

ZONING BOARD OF ADJUSTMENT – BOROUGH OF DEMAREST

MINUTES

REGULAR MEETING – October 17, 2023

This meeting was called to order by Chairperson Hayden at 7:31 at the Council Chambers of the Borough of Demarest, 118 Serpentine Rd. Demarest, NJ.

Chairperson Hayden read the compliance statement and invited all to rise for the Pledge of Allegiance.

Present: Chairperson Hayden, Vice Chairperson Woods, Mr. Davis, Mr. Corrado, Mr. Park, Mr. Adleman, Mr. Hirsch, Ms. Pavlova

Absent: None

Also Present: Julie Falkenstern, Acting Board Secretary
Mark Madaio, Board Attorney

Application:

ZB23-005

Jonathan Beer

15 Arthur Ct.

Block 76 Lot 2.07

Daniel Steinhagen, Esq. appeared to represent the application. He gave a brief overview of the application stating that the application wishes to put a pool in what is essentially his backyard, however by virtue of a small strip of his back yard that touches Margaret Ct. the application creates two variance conditions, accessory structure in a front yard and a front yard setback variance. He further stated that a hardship exists since there is no other placement for the pool.

Mr. Steinhagen called Mr. Sean McLellan, P.E., to offer engineering testimony. Mr. McLellan was sworn in and accepted by the Board as an expert witness. He reviewed the exhibits he would be presenting and described the current conditions.

The Board asked about the current 6-foot fence that runs along Margaret Ct. and whether that is a condition that also requires a variance for a 6-foot fence in the front yard. Mr. Steinhagen stated that although the Zoning Officer did not note it in the denial, he does not disagree that a variance may be needed and if determined by the board he would respectfully ask that variance be issued as well.

Mr. McLellan explained that a few properties in the vicinity also have pools and the plan is consistent with the neighborhood. The pool will comply with all other zoning regulations and will have appropriate fencing.

The board asked about screening from the neighbors and Mr. McLellan offered the testimony that it wis well screened.

Chairperson Hayden asked if the screening along the fence will be maintained. Mr. McLellan stated that the screening would be kept, and they are proposing some additional landscaping.

Nick Chelius, Borough Engineer stated that he had no additional questions, but the applicant shall comply with the engineering report provided. Mr. Steinhagen said they had no issues with the engineering report compliance.

Mr. McLain made a motion to approve the variances including the existing fence variance.

Mr. Corrado seconded the motion.

Ayes: Vice Chair Woods, Mr. Davis, Mr. Corrado, Mr. McLain, Mr. Park, Mr. Adelman and Chair Hayden

Nays: None

Absent: None

Abstention: None

Approval of Minutes of September 19, 2023, Meeting

A motion was made by Mr. Woods and seconded by Mr. Corrado to approve the minutes of the September 19, 2023, meeting.

Ayes: Vice Chair Woods, Mr. Davis, Mr. Corrado, Mr. Park and Chair Hayden

Nays: None

Absent:

Abstention: Mr. McLain

Adjournment

There being no other business before the Board, a motion was offered by Mr. Corrado to adjourn the meeting. The motion was seconded by Mr. Davis and approved by all members present. The meeting was therefore adjourned at 7:55 pm

Respectfully submitted,

Julie Falkenstern
Acting Board Secretary