

**ZONING BOARD OF ADJUSTMENT – BOROUGH OF DEMAREST**

**AGENDA**

**REGULAR MEETING – December 19, 2023**

The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time, and place of this regular meeting in the annual schedule and notice of regular meetings of this Board. Such annual schedule and notice of regular meetings are posted at Borough Hall, were mailed to the Star Ledger and The Record, and have been filed with the Borough Clerk of Demarest on January 28, 2023.

1. Roll Call
2. Flag Salute
3. Matters to Address
4. Administrative Matters
5. Other Business

<b>BOARD ROLL CALL:</b>	<b>PRESENT</b>	<b>ABSENT</b>
Mr. Woods, Vice-Chair		
Mr. Davis		
Mr. Corrado		
Mr. McLain		
Mr. Park		
Mr. Adelman		
Ms. Hayden, Chair		
Alternate #1 Robert Hirsh		
Alternate # 2 Diana Pavlova		
<b>Present:</b>		
Acting Secretary, Ms. Falkenstern		
Mark Madaio, Board Attorney		
Colliers, Board Engineer -Zimmerman/Chelius		

**Variance Application #ZB23-006**

**Applicant Name:** Spencer Spielberg

Address 38 Sunset Road

Block # 53, Lot # 4.01

Zone D Chapter

**Application submitted:** September 18, 2023

**Hearing Date(s):** December 19, 2023

**Relief Sought:** N.J.S.A. §40:55D-70(c), Chapter175: §175-16, §175-19 A(3)(4) & §175-27 for building coverage, Improved lot coverage, side, and rear yard setbacks for accessory structures (pool equipment)

GENERAL ZONING ZONE BB	REQUIRED/ ALLOWED	EXISTING	PROPOSED	VARIANCE REQUIRED
Lot Area	10,000 sf.	14, 301 sf.	14,301 sf.	No
Lot Depth	100 ft.	154.6 ft.	154.6 ft.	No
Frontage	100 ft.	100 ft.	100 ft.	No
Min. Front Yard	25 ft.	26.5 ft.	26.5 ft.	No
Min Side Yard	10 ft.	10.5 ft.	10.5 ft.	No
Min. Rear Yard	30 ft.	61.4 ft.	61.4 ft.	No
Max. Building Coverage	20%	20%	22.7%	Yes
Min. Side/Rear Yard Accessory	10 ft.	9.1 /7.7 ft.	9.1/7.7 ft.	Yes
Max % Improved coverage: principal residence, vehicle access, parking	25%	25.5%	28.1%	Yes
Total % Improved Lot Coverage	30%	30%	42.9%	Yes

ACCESSORY STRUCTURE (POOL)	REQUIRED/ ALLOWED	EXISTING	PROPOSED	VARIANCE REQUIRED
Min. Accessory side setback	10 ft	17.8 ft.	17.8 ft	No
Min. Accessory rear setback	10 ft.	31.5 ft	31.5 ft	No

**Motion:**

**Second:**

ROLL CALL:	YES	NO	ABSTAIN
Mr. Woods, Vice-Chair			
Mr. Davis			
Mr. Corrado			
Mr. McLain			
Mr. Park			
Mr. Adelman			
Ms. Hayden, Chair			
Alternate #1 Mr. Hirsh			
Alternate #2 Ms. Pavlova			

**Variance Application #ZB23-007**

**Applicant Name:** Joshus Jagid

Address 38 Rodney Place

Block #68 Lot#119

Zone D

**Application submitted:**

**Hearing Date(s):** December 19, 2023

**Relief Sought:** N.J.S.A. §40:55D-70(c) and Chapter 175: 175 §175-27 for Improved lot coverage

GENERAL ZONING ZONE BB	REQUIRED/ ALLOWED	EXISTING	PROPOSED	VARIANCE REQUIRED
Lot Area	10,000 sf.	17,128 sf.	17,128 sf.	No
Lot Depth	100 ft.	145 ft.	145 ft.	No
Frontage	100 ft.	115.71 ft.	115.71 ft.	No
Min. Front Yard ( Rodney)	25 ft.	40.3 ft.	40.3 ft.	No
Min. Front Yard ( Demarest Ave)	25 ft.	28 ft.	28 ft.	No
Min Side Yard	10 ft.	22 ft.	22 ft.	No
Min. Rear Yard	30 ft.	44.2 ft.	44.2 ft.	No
Rear Yard Setback (accessory)	10 ft.	16.62 ft.	16.62 ft.	No
Max. Building Coverage	20 %	20.33%	20.33%	No*
Bldg. Height	30 ft.	30 ft.	30 ft.	No
Max. Livable Floor Area (FAR)	30%	30%	30%	No
Max % Improved coverage: principal residence, vehicle access, parking	25%	31.36%	25.61%	Yes
Total % Improved Lot Coverage	30%	35.16%	33.25%	Yes

*\*Pre-existing non- conforming*

ACCESSORY STRUCTURE (POOL)	REQUIRED/ ALLOWED	EXISTING	PROPOSED	VARIANCE REQUIRED
Min. Accessory side setback				
Min. Accessory rear setback				

ROLL CALL:	YES	NO	ABSTAIN
Mr. Woods, Vice-Chair			
Mr. Davis			
Mr. Corrado			
Mr. McLain			
Mr. Park			
Mr. Adelman			
Ms. Hayden, Chair			
Alternate #1 Mr. Hirsh			
Alternate #2 Ms. Pavlova			

**Approval of Minutes of November 21, 2023, Meeting**  
*\*only those present at prior months' meeting are eligible to vote*

Motion:

Second:

<b>ROLL CALL TO APPROVE:</b>	<b>Eligible to Vote*</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
Mr. Woods, Vice-Chair	Yes			
Mr. Davis	No			
Mr. Corrado	Yes			
Mr. McLain	Yes			
Mr. Park	Yes			
Mr. Adelman	No			
Ms. Hayden, Chair	Yes			
Alternate #1 Robert Hirsh	No			
Alternate # 2 Diana Pavlova	No			

**Other Business:** January meeting will be the annual re-organization of the Board

**Motion to Close the Meeting:**

Motion:

Second:

<b>Roll Call to Approve:</b>	<b>YES</b>	<b>NO</b>
Mr. Woods, Vice-Chair		
Mr. Davis		
Mr. Corrado		
Mr. McLain		
Mr. Park		
Mr. Adelman		
Ms. Hayden, Chair		
Alternate #1 Robert Hirsh		
Alternate # 2 Diana Pavlova		

***Next Meeting January 16, 2024, at 7:30 p.m. at Borough Hall***