐ No

N/A = not applicable

* = variance required

** = pre-existing non-conformance

5. The Property was previously approved in accordance with plans approved by a prior board. It was developed with permits which were issued and certificates of occupancy were issued after municipal inspectors were satisfied that all conditions were met.

6. Thereafter improvements were made to increase the driveway beyond what was allowed by the prior approval and which exceeded the allowable limits.

7. As demonstrated by the new as built survey submitted in support of the within Application there appear to be some *de minimis* front and rear yard setback deviations from the code and the prior approval. None of them amount to more than a few inches are practically undetectable to inspectors and may be granted due to their *de minimis* nature and the impracticality of compelling compliance decades after approval, construction, occupancy and multiple subsequent transfers of title which would visit undue hardship upon an innocent owner.

8. The Applicant has already eliminated the variance for rear yard accessory structure setback (to the patio) by reducing the size of the patio, thereby achieving compliance of this item.

9. The Applicant seeks to bring the impervious coverage into closer zoning conformity by removing a portion of the driveway, 160 SF will be removed.

10. A portion of the driveway expansion which was done by the prior owner without permit or permission is allowed by this Approval to remain in order to promote safe traffic flow from the property. That portion is as shown in Paragraph A, page 2, above. The precise dimensions are subject to final review and approval by the Board Engineer and conditioned upon the review and approval of a final as built survey signed and sealed by a New Jersey Licensed Surveyor, by the Board Engineer.

11. The Property is currently occupied by a 2-story single-family dwelling with associated driveway, walkways, patio, frame garage and other related improvements.

12. Single-family residential dwellings are permitted uses in the R-D Zone.

13. The Board finds that the proposed changes to the patio and driveway are improvements that increase zoning conformity thereby promoting the general welfare, increase open space and improve drainage while also promoting safe traffic flow from the Property

thereby advancing the purposes of the Municipal Land Use Law. There are no detriments arising from the relief sought. The C(2) criteria are satisfied.

14. The lawful existence and placement of the home on the lot create topographic conditions justifying relief under C(1).

15. The Board further finds that the granting of the variances will not substantially impair the intent and purpose of the Borough's Zoning Ordinance or Master Plan and is in the furtherance of the purposes set forth in N.J.S.A. 40:55D-2, e.g. adequate light, air and open space are provided, the general welfare is advanced, the single family use remains in an appropriate location.

16. The Board finds that the Application and the proposed improvements, as modified during the public hearings, are consistent with other homes in the neighborhood and that the variances can be granted without any detriment to the public good or any neighboring properties.

17. The Board finds that the Applicant has proven its entitlement to variance approval under 40:55D-70(c)(1) and N.J.S.A. 40:55D-70(c)(2) and hereby grants the following variances:

Zoning Code Section	Required/Permitted	Proposed & Granted
Section 175-16 (front yard setback – Brookside Ave)	25 feet	24.9 feet
Section 175-16 (front yard setback – Serpentine Rd)	25 feet	24.8 feet
Section 175-16 (rear yard setback)	30 feet	19.9 feet
Section 175-16 (maximum building coverage)	20% (2001 square feet)	20.4% (2037 square feet)
Section 175-16 (maximum improved lot coverage)	35% (3002 square feet)	40.7% (4074 square feet)
Section 175-16 (maximum residential and parking coverage)	25% (2,500 square feet)	35.1%(3517 square feet)

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Joint Planning Board of the Borough of Demarest, based upon the above findings of fact and conclusions of law, that the within application for Variance Approval, as modified on the record at the public hearing, is hereby granted, subject to the following conditions:

a) The Applicant shall submit a final as built plan for review and approval by the Board Engineer.

b) The Applicant shall provide calculations showing the precise size, design and installation of the driveway which shall be reviewed and approved by the Board Engineer who shall inspect same upon completion.

c) Unless otherwise addressed herein or at the public hearing before the Board, the Applicant shall comply with the recommendations of the Board, including but not limited to the Board Planner Reports and the Board Engineer Reports, as well as any stipulations made during the hearing on the Application and all conditions enumerated herein.

d) Notwithstanding the approval granted herein, the Applicant shall comply with all of the ordinances of the Borough of Demarest and all applicable county, state, and federal statutes, ordinances, rules and regulations.

e) The Applicant shall obtain the approval (or waiver thereof) of any and all other governmental agencies having jurisdiction over the proposed development.

f) The Property shall be kept neat during all construction and all construction hours shall strictly adhere to the ordinances of the Borough of Demarest.

g) The Applicant shall post all fees and deposits as required by applicable ordinances of the Borough of Demarest which shall include payment of all outstanding taxes and the payment of all fees to the Borough's professionals for the review of the within Application and

the inspection of work to be performed incidental thereto. The Applicant shall pay any fees or additional escrow deposits which may be due and owed within ten (10) days of notification.

h) All construction, use and development of the Property shall be in conformance with the plans approved by the Board. In the event the Applicant or its successors or assigns construct or attempt to construct any improvement in conflict with or in violation of the terms of this approval, the Board hereby reserves the right to withdraw, amend or replace the instant approval. The Applicant's failure to comply with this condition may be the cause for the issuance of a Stop Work Order, penalties and/or the revocation of either a Building Permit and/or Certificate of Occupancy issued in respect of the contemplated improvements, subject to reasonable notice and the opportunity to cure.

i) The Applicant shall correct and make safe any dangerous or unsafe condition caused by the Applicant or those acting for it, affecting public safety or general welfare, if any such condition develops.

j) The Applicant shall be and remain liable for any and all damages or money loss occasioned by the Borough of Demarest or its officers or agents by any neglect, wrongdoing, omissions or commissions by the Applicant or its agents arising from the making of improvements and shall save, indemnify and hold harmless the Borough of Demarest or Board, its officers, agents, employees from and against all charges, judgments, costs or counsel fees arising from such damages or loss. The Applicant agrees not to commit any public or private nuisance by reason of dirt, dust, debris, air-pollution, noise pollution, gas, smoke, or other occurrences resulting from the construction or installation authorized by the approval of this plan or any building permit issued in pursuit thereof.

k) The Applicant's failure to comply with any condition set forth in this Resolution shall constitute a failure of the conditions of this approval and may be the cause for the issuance of a Stop Work Order, penalties and/or the revocation of either a Building Permit and/or Certificate of Occupancy issued in respect of the contemplated improvements, subject to reasonable notice and the opportunity to cure.

IT IS HEREBY CERTIFIED that this is a true and correct copy of a Resolution adopted by the Joint Planning Board of the Borough of Demarest upon a roll call vote at a meeting held on October 7, 2026.

A copy of this Resolution shall be given to the Tax Assessor, Applicant, Borough Clerk, Building Department, Zoning Officer and Borough Engineer.

ATTEST:

SO APPROVED:

MICHAEL GRECO, Secretary

TIMOTHY WOODS, Chair

BOROUGH OF DEMAREST JOINT PLANNING BOARD

VOTE TO APPROVE THE APPLICATION

BOARD MEMBER	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	N/E
Mr. Adelman			✓				
Ms. Brenner		✓	✓				
Vice Chair Chin			✓				
Ms. DiSclafani						✓	
Councilman Jiang						✓	
Mr. Lerner			✓				
Dr. Mamdani						✓	
Mr. Yu (<i>Alt #1</i>)						✓	
Ms. Hamilton (<i>Alt #2</i>)			✓				
Mr. Alevrontas (<i>Alt #3</i>)						✓	
Mayor Bernstein	✓		✓				
Chair Woods			✓				

Date of Approval: September 2, 2026

VOTE TO APPROVE THE RESOLUTION

BOARD MEMBER	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	N/E
Mr. Adelman	☐	☐	☐	☐	☐	☐	☐
Ms. Brenner	☐	☐	☐	☐	☐	☐	☐
Vice Chair Chin	☐	☐	☐	☐	☐	☐	☐
Mr. Lerner	☐	☐	☐	☐	☐	☐	☐
Ms. Hamilton (<i>Alt #2</i>)	☐	☐	☐	☐	☐	☐	☐
Mayor Bernstein	☐	☐	☐	☐	☐	☐	☐
Chair Woods	☐	☐	☐	☐	☐	☐	☐

Date of Adoption: October 7, 2026

MARTIN W. KAFAFIAN (NJ, NY, DC BARS)
ADOLPH A. ROMEI (NJ, NY BARS)
JOHN J. LAMB (NJ BAR)
ANTIMO A. DEL VECCHIO (NJ, NY, DC BARS)
ROBERT A. BLASS (NJ, NY BARS)
ARTHUR N. CHAGARIS (NJ BAR)
STEVEN A. WEISFELD (NJ, NY BARS)
RENATA A. HELSTOSKI (NJ, NY BARS)
DANIELE CERVINO (NJ, NY BARS)
ARTHUR M. NEISS (NJ, NY BARS)
DANIEL L. STEINHAGEN (NJ, NY BARS)
MARTIN R. KAFAFIAN (NJ, NY BARS)
JAMES V. ZARRILLO (NJ, NY BARS)
MATTHEW J. ROSS (NJ, NY, OH BARS)
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GABRIELLE G. DRILLICH (NJ, NY BARS)
MAGGIE MINAS (NJ BAR)

RALPH J. PADOVANO (1935-2016)
JAMES R. BEATTIE (1935-2021)

Reply to New Jersey Office
Writer's Direct Access
Email: dsteinshagen@beattielaw.com
Direct Dial and Fax: 201-799-2128

September 25, 2026

Via Email and Hand Delivery

Borough of Demarest Joint Planning Board
Borough Hall
118 Serpentine
Demarest, New Jersey 07627

Attn: Michael Greco, Board Secretary/Zoning Officer

**Re: Application JPB-26-005
25 Meadow St., LLC
25 Meadow Street
Block 52, Lot 12
Demarest, New Jersey**

Dear Chairman Woods and Members of the Board:

I enclose for filing eighteen (18) copies of a drawing entitled "New Single Family Dwelling – 25 Meadow St., Demarest" prepared by Rapaport & Assoc., Inc., dated January 23, 2026 and last revised on September 23, 2026 that proposes a revised architectural scheme for the proposed dwelling. 18 copies of a revised rendering of the front façade of the dwelling are also enclosed.

At the initial hearing on the application, the Board noted for future discussion the proper interpretation of the new Zoning Ordinance regarding whether roof overhangs (including front entryways) are to be included in the building coverage application. Inasmuch as the definition of *Building Coverage*¹ in the newly adopted Zoning Ordinance is expressly tied to the area of a building when measured at its exterior walls, roof awnings and covered entryways that do not have exterior walls cannot be included in the calculation of building coverage. Because this area

¹ § 173-5B defines *Building Coverage* as "The ratio of the horizontal area measured from the exterior surface of the exterior walls of the ground floor principal and accessory buildings on a lot to the total lot area."

Borough of Demarest Joint Land Use Board
September 25, 2026
Page 2

is not properly included in the building coverage calculation, the building coverage identified on the previously submitted site plan has not increased.

We look forward to appearing before the Board again on this application on October 7, 2026.

Very truly yours,

BEATTIE PADOVANO, LLC
Attorneys for 25 Meadow St., LLC

By: /s/ Daniel L. Steinhagen
Daniel L. Steinhagen, Esq.

Enc.
Cc: Client
Project Team

September 28, 2026

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

25 Meadow Street (JPB-26-006)
Block 52, Lot 12
Borough of Demarest, Bergen, NJ
Joint Land Use Board Application County - Engineering **Review #2**
Colliers Engineering & Design Project No. DEZ0062

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 demolish the existing dwelling & related improvements and new 2 story single family dwelling, attached garage, driveway, rear patio, drainage improvements and other related improvements. For ease of reference, updated comments are show in **bold**.

- a) Site plans consisting of one (1) sheets, prepared and signed by Sean McClellan, PE, of McClellan Engineering, dated March 9, 2026, last revised June 22, 2026;
- b) Architectural Plans **consisting of five (5) four-sheets (4)-sheets**, prepared and signed by Uri Rapaport AIA, dated ~~September 19, 2025~~ **January 23, 2026, last revised June 14, 2026;**
- c) Property Survey consisting of one (1) sheet, prepared and signed by Douglas Doolittle, PLS, last revised January 6, 2026;
- d) Zoning officer denial letter, prepared and signed by Michael Greco, dated March 18, 2026;
- e) Completeness letter for the subject property dated June 10, 2026;
- f) Variance Application for the subject property and attachments.

The Property Owner/Applicant is:

25 Meadow Street, LLC
25 Meadow Street
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 driveway, walkways, and other related improvements, which are

proposed to be demolished. The Applicant is proposing to construct a new 2 story single family dwelling, attached garage, driveway, rear patio, drainage improvements and other related improvements on the property.

The property is a rectangular shaped parcel consisting of 7,730 SF. The property is located between Maple Avenue and Piermont Road. The dwelling front faces Meadow Street, and driveway access is provided on Meadow Street. 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	Proposed	Complies
Lot area**	10,000 sf.	7,730 sf.**	7,730 sf.**	☐ Yes ☒ No
Lot Frontage**	100 ft.	50 ft.**	50 ft.**	☐ Yes ☒ No
Lot depth	100 ft.	154.60 ft.	154.60 ft.	☒ Yes ☐ No
Front yard setback	25/31 ft.	33.9 ft.	26.6 ft.*	☒ Yes ☐ No
Side yard setback	10.0 ft.	0.9 ft.	11.0 ft.	☒ Yes ☐ No
Side yard Setback	10 ft.	17.6 ft.	10.2 ft.	☒ Yes ☐ No
Rear yard	30 ft.	87.6 ft	60.2 ft.	☒ Yes ☐ No
Building Height	30 ft.	-	29.1 ft.	☒ Yes ☐ No
Max Building Coverage	20 %	-	18.9 %	☒ Yes ☐ No
Max Livable Floor Area*	30 %	-	32.8 %*	☐ Yes ☒ No
Residential & Parking Coverage	25 %	-	23.9 %	☒ Yes ☐ No
Impervious Coverage	30 %	-	29.9 %	☐ Yes ☒ No

N/A = not applicable

* = variance required

** = pre-existing non-conformance

B. The Following Variances Appear to be Required:

1. Lot Area – There is a pre-existing nonconformance for lot area of 7,730 SF, where a minimum of 10,000 sf is required.
2. Frontage – There is a pre-existing nonconformance for frontage of 50 ft, where a minimum of 100 ft is required.
3. Front Yard – The Applicant is proposing a front yard of 26.6 ft, where a minimum of 25 feet is required (or 31.0 ft if the alternative setback rule is deemed applicable) The board should discuss the applicability of the alternative setback in this instance. Depending on the outcome of that discussion, a variance may or may not be required. **We note that based on discussions at the prior hearing, the alternative setback is not applicable in this case and therefore the 25' front yard setback governs. Based on this, the Applicant does not require a variance for front yard setback.**
4. Livable Floor Area – The Applicant is proposing a max livable floor area of 2,535 SF (32.8%) where the maximum is 2,319 SF (30%) is permitted.
A variance is required for this condition.

III. Engineering Review

- A. The survey submitted indicates the block and lot of the property is Block 52, Lot 12. The Engineering Plans indicate the block and lot is Block 52, Lot 9. This should be reviewed for consistency and clarified at the hearing.
- B. There is an existing post and rail fence in the rear yard of the property. It is unclear based on the plans if this is to remain or is to be removed. The Applicant should clarify. **Revised engineering plans have not been provided. Comment remains outstanding.**
- C. The Applicant should provide testimony to clarify why the front yard setback encroachment is necessary (if the alternative setback is deemed applicable), there appears to be sufficient space in the rear yard area to shift the house in the southwesterly direction and comply with the setback. **Based on discussions at the prior hearing, the alternative setback would not be applicable in this case.**
- D. The architectural plans indicate livable area of 1,382 SF on the first floor, 1,231 SF on the second floor for a total livable area of 2,613 SF (33.8%). The basement is not included in the livable area calculations. We note the information provided on the architectural plans is inconsistent with the information presented on the civil drawings which indicate 2,535 SF (32.8%). **The Applicant has submitted revised architectural plan indicating to total livable area for the first floor is 1,382 SF and 1,153 SF for the second floor for a total livable area of 2,535 SF which is consistent with the latest submitted engineering plans last revised June 22, 2026. Comment addressed.**

- E. The Applicant is proposing a total improved lot coverage of 2,310 SF (29.9%). The Applicant has not provided information regarding the existing improved lot coverage. The Applicant should confirm in testimony and add existing improved coverage calculations on the site plans to determine the change in improved coverage. **Revised engineering plans have not been provided. The Applicant should provide testimony. Comment remains outstanding.**
- F. The Applicant is proposing one (1) precast concrete drywell in the rear yard area 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 1,485 SF of area being collected and conveyed to the proposed drywells. The Applicant has provided adequate storage for this drainage area. We take no exception to the calculations provided. The Applicant should provide testimony if there are any existing drainage improvements on-site. **The Applicant previously testified that there are no known drainage improvements on site.**
 2. The Applicant should provide testimony indicating where the drywell is proposed to overflow. **Continuing comment, an overflow location should be added to the site plan.**
 3. A soil test shall be provided prior to the installation of the proposed seepage pits. Soil test shall include information regarding the location of the seasonal high-water table (SHWT) and percolation rate of the soil. **Continuing comment**
 4. The Applicant has provided an at-grade 6-inch PVC observation port cap or manhole cover for future maintenance in the seepage pit detail.
 5. The Borough Engineer shall be notified to inspect the seepage pits prior to backfilling. **Continuing comment**
 6. **We note that if a sump pump is proposed, a separate drywell system should be provided to accommodate sump pump discharge. The Board should consider this as a condition of approval.**
- G. The Applicant has depicted existing and proposed contours on the property. We offer the following comments related to grading:
1. Under existing conditions, the site drains from north to south. The highest point of the property is in the southeastern side where elevations are approximately 48 and the lowest point of the property is in the northwestern corner, where elevations are approximately 46.
 2. Under proposed conditions, the high and low points are generally maintained, and drainage patterns should not be substantially impacted. Proposed grading appears to be minimal.

- H. The Applicant has indicated a total soil movement of 173 CY is anticipated to complete the proposed improvements. 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
- I. 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 situation at no cost to the Borough.

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

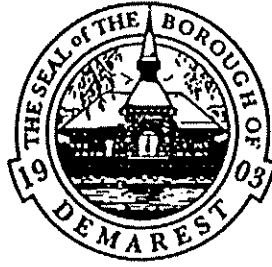
Sincerely,

Colliers Engineering & Design



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

CC: Board Members (via Joint Land Use Board Secretary)
Daniel Steinhagen, Applicant's Attorney (dsteinhagen@beattielaw.com)



Borough of Demarest Joint Planning Board Regular Meeting MINUTES

February 4, 2026

7:30 PM

DEMAREST BOROUGH HALL

The Borough of Demarest Planning Board held a special meeting on WEDNESDAY, FEBRUARY 4, 2026, 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, Mayor Brian Bernstein, Jodi Brenner, Kiran Chin, Camile DiSclafani, David Lerner, Chair Woods, Mary Hamilton, Theodore Alevrontas

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

ALSO PRESENT: Julie Falkenstern – Borough Clerk, Nick Chelius – Engineer, Darlene Green – Planner, Danielle Federico – Attorney

RESOLUTIONS

Resolution JPB-007-26 – JPB-25-009 – 35 Knickerbocker Road – Hyun Jin Park & Hyun Joo Lee
Seeking a Variances related to renovating and expanding an existing single-family dwelling.

A motion was made to approve resolution JPB-007-26 by Mr. Adelman, and was seconded by Ms. Brenner

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	Mayor Bernstein:	n/e	Ms. Brenner:	Yes
Vice Chair Chin:	Yes	Ms. DiSclafani:	Yes	Councilwoman Fox:	Absent
Mr. Lerner:	Yes	Dr. Mamdani:	Absent	Chair Woods:	Yes
Mr. Jiang (<i>alt 1</i>):	Absent	Mrs. Hamilton (<i>alt 2</i>):	n/e	Mr. Alevrontas (<i>alt 3</i>):	n/e

Motion passed

AMENDED 2025 HOUSING ELEMENT & FAIR SHARE PLAN REVIEW

Chair Woods invited the Board Planner to speak on the changes.

Ms. Green explained the changes required by the current affordable housing legislation to the board.

Chair Woods asked if this has already been mediated and discussed, and what the responsibility of the board is.

Ms. Green explained that the planning board is the only public body that can adopt or change the master plan or any of its parts.

Ms. Brenner asked if the board did not adopt the updates, would this put them in violation of the requirements.

Ms. Green explained that this is correct. Ms. Federico agreed with this statement.

Mayor Bernstein added that the town stands to lose immunity if they are not in compliance. Mayor Bernstein pointed out some typos and requested that these be changed as a part of the approval.

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

All in Favor – Motion Passed

Raymond Cywinski, was sworn in by Ms. Federico, stated that he is an interested party who filed a lawsuit against the town and asked if the action tonight stops his rights.

Ms. Federico stated that the board cannot speak to the litigation. Ms. Federico stated that should any litigation lead to any property being affected, then the board would have to amend the housing element & fair share plan to reflect any settlement, but this approval is necessary to meet the March 15 deadline.

Ms. Green agreed with Ms. Federico's statement.

Mr. Cywinski with Ms. Green confirmed that the amendments were not substantial.

A motion to close the public session was made by Mayor Bernstein and seconded by Mr. Adelman.

All in Favor – Motion Passed

A motion was made to adopt the 2025 Housing Element & Fair Share Plan by Mr. Adelman and seconded by Vice Chair 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	Mayor Bernstein:	Yes	Ms. Brenner:	Yes
Vice Chair Chin:	Yes	Ms. DiSclafani:	Yes	Councilwoman Fox:	Absent
Mr. Lerner:	Yes	Dr. Mamdani:	Absent	Chair Woods:	Yes
Mr. Jiang (alt 1):	Absent	Mrs. Hamilton (alt 2):	Yes	Mr. Alevrontas (alt 3):	No

Motion passed

A motion was made to approve resolution JPB-008-26 by Mr. Adelman and 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	Mayor Bernstein:	Yes	Ms. Brenner:	Yes
Vice Chair Chin:	Yes	Ms. DiSclafani:	Yes	Councilwoman Fox:	Absent
Mr. Lerner:	Yes	Dr. Mamdani:	Absent	Chair Woods:	Yes

Mr. Jiang (alt 1):	Absent	Mrs. Hamilton (alt 2):	Yes	Mr. Alevrontas (alt 3):	n/e
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Motion passed

ORDINANCE CONSISTENCY REVIEW

Ordinance 1173-26 – Accessory Apartment Revision

Ms. Green described the ordinance, explaining that the changes are bringing the borough into conformance with the current round of affordable housing.

Mayor Bernstein confirmed with Ms. Green that when she spoke about a trust fund she meant the affordable housing trust fund.

A motion was made to find Ordinance 1173-26 as consistent with the Borough's Master Plan by Mr. Adelman and seconded by Ms. Brenner.

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	Mayor Bernstein:	Yes	Ms. Brenner:	Yes
Vice Chair Chin:	Yes	Ms. DiSclafani:	Yes	Councilwoman Fox:	Absent
Mr. Lerner:	Yes	Dr. Mamdani:	Absent	Chair Woods:	Yes
Mr. Jiang (alt 1):	Absent	Mrs. Hamilton (alt 2):	Yes	Mr. Alevrontas (alt 3):	Yes

Motion passed

Ms. Federico stated that she also drafted a letter to transmit the board's determination to the Mayor and Council.

NEW/CONTINUING APPLICATIONS

JPB-25-012 – 77 Pine Terrace – Barbara Sheleg

Seeking a Variances related to an existing building built out of compliance without permits.

Matthew Capizzi, the attorney for the applicant, introduced his application. He stated that the property in question is a slightly oddly shaped lot, which underwent renovations, including an addition which encroached on the front yard setback. He described the accessory structures currently on the property. He explained the front yard setback deficiency.

Chair Woods clarified that the application is looking at six variances, front yard setback, impervious surfaces in the rear and side yard, accessory structures in the front yard and accessory structures in the side yard. Mr. Capizzi confirmed these variances with Ms. Green.

Ms. Brenner asked about the staircase in the rear yard, and confirmed that it is listed as a setback encroachment. She asked about the purpose of the steps, and Mr. Capizzi stated that the steps existed before the improvements but that they were reconstructed, so he does not know the specific purpose.

Chair Woods asked if a variance can even be granted for something encroaching onto a neighbor's yard. Ms. Federico explained that there would need to be a condition that the neighbor has to grant some kind of permission or easement.

Mayor Bernstein asked about the characterization of the application as asking forgiveness versus permission.

Mr. Capizzi called his architect to the podium. Mario Navedo, 81 Joan Drive, Watchung, NJ 07069, the applicant's architect, was sworn in by Ms. Federico and had his credentials confirmed by the board.

The board marked a colorized version of his plan as exhibit A1. Mr. Navedo described the home as it existed prior to the alterations. There was a single-family home, two story structure, and roughly 3,500 sf. He explained the addition and alteration, which included the carport and second floor addition.

Chair Woods clarified that the additions which are shown as existing, but that they are proposed sections of the home which are already built.

Mr. Navedo explained that the addition is mostly on the second floor and is roughly 912 sf, and is projecting forward into the property roughly 15 ft. This addition created a breezeway to allow covering for a vehicle parked underneath.

Chair Woods asked about the reference 912 sf addition, wanting to know how much is in the setback. Mr. Navedo stated that the enclosed portion is about 133 sf is encroaching and 198 sf if the balconies are included.

Mr. Capizzi asked if the property line was straight and not curved, how many square feet would be encroaching. Mr. Navedo stated that there would be 24 sf if the setback line was straight.

Ms. Chin stated that the property line is curved and speculating on if it was not, does not seem important. Mr. Capizzi stated that they would have planner testimony to address the setback variance.

Mr. Navedo stated that the addition is in line with the existing roof height, and that the addition adds depth to the front façade and makes the building more attractive for the neighborhood.

The board asked Mr. Navedo if he was the architect who designed the initial plan. Mr. Navedo explained that he made the concept plan for the house, but that after that it was built without his involvement.

Mr. Capizzi asked why the design moved forward with the addition instead of in the rear yard. Mr. Navedo stated that based on the existing plumbing, it made more sense to have the extra space from the addition in the front yard. In addition, building in the rear of the house would have conflicted with several pre-existing improvements.

Mayor Bernstein asked where the new gutters were tied into.

Chair Woods asked about the pergola and patio in the side yard and if there are any specifications on these improvements. Mr. Capizzi marked a photo exhibit as A2, which was given to the board.

Chair Woods stated that either the applicant needs to provide more information for the side yard structure or they can remove the request for a variance.

Ms. Brenner asked about the front columns and if they are different than what existed originally. Mr. Navedo explained that they are in the same location.

Mayor Bernstein and Chair Woods asked about the original survey, prior to the improvements. Mr. Capizzi stated that they do not have a prior survey.

Mayor Bernstein asked how many stones are in the right of way, and Mr. Capizzi answered that three are. He also confirmed that the planters are in the right of way as well.

The board discussed the applicant's lack of information presented.

The board asked many questions on the pergola and patio, and stated firmly that they are not allowed and have never approved something like this before.

Mr. Capizzi requested a two-minute recess to discuss with his applicant.

The board recessed for 2 minutes.

Mr. Capizzi requested to amend the application to remove the request for the side yard improvements and to state they would be removed. Mr. Capizzi also stated that the stairway in the rear yard would either be modified to comply with the code or be removed in order to remove that variance. Mr. Capizzi stated that the stepping stones act as a walkway to the house much like a sidewalk. Mr. Capizzi stated that the planters would be moved out of the right of way.

Joseph Vince, the applicant's engineer and planner, was sworn in by Ms. Federico and had his credentials accepted by the board.

Mr. Vince explained the planters' dimensions. Mr. Capizzi stated that if a variance is required then they would request one. Chair Woods stated that it would be preferred to assume they need a variance.

Mr. Vince described to the board the coverage calculations. Mr. Vince confirmed that the only variances being requested now is the front yard setback to the house and the planters in the front yard.

Mr. Vince stated that the property is properly graded, there is a large slope in the rear, which is undisturbed, save for the modification of the stairs. The property has positive pitch all through out. Applicant stated that there were six drywells installed, which has not been confirmed yet, but they should be taking in the roof water.

Mr. Capizzi stated that if the board required it the owner would need to open the ground to show the system and confirm they are in working order.

Mayor Bernstein stated that there is no analysis to determine facts of how much water is being accounted for. He asked Mr. Vince how many seepage pits are on the property. Mr. Vince stated that there is no current proof of the existing drainage on the property.

Mr. Capizzi asked how many seepage pits should be installed on the property. Mr. Vince said for proper drainage, depending on the amount of stone around it, there may be enough drainage if the seepage pits were installed.

Ms. Federico stated that the condition of this approval would be to work with Colliers and to make sure the drainage is covered to his satisfaction.

Vice Chair Chin asked if there is an engineer who installed the pits who could identify their location.

Mr. Vince spoke about the columns in the front of the house and explained that they were rewrapped and they are only six inches over the setback and can be granted as a de minimis overage. He explained that the carport can be granted under the C1 variance relief, explaining that the pre-existing layout of the home did not lend to the

architecture moving to the rear yard, as well that due to the curve of the road creates hardship due to the odd shape of the property. He also stated that the breakup of the façade made the building more attractive and lends to the character of the neighborhood.

Mr. Vince showed the board his planning exhibit and explained that the plane of the neighborhood homes and the way the street and the lots work next to each other, there does not appear to be any deviation when viewing the home.

Chair Woods explained that the planters are accessory structures, and stated concern for approving an accessory in the front yard.

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

Ji Youn Choi, 71 Pine Terrace, was sworn in by Ms. Federico. Ms. Choi asked if it is possible to review the information presented before a decision is made. Chair Woods explained that if the applicant asks for a vote, then the board will vote. Ms. Choi asked how the second floor is affected by this variance. Chair Woods explained that the home will remain if the variances are approved. Ms. Chin asked what her concerns were. Ms. Choi explained that before the renovation it was a one-story home. She explained that due to the large new master bedroom, she is losing privacy because their window faces her master bedroom. Ms. Brenner asked if there is any screening between the two properties. Mayor Bernstein also asked what is facing her property, and she responded that a window is.

The board discussed the photo exhibit with Ms. Choi and gained clarification on what is between the houses. Ms. Choi showed the board that the new master bedroom is facing her property, and explained that the trees as present are not tall enough to screen between the two properties.

Chair Woods clarified the concerns of Ms. Choi with the applicant's attorney. The board discussed the privacy concerns of Ms. Choi. The board confirmed that the new addition only interferes with privacy and not light and air. Mr. Adelman suggested that the applicant could provide enhanced plantings to help with privacy. Ms. Choi stated that she was unhappy with the trees that were planted along the property line. The board discussed the type of trees currently between the properties.

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

Chair Woods asked the engineer to speak any of his concerns.

Mr. Chelius talked about the measurement of the height of the building and requested that the height be verified as compliant with an average grade measurement. Mr. Chelius stated that the pavers around the pool appear to be newer, most likely without permits. Ms. Falkenstern stated that the engineer is most likely wondering about the drainage calculations, and not the specific permits pulled for each of the structures. Ms. Federico explained that standard conditions in the resolution require compliance with all permit requirements.

Ms. Green asked about the concrete pad in the side yard, encroaching on the setback. Mr. Capizzi agreed to remove the pad. Ms. Green asked if alternate architectural designs were explored to accomplish the goals of the homeowner. Mr. Navedo explained that there were, but that this was the most sensible version in order to accomplish the goals of the home owner.

Ms. Federico explained to Mr. Capizzi that in the event that the height is not compliant after certification, they would have to return to the board.

Mr. Capizzi clarified with the board that the current height measurement is 30 feet to the mid-point of the roof.

Mr. Capizzi provided closing remarks. He stated that the applicant has removed all ancillary structures in order to be closer to compliance and agrees to the condition that the applicant will provide additional landscaping to the satisfaction of Colliers, that the applicant agrees to the conditions requiring proof of existing drainage structures and adding additional should it become necessary. In respect to the variance, he explained that the unique curvature of the street allows for the board to approve the C1 variance to allow the front yard setback variance, and that the design of the building provides a more attractive layout with the breakup of the front façade.

Chair Woods confirmed the three variances being requested.

1. Front Yard Setback to the House
2. Front Yard Setback to the Architectural features in the front of the home
3. Placement of the planters in the front yard

Mr. Adelman asked about bedrooms in the basement and if there needs to be a condition stating there are no bedrooms in the basement. Ms. Falkenstern explained that this is handled during the construction permit process.

The Homeowner confirmed to Mr. Capizzi that there are no bedrooms in the basement.

Ms. Federico swore in Tomas Sheleg, 77 Pine Terrace.

Vice Chair Chin stated that she is hearing justification for the actions of the applicant, but not strong reasons to grant a variance. She stated that she thinks that the choices were made for want and not out of necessity for hardship. She explained that she is disappointed in the direction this property and home was made with respect to the property and the ordinance.

Ms. Federico explained that the board is encouraged to have discussions on the application now before a motion is made, so that the resolution can reflect these comments.

Ms. Brenner asked if approval of an application like this could incentivize builders to ask forgiveness instead of permission. She asked how this affects any current fines on the property.

Ms. Falkenstern explained that the fines in effect are not absolved, but this does not remove any requirements from the active violations, though the current zoning violation's condition was to come to the board.

Mayor Bernstein stated that the board should review this application as if it had not been improved yet, and not question the wrongdoing, and act as if the applicant is coming and asking to build these improvements. The board stated that the only things being asked is that the applicant can build a carport into the setback, and the planters in the front yard.

Chair Woods stated that it is hard to say it does not exist. He can see how the curve in the road offers a hardship, and that small fixes are no longer easy as it would be on an application prior to the building of a house.

Mr. Adelman agreed with Chair Woods.

Vice Chair Chin stated that she does recognize the hardship.

Mayor Bernstein asked to run through all of the conditions for a resolution should the board vote in favor of the variances.

1. The applicant will provide enhanced landscaping in the area facing 71 Pine Terrace.
2. The applicant will present proper and appropriate drainage to Collier's satisfaction.
3. The patio, pergola and fireplace will be removed.
4. The stairs at the rear left quadrant of the property which encroach onto a neighbor's property will be removed or relocated to comply with the ordinance.
5. The applicant will confirm the height of the building and the addition and confirm that it does not exceed the requirements of the ordinance.
6. The applicant will receive all required zoning and building permits and will comply with all applicable codes.
7. The applicant will remove the concrete pad which was described as being used for trash containers.
8. The applicant will comply with maintaining no bedrooms in the basement.
9. The stepping stones in the front of the property is not being granted a variance and this is an issue for the mayor and council.
10. The planter boxes in the front of the property would be repositioned so that none of them are in the right of way, and the applicant will provide evidence of their measurements as under 2 feet tall.
11. The applicant will correct the fences which are encroaching onto neighboring properties and that the fencing around the pool must meet pool code requirements.
12. Drainage confirmed as compliant for the entire home.
13. The applicant will provide an updated as-built survey, signed and sealed.

A motion was made to approve the applications with conditions mentioned above by Mr. Adelman, and seconded by Ms. Brenner.

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	Mayor Bernstein:	Yes	Ms. Brenner:	Yes
Vice Chair Chin:	Yes	Ms. DiSclafani:	No	Councilwoman Fox:	Absent
Mr. Lerner:	No	Dr. Mamdani:	Absent	Chair Woods:	Yes
Mr. Jiang (alt 1):	Absent	Mrs. Hamilton (alt 2):	Yes	Mr. Alevrontas (alt 3):	No

Motion passed

JPB-25-011 – 110 County Road – KNS Property Holdings LLC

Seeking a Variances to the construction an addition and renovate an existing home

Ms. Federico stated that the next application is a D variance application and so the Mayor has to step down from the board.

Mr. Alampi stated that the time is currently after 10 pm, and that he understands that it is unlikely that the board wishes to start a new application so late. The applicant requests that this hearing be carried to the March 4th meeting and that the notice was completed and ask that the notice be preserved for the next meeting.

Ms. Federico stated that the application would be carried without further notice to the April 8, 2026, meeting as the March agenda is already full. Mr. Alampi stated that the applicant agrees to extend the board's time to act through the end of May.

Mr. Alampi stated that the lot is undersized and that is what created the need to come to the board.

A motion was made to open the meeting to the public by Mr. Adelman. Seconded by Ms. Brenner.

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 Mr. Adelman. Seconded by Vice Chair Chin.

All in Favor – Motion Passed

ADJOURNMENT

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

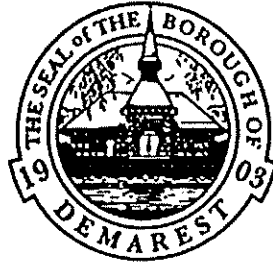
All in Favor – Motion Passed

The meeting was adjourned at 10:14 PM.

Respectfully Submitted,

Michael Greco, Joint Planning Board Secretary

DRAFT



Borough of Demarest Joint Planning Board Regular Meeting MINUTES

March 4, 2026

7:30 PM

DEMAREST BOROUGH HALL

The Borough of Demarest Planning Board held a special meeting on WEDNESDAY, MARCH 4, 2026, 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 Mayor Bernstein.

FLAG SALUTE

The Board was led in a salute to the flag by Mayor Bernstein.

ROLL CALL

MEMBERS PRESENT: Theodore Alevrontas, Mayor Brian Bernstein, Camile DiSclafani, Councilwoman Daryl Fox, David Lerner, Fatemah Mamdani, Mary Hamilton

MEMBER(S) ABSENT: Todd Adelman, Jodi Brenner, Kiran Chin, Chair Woods, David Jiang

ALSO PRESENT: Julie Falkenstern – Acting Borough Clerk, Austin Bejin – Planner, Danielle Federico – Attorney

RESOLUTIONS

Resolution JPB-008-26 – JPB-25-012 – 77 Pine Terrace – Barbara Sheleg

Seeking a Variances related to a home addition/renovation and accessory structures.

A motion was made to approve resolution JPB-008-26 by Mayor Bernstein, and was seconded by Ms. Hamilton

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:	Absent	Mayor Bernstein:	Yes	Ms. Brenner:	Absent
Vice Chair Chin:	Absent	Ms. DiSclafani:	n/e	Councilwoman Fox:	n/e
Mr. Lerner:	n/e	Dr. Mamdani:	n/e	Chair Woods:	Absent
Mr. Jiang (alt 1):	Absent	Mrs. Hamilton (alt 2):	Yes	Mr. Alevrontas (alt 3):	n/e

Motion passed

ORDINANCE CONSISTENCY REVIEW

Mayor Bernstein explained that there are several ordinances regarding the fair housing plan and the mediation agreement with 232 County Road.

Ordinance No. 1174-26 – AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 175 “ZONING”, ARTICLE IV “RESIDENCE DISTRICTS” TO ESTABLISH NEW SECTION 175-12.2 ENTITLED “RESIDENTIAL MULTIFAMILY-3 DISTRICT” AND MODIFYING THE ZONING MAP TO REFLECT THE NEW DISTRICT

Ordinance No. 1175-26 - AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 175 “ZONING”, ARTICLE VIII “ADMINISTRATION”, SECTION 175-34 “DEVELOPMENT FEES” TO UPDATE THE BOROUGH’S DEVELOPMENT FEE ORDINANCE IN ACCORDANCE WITH THE DECEMBER 2025 N.J.A.C. 5:99 REGULATIONS AND THE AMENDED FAIR HOUSING ACT

Ordinance No. 1176-26 - AN ORDINANCE DELETING AND REPLACING ARTICLE X “AFFORDABLE HOUSING OBLIGATIONS” OF CHAPTER 175 “ZONING”, TO BE CALLED “AFFORDABLE HOUSING”, AND DELETING SECTIONS 175-46 THROUGH 175-46.5 TO UPDATE THE BOROUGH’S AFFORDABLE HOUSING ORDINANCE IN ACCORDANCE WITH THE DECEMBER 2025 UNIFORM HOUSING AFFORDABILITY CONTROLS, THE N.J.A.C. 5:99 REGULATIONS, AND THE AMENDED FAIR HOUSING ACT

Ordinance No. 1177-26 – AN ORDINANCE OF THE BOROUGH OF DEMAREST ADOPTING THE AMENDED REDEVELOPMENT PLAN PRODUCED BY COLLIERS ENGINEERING ON BEHALF OF THE BOROUGH OF DEMAREST

Mr. Bejin explained the ordinances to the board. He stated that the ordinances are not inconsistent with the Borough’s master plan.

A motion was made to find Ordinance 1174-26, 1175-26, 1176-26 & 1177-26 not inconsistent with the master plan by Councilwoman Fox, and 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:	Absent	Mayor Bernstein:	Yes	Ms. Brenner:	Absent
Vice Chair Chin:	Absent	Ms. DiSclafani:	Yes	Councilwoman Fox:	Yes
Mr. Lerner:	Yes	Dr. Mamdani:	Yes	Chair Woods:	Absent
Mr. Jiang (alt 1):	Absent	Mrs. Hamilton (alt 2):	Yes	Mr. Alevrontas (alt 3):	Yes

Motion passed

APPROVAL OF MINUTES

None

NEW/CONTINUING BUSINESS

None

PUBLIC COMMENT PERIOD

A motion was made to open the meeting to the public by Ms. DiSclafani and seconded by Councilwoman Fox.
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 Ms. DiSclafani and seconded by Councilwoman Fox.
All in Favor – Motion Passed

ADJOURNMENT

With no further business presented, a motion to adjourn the meeting was made by: Mr. Alevrontas and seconded by Ms. DiSclafani.
All in Favor – Motion Passed

The meeting was adjourned at 7:43 PM.
Respectfully Submitted,
Michael Greco, Joint Planning Board Secretary

DRAFT