

**ZONING BOARD OF ADJUSTMENT
BOROUGH OF DEMAREST**

FILE NO. 2023-919

IN THE MATTER OF THE APPLICATION OF:

BARBARA SHELEG, FOR VARIANCES RELATING
TO BLOCK 84.08; LOT 10 ALSO KNOWN AS 77 PINE
TERRACE, DEMAREST, NEW JERSEY

WHEREAS, Barbara Sheleg (the "Applicant") made an Application to the Zoning Board of Adjustment (the "Board"), requesting approval for bulk variance(s) in connection with a single family residence on the property commonly known as 77 Pine Terrace (Block 84.08; Lot 10) (the "Property"); and

WHEREAS, the Applicant appeared Pro Se; and

WHEREAS, the subject Application was filed on, or about, May 15, 2023, and scheduled for an initial Public Hearing on June 20, 2023, but was not heard because the appropriate notice had not been provided to the Board; and

WHEREAS, the subject Application was scheduled for subsequent Public Hearings, but no action was taken by the Applicant; and

WHEREAS, at its September 19, 2023, hearing, the Zoning Board of Adjustment moved to dismiss the Application for lack of prosecution WITHOUT PREJUDICE and the within Resolution is to memorialize said action; and

NOW THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment that the Application of Barbara Sheleg for the property located at 77 Pine Terrace is hereby dismissed WITHOUT PREJUDICE, subject to the following:

1. While any subsequent Application shall be deemed a "new Application" based on the within dismissal, the Applicant may undertake this new Application by reinstating the present Application to the Board by written communication to the Board Secretary by Email or Certified Mail/RRR.
2. Such reinstatement of the same Application shall be without the need to tender a new Application Fee or Escrow if made within 30 days hereof. As with any

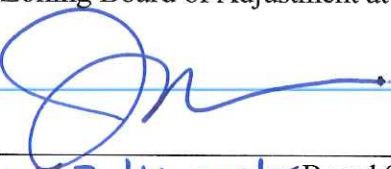
Application, additional copies of plans or application documents shall be provided upon request.

3. The date of the delivery of the communication referred to in Paragraph 1 shall be deemed the filing date of the new Application and all statutory timeframes related to hearing the Application will commence on that date.
4. The Applicant shall obtain a new 200' Tax List from the Borough as to Property Owners and shall provide proper notice as required by NJSA 40:55D-12, et seq., to all parties required by law. In the event that notices are served by hand, the Applicant shall provide the signature of the addressee for each hand delivery. If the Property is within 200' of an adjoining municipality, the Applicant shall obtain a Tax List from that municipality and undertake statutory notice of all parties required by law.

Motion was made by: Woods
Motion was seconded by: Corrado
Roll Call to Approve: Woods, Davis, Corrado, Park, Adelman
Hayden, Paulova.
Absent: McLain Recused: Hirsh

Accordingly, a majority of the Board voted to Dismiss without prejudice the Application.

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Zoning Board of Adjustment at its meeting held on September 19, 2023.



Julie Falkenstein Board Secretary, Acting