
BOROUGH OF DEMAREST
JOINT PLANNING BOARD / ZONING BOARD OF ADJUSTMENT
In re: Appeal of Scott A. Lavin — 3 Central Avenue (Block 65, Lot 140)

EXHIBIT A

Hearing Date: August 5, 2026

SCOTT A. LAVIN

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VIA HAND DELIVERY

Borough of Demarest Joint Planning Board / Zoning Board of Adjustment

118 Serpentine Road

Demarest, New Jersey 07627-2199

Attn: Board Secretary / Chairman

Re: Appeal of Scott A. Lavin — 3 Central Avenue, Demarest, New Jersey (Block 65, Lot 140) — Zoning Permit No. Z-25-0032 and Construction Permit No. 2025-0109 — Appeal of Zoning Officer's Determinations Dated October 31, 2025 and December 15, 2025 — Letter Brief in Support of Appeal

HEARING DATE: AUGUST 5, 2026

Dear Chairman and Members of the Board:

Preliminary Statement

This letter brief is submitted on behalf of Appellant Scott A. Lavin (“Appellant”), a resident of 40 Lincoln Street, Demarest, New Jersey, in support of Appellant's pending appeal from determinations of the Borough of Demarest Zoning Officer concerning the property known as 3 Central Avenue, Block 65, Lot 140 (the “Property”). The appeal challenges the continued validity of Zoning Permit No. Z-25-0032 and Construction Permit No. 2025-0109 (together, the “Permit”), issued to 3 Central Avenue LLC / TanDor Development (“Applicant” or “Developer”), on the ground that the Permit authorized — and the structure as built contains — a roof height in excess of the thirty (30) foot maximum height applicable to the R-D zone under the Borough's Land Use Ordinance, Chapter 175.

The record shows that the Zoning Officer and Construction Official approved the Permit based on architectural and engineering plans said to reflect an “average building height of 30 feet, with the peak of the building at 35 feet.” That approach rests on a misapplication of Ordinance No. 1025-15 (amending Chapter 175) to the R-D zone. Ordinance No. 1025-15 did not amend the R-D height standard: its recitals identify the height amendment as one intended to “increase the allowable roof height of homes in the Residence A, BB and B zones”; its operative height table changes the permitted average building height only for Residence A, Residence BB and Residence B; and the ordinance then provides that, “[i]n all other respects, the limiting schedule of the Municipal Code of the Borough of Demarest shall remain unchanged.” At its November 7, 2025 meeting, the

Planning Board addressed an internal request for interpretation of maximum building height and unanimously approved an interpretation that, in the R-C and R-D zones, building height is measured from average natural grade to the peak of the building, and that the 2015 ordinance changes were intended only for the R-A, R-B and R-BB zones. (Exhibits I, J.) That vote was actually not necessary to make the ordinance clear; the ordinance was already clear when enacted. To the extent the Board nevertheless took up the issue, the vote served only to reconfirm, unanimously, the governing rule that already applied, and it should not be treated as a curative act that retroactively sanitizes a Permit issued under the wrong standard. On this record, the Board should find that the Permit was issued in error, and should order the relief set forth below.

Ordinance No. 1025-15 is attached as Exhibit J. The marked copy of the ordinance highlights the provisions most material to this appeal: the limited scope of the height amendment to the R-A, R-BB and R-B zones, and the clause preserving the limiting schedule in all other respects. Appellant reserves the right to supplement this submission with certified copies of Chapter 175 and any formal interpretive resolution of the Board bearing on the R-D height standard.

Statement of Facts

A. The Property and the Applicable Zoning District

The Property is located at 3 Central Avenue, Demarest, New Jersey, designated as Block 65, Lot 140 on the Borough's tax map, and is situated in the R-D residential zoning district. The maximum building height applicable in the R-D zone is thirty (30) feet. Ordinance No. 1025-15 did not alter that standard for the R-D zone. The ordinance states that the proposed roof-height increase was for the Residence A, BB and B zones; the height-amendment table lists only Residence A, Residence BB and Residence B; and the ordinance expressly provides that, "[i]n all other respects, the limiting schedule of the Municipal Code of the Borough of Demarest shall remain unchanged." The Planning Board's November 7, 2025 minutes confirm the Board's interpretation that, in the R-D zone, height is measured from average natural grade to the peak of the building, not by an average roof-height methodology, and that the 2015 ordinance changes were intended only for the R-A, R-B and R-BB zones. (Exhibits I, J.)

B. Issuance of the Permit Based on an "Average Height" Rationale

By letter dated October 31, 2025, Zoning Officer Michael Greco and Construction Official Robert Sherrow advised 3 Central Avenue LLC / TanDor Development that, "[p]ursuant to the Borough's Zoning Ordinance number 1025-15 Amending Chapter 175, the average roof height shall not exceed 30 feet," and that architectural plans dated March 24, 2025 and engineering site plans dated November 15, 2024 (last revised April 14, 2025) had been submitted in support of the Permit application. That letter states that the plans "evidenced an average building height of 30 feet, with the peak of the building at 35 feet," and that, as a result, Zoning Permit No. Z-25-0032 and Construction Permit No. 2025-0109 were issued. (Exhibit D.) The cited premise is contradicted by

Ordinance No. 1025-15 itself, which amended average building height only for Residence A, Residence BB and Residence B, and otherwise left the limiting schedule unchanged. (Exhibit J.)

The same October 31, 2025 letter further states that a visual inspection indicated the structure “may be exceeding the permissible maximum building height,” and required the Developer to submit a topographic survey with roof peak elevations within ten (10) days, measured in the same datum as the engineering site plans. The Borough reserved the right to take appropriate action and advised that continued construction, and any resulting corrective costs, would be at the Developer's own risk. (Exhibit D.)

C. The Grade and Fill Issue

By email dated October 31, 2025, to Deena Rosendahl, Esq., then-counsel for the Appellant, John J. Lamb, Esq., forwarded a photograph appearing to show that the prior grade at the Property had been altered — specifically, that a portion of the Property appeared to have been filled in when compared to the then-current grade — and noted that this appeared likely to have affected the height calculation, because height was measured from the current (post-fill) grade. Counsel requested further investigation of this issue. (Exhibit C.)

D. Independent Measurement Confirms the Height Exceeds Thirty Feet

By letter dated November 6, 2025, Christopher J. Lantelme, P.E. & L.S. of Lantelme, Kurens & Associates, P.C. reported to the Borough Building Department that his firm measured the structure on November 3, 2025 and found: First Floor Elevation 102.7 feet; Highest Roof Peak Elevation 137.5 feet; and Second Highest Roof Peak Elevation 135.0 feet. The letter states that the “Distance from First Floor to Highest Roof Peak measured” was 34.8 feet, and the “Distance from First Floor to Highest Roof Peak per Architect Plan” was 35.0 feet. (Exhibit E.) Both figures — the measured 34.8 feet and the plan's own 35.0 feet — exceed the thirty-foot maximum height that Appellant contends governs the R-D zone.

E. The Roof Was Substantially Complete by Mid-August 2025

By email dated November 13, 2025, Guy Tanne of Tandor Development forwarded to Zoning Officer Michael Greco a photograph taken by Ilan Doron on August 15, 2025, stating that “the roof structure is already finished, and the guys are installing the shingles.” (Exhibit F.) The Borough subsequently relied on this evidence, among other things, to conclude that the roof was constructed “as early as mid-August” 2025.

F. The Zoning Officer's December 15, 2025 Determination

By letter dated December 15, 2025, Zoning Officer Michael Greco responded to a filed appeal concerning issuance of the Permit. Mr. Greco stated that, after considering the correspondence, the

application and issued Permit, conferring with the Borough Engineer, and obtaining an as-built survey from the Developer, the Borough determined that (i) the appeal — which had been raised by an October 16, 2025, letter requesting revocation of the Permit based on alleged building height and grade violations — was untimely because the roof had been confirmed to have been constructed as early as mid-August 2025, and (ii) even if timely, the structure had been built in accordance with the submitted plans and the Permit. (Exhibit G.)

Appellant respectfully submits that this determination did not address — and could not resolve — the dispositive issue: it is undisputed that the structure was built in accordance with the Plans, but the Plans themselves applied the wrong height methodology (an average-height standard) to a zone governed by a mandatory thirty-foot maximum. Conformance with erroneous plans does not cure the underlying zoning violation.

G. The Planning Board's November 7, 2025, Height Interpretation and the Timeliness Correspondence

At the November 7, 2025, meeting, the Board considered a “Request for Interpretation” concerning “Maximum Building Height” and the definition of building height used in zoning approvals. Chair Woods explained that the Code had once differentiated height measurement by zone: R-A, R-BB and R-B were measured to mean roof height, while R-C and R-D were measured to the peak. The minutes further reflect that the later ordinance changed the height rules in the three larger zones but did not affect the two zones measured to the peak. (Exhibit I.) That description is consistent with the enacted text of Ordinance No. 1025-15, which lists only Residence A, Residence BB and Residence B in the operative average-building-height amendment and then preserves the limiting schedule in all other respects. (Exhibit J.)

The minutes record that Chair Woods and Councilwoman Fox, both present when the ordinance was approved, stated that the intent was to change only the R-A, R-BB and R-B zones, while the R-C and R-D zones should remain measured to the peak because those zones contain smaller lots. After public discussion and further review, the Board voted to approve an interpretation that, in the R-C and R-D zones, building height is measured from average natural grade to the peak of the building; that flat roofs in those zones have a maximum height of twenty-four (24) feet; and that the 2015 ordinance changes were intended only for the R-A, R-B and R-BB zones. The roll-call vote was unanimous among the voting members present, and the Board and counsel clarified the motion to the Zoning Officer and Planner for all pending applications. (Exhibit I.) Appellant respectfully submits that the vote was not necessary to establish the governing law, but it is significant because it unanimously confirmed what Ordinance No. 1025-15 already provided.

Consistent with the minutes, by letter dated December 18, 2025, Danielle M. Federico, Esq., counsel to the Planning Board, advised prior counsel for the Appellant that the Planning Board had already considered an interpretation request regarding the building height calculation identical to the issue raised in a November 4, 2025 letter, and that no further Board action on that separate interpretation request was necessary. (Exhibits H, I.) Ms. Federico's letter also states that Board counsel reviewed *Mullen v. Ippolito Corp.*, 428 N.J. Super. 85 (App. Div. 2012), and *Lema v. Borough of Garwood*, 2025 WL 3250852 (N.J. Super. Ct. App. Div. Nov. 21, 2025), and agreed with Mr. Greco's conclusion that the appeal was untimely. Critically, however, Ms. Federico's letter confirms that, “should you wish to proceed with an appeal to the Planning Board for a hearing

and decision on this matter, we will ensure your appeal is placed on the next available agenda.” (Exhibit H.) The instant appeal, and this letter brief, proceed pursuant to that confirmation.

H. Procedural History Before the Board

Consistent with N.J.S.A. 40:55D-70 and 40:55D-72, Appellant filed a Notice of Appeal challenging the Zoning Officer's decision/approval and continued validity of the Permit. A Notice of Hearing was thereafter issued by the Board. This letter brief, together with the accompanying exhibits, is submitted for the rescheduled/continued hearing scheduled to occur August 5, 2026, and is being served on the Board and on all owners of record within 200 feet of the Property in accordance with the Municipal Land Use Law and the Board's notice requirements, not less than ten (10) days prior to the hearing.

I. Notice: Service on the Board and the 200-Foot Neighbor List, and Publication of Notice

In accordance with N.J.S.A. 40:55D-12 and the Board's applicable notice requirements, Appellant has served, or will serve, this letter brief and accompanying exhibits, including the November 7, 2025 Joint Planning Board minutes annexed as Exhibit I and Ordinance No. 1025-15 annexed as Exhibit J, upon the Board and upon all owners of record of property located within two hundred (200) feet of the Property, as identified on the certified property owner list obtained from the Borough Tax Assessor, not less than ten (10) days prior to the scheduled hearing date of August 5, 2026. Service upon the Board was, or will be, effected on July 21, 2026, addressed to the Borough of Demarest Joint Planning Board / Zoning Board of Adjustment, 118 Serpentine Road, Demarest, New Jersey 07627-2199, Attn: Board Secretary / Chairman. Service upon the 200-foot list was, or will be, effected on or before July 26, 2026 via hand delivery, addressed to each property owner identified on the certified list annexed as Exhibit L. In further compliance with N.J.S.A. 40:55D-12, notice of the hearing has been, or will be, published in the Bergen Record, a newspaper of general circulation in the Borough of Demarest, on or about July 24, 2026, but in any case not less than ten (10) days prior to the scheduled hearing date. A copy of the published notice and the affidavit of publication will be provided to the Board (to be emailed on or about July 25, 2026).

Appellant respectfully submits that, upon completion of service and publication as described above, all statutory and Board notice prerequisites to a hearing on the merits of this appeal will have been satisfied, and Appellant reserves the right to supplement the record with proof of service and the affidavit of publication in advance of or at the hearing.

Issues Presented

- I. Whether the maximum building height applicable to the R-D zone under Chapter 175 is, as the Board interpreted on November 7, 2025, and in fact was even prior to the

“interpretation” and prior to the issuance of the permit in question, a peak-height limitation measured from average natural grade to the peak of the building, rather than an “average” roof-height limitation of thirty (30) feet permitting a peak height of thirty-five (35) feet.

- II. Whether the Zoning Officer and Construction Official erred in issuing the Permit, and in declining to revoke or correct it, where the approved plans and as-built structure exceed the applicable thirty-foot maximum height and the approval relied on the limiting schedule’s “average height” language rather than the Board-confirmed R-D peak-height interpretation.
- III. Whether the Board should find that the Permit was issued in error and order that the Permit be corrected, suspended, or revoked, or that the Developer be required to seek variance relief or other relief, including but not limited to specific performance, unless and until the structure is brought into conformance with the thirty-foot height maximum.

Argument

I. The R-D Zone Imposes a Thirty-Foot Maximum Height Limit, Not an “Average” Height Limit

The Appellant's position — now substantiated by the Board's November 7, 2025 minutes and by the text of Ordinance No. 1025-15 — is that Chapter 175, as applicable to the R-D zone, has always measured building height from average natural grade to the peak of the building, not by an average roof-height methodology. The minutes reflect that the Code historically differentiated among zones: R-A, R-BB and R-B were measured to mean roof height, while R-C and R-D were measured to the peak. The ordinance text confirms why that distinction is clear and unambiguous: Ordinance No. 1025-15 described the height amendment as an increase in allowable roof height for the Residence A, BB and B zones; its height table amended the permitted “Average Height of Building” only for Residence A, Residence BB and Residence B; and it expressly stated that, “[i]n all other respects, the limiting schedule of the Municipal Code of the Borough of Demarest shall remain unchanged.” (Exhibits I, J.) Thus, the R-D zone’s thirty-foot maximum remains a true peak-height cap, not an average-height allowance.

This distinction is dispositive. Under the average-height rationale applied by the Zoning Officer, a structure with a peak of thirty-five feet was deemed compliant because other portions of the roof were shorter, producing a computed “average” of thirty feet. Under the maximum-height standard that Appellant contends actually governs the R-D zone, a thirty-five-foot peak is a five-foot violation of the ordinance on its face, regardless of any averaging methodology borrowed from a different provision or by reference to a limiting schedule which is not dispositive on the issue.

II. The Permit Was Issued Based on a Misapplication of Ordinance No. 1025-15 to a Zone It Does Not Govern in the Manner Applied

Ordinance No. 1025-15 is a key local law passed in 2015 that updated the borough's zoning code to better manage home sizes and height limits. The 2015 height amendment was targeted, limited, and unambiguous. The ordinance first recites that the Borough sought to "increase the allowable roof height of homes in the Residence A, BB and B zones," while also recognizing that the Borough had previously imposed a thirty-foot maximum dwelling height throughout the Borough. It did not identify Residence C or Residence D as zones whose roof-height standard would be increased.

The operative height amendment is equally limited. Ordinance No. 1025-15 provides that the limiting schedule shall be amended "to change the permitted Average Building Height in certain zones," and the table that follows lists only three districts: Residence A, Residence BB and Residence B. Residence C and Residence D do not appear in that table. (Exhibit J.) The omission is not accidental, ambiguous, or reasonably susceptible to a contrary reading; it is the textual mechanism by which the ordinance left those smaller-lot zones outside the average-height amendment.

The savings clause removes any possible doubt. Immediately after the height amendment, Ordinance No. 1025-15 states that, "[i]n all other respects, the limiting schedule of the Municipal Code of the Borough of Demarest shall remain unchanged." (Exhibit J.) In plain terms, if the ordinance did not change the R-D height standard in the specific height table, then that standard remained unchanged. A later schedule notation, administrative practice, or erroneous permit review cannot expand the ordinance beyond what the Mayor and Council enacted.

The November 7, 2025 vote was therefore not necessary to create, clarify, or amend the governing height rule. The ordinance already supplied the answer. To the extent the Board nevertheless took the vote, the vote served only to reconfirm by unanimous vote what Ordinance No. 1025-15 had already established: the 2015 ordinance changes were intended only for the R-A, R-B and R-BB zones, and the R-C and R-D zones remained measured from average natural grade to the peak of the building. Nor may the later vote be used to retroactively sanitize the Permit, because the Permit application's own architectural and engineering plans were premised on the incorrect "average height" methodology. The Zoning Officer's subsequent confirmation that the structure was "built in accordance with the submitted plans and building permit" does not establish zoning compliance — it merely establishes that the Developer built exactly what an erroneous plan authorized. Conformance with the Permit cannot cure a Permit that was itself issued in error.

III. The Measured and As-Designed Roof Heights Exceed Thirty Feet Under Any Reading of the Ordinance

Even setting the average-versus-maximum interpretive dispute to one side, the undisputed measurements of record confirm a height violation. The Developer's own architect's plan reflects a distance from the first floor to the highest roof peak of 35.0 feet. Independent survey measurement by Lantelme, Kurens & Associates, P.C. — taken on November 3, 2025 — confirmed a measured distance from first floor to highest roof peak of 34.8 feet, with a Highest

Roof Peak Elevation of 137.5 feet against a First Floor Elevation of 102.7 feet. Both figures exceed thirty feet by a substantial margin (4.8 to 5.0 feet), and both figures are drawn from the Developer's own design documents and the Borough's own retained surveyor — not merely from the Appellant's allegations.

Appellant further notes, without conceding the propriety of any averaging methodology in this zone, that even an averaging approach becomes unreliable here because the record raises an unresolved question as to whether the grade point from which height was measured was itself altered by fill after the original grade was established, as reflected in the October 31, 2025 correspondence regarding pre-fill and post-fill site photographs. That open grade question independently undermines the Borough's compliance determination and warrants further review by the Board.

A zoning permit that is void or issued in violation of an unambiguous ordinance requirement gives rise to a continuing violation for as long as the noncompliant structure stands, particularly where, as here, the underlying plans — not merely the field construction — embodied the ordinance error. The equities do not favor immunizing a permit issued in error from correction simply because construction proceeded quickly and at the Developer's own risk, particularly where the October 31, 2025 letter itself expressly placed the Developer on notice that continued construction, and any resulting corrective costs, would be at the Developer's own risk.

IV. The Board Should Find That the Permit Was Issued in Error and Order Corrective Relief

For the foregoing reasons, and consistent with both Ordinance No. 1025-15 and the Board's November 7, 2025 interpretation, the Board should find, as a matter of fact and ordinance interpretation, that the Permit was issued in error to the extent it authorized a roof and/or peak height in excess of thirty (30) feet in the R-D zone based on an "average height" methodology not applicable to that zone under Chapter 175. The Board should further find that the November 7, 2025 vote did not create a new rule, but merely reconfirmed the unambiguous rule already established by Ordinance No. 1025-15. The Board should further find that the structure, as designed and as built, exceeds the applicable thirty-foot maximum height and therefore does not conform to the Borough's zoning ordinance, and that the Permit should be corrected, suspended, or revoked, or that the Developer should be required to seek variance relief from the Board of Adjustment, or other remedies such as reducing the elevation of the roof, before the structure is permitted to remain as built.

V. Appellant Has Sustained Concrete Harm from the Improper Permit Issuance

The Board should also consider the concrete and continuing harm caused by the erroneous Permit. The massing of this home does not fit in with the neighboring homes in the R-D and it is totally out of place. Appellant resides in close proximity to the Property and has been directly affected

by the excessive height and massing of the structure that the Permit authorized. The injury is not abstract, trivial or procedural; it is the practical consequence of allowing a residence to be constructed above the maximum height permitted in the R-D zone. Those harms include loss of sunlight and light exposure, loss of the neighborhood scale and residential character protected by the R-D height restriction, impairment of Appellant's use and enjoyment of his property, and diminution in the value of Appellant's home. These harms are precisely the type of impacts that height restrictions are designed to prevent. They also underscore why the Board should not treat the matter as a harmless permitting irregularity, but instead as an ongoing zoning violation requiring meaningful, corrective relief.

Requested Relief

Appellant respectfully requests that the Board:

- Find that the Permit was issued in error because it authorized, and the structure as built contains, a roof/peak height in excess of the thirty (30) foot maximum height applicable to the R-D zone under Chapter 175;
- Find that the "average roof height" methodology applied by the Zoning Officer, drawn from Ordinance No. 1025-15 and/or the limiting schedule, does not govern the R-D zone because Ordinance No. 1025-15 amended average building height only for Residence A, Residence BB and Residence B, and was erroneously applied to the Permit application;
- Order that Zoning Permit No. Z-25-0032 and Construction Permit No. 2025-0109 be revoked, suspended, or modified pending correction of the height nonconformity, and/or direct the Developer to file and obtain approval of a variance application before the structure may remain as constructed;
- Direct the Zoning Officer and Construction Official to require correction of the nonconforming roof height and/or grade as a condition of any certificate of occupancy or continued validity of the Permit; and
- Grant such other and further relief as the Board deems just and proper, including referral of the grade/fill issue identified in Point III above for further engineering review and consideration of the concrete harms to Appellant identified in Point V above.
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Conclusion

For all of the foregoing reasons, Appellant respectfully requests that the Board find that the Permit for 3 Central Avenue was issued in error under the applicable thirty-foot height maximum governing the R-D zone, as confirmed by Ordinance No. 1025-15 and reconfirmed by the Board's November 7, 2025 vote, and grant the relief requested above. Appellant reserves the right to supplement this letter brief with additional exhibits, certified copies of Chapter 175 and Ordinance

No. 1025-15, evidence of Appellant's damages and property-value impact, and any formal Planning Board resolution addressing the height standard in the R-D zone, and to present testimony and argument at the hearing.

Respectfully submitted,

Scott A. Lavin

Appellant

Schedule of Exhibits

The following Exhibits A through Exhibit R accompany this letter brief and are served on the Board concurrently herewith. Exhibit letters are provisional and subject to renumbering by the Board Secretary/Clerk.

Exhibit	Description
A	Zoning Permit No. Z-25-0032 and Construction Permit No. 2025-0109, and underlying architectural plans (dated March 24, 2025) and engineering site plans (dated November 15, 2024, last revised April 14, 2025)
B	Zone Map showing subject property and Appellant's property in the R-D Zone
C	October 16, 2025 letter from John J. Lamb, Esq. to Richard Bolan (Construction official) and Michael Greco (Zoning Officer) requesting review/revocation of the Permit based on alleged height and grade violations
D	Portion of Developer's architectural plan shows the height from the ground to the peak of the roof to be 35 feet from grade
E	October 31, 2025 email, John J. Lamb, Esq. to Deena B. Rosendahl, Esq., re: prior grade/fill photograph and height calculation concern
F	October 31, 2025 letter, Michael Greco (Zoning Officer) and Robert Sherrow (Construction Official) to 3 Central Avenue LLC / TanDor Development, re: Ordinance No. 1025-15, average roof height rationale, and 10-day topographic survey demand
G	November 3, 2025 email from John J. Lamb, Esq. to Deena B. Rosendahl, Esq. – Comparison of old grades and current grades (with photos)
H	November 6, 2025 letter, Christopher J. Lantelme, P.E. & L.S. (Lantelme, Kurens & Associates, P.C.) to Borough Building Department, re: measured elevations and roof peak heights
I	November 7, 2025 Joint Planning Board Regular Meeting Minutes, including the Request for Interpretation regarding maximum building height, the limiting-schedule discussion, and the Board's unanimous interpretation that R-C and R-D building height is measured from average natural grade to the peak of the building
J	November 13, 2025 Letter, John J. Lamb, Esq. to Danielle M. Federico, Esq. – Outline of Issues in Pending Appeal
K	December 15, 2025 letter, Michael Greco (Zoning Officer) to John J. Lamb, Esq., determination re: timeliness and plan conformance
L	December 18, 2025 letter, Danielle M. Federico, Esq. (Board Counsel, CSG Law) to John J. Lamb, Esq., re: mootness/res judicata, timeliness, and confirmation of next-agenda hearing
M	Ordinance No. 1025-15 (2015) Amending Chapter 175-Zoning, including the marked provisions showing that the average-building-height amendment applies only to Residence A, Residence BB and Residence B, and that "[i]n all other respects, the limiting schedule of the Municipal Code of the Borough of Demarest shall remain unchanged"
N	Limiting Schedule 2005

O	Limiting Schedule 2021 – Borough of Demarest, showing maximum height for peaked roofs in the R-D Zone is 30 feet. Footnote D of the Limiting Schedule defines "maximum height" as the height " <u>measured from the average natural grade around the perimeter of the proposed structure.</u> "
P	Notice of Appeal and Notice of Hearing materials
Q	Affidavit/Certification of Service on the Board and on the 200-foot list of neighboring property owners, with certified property owner list and proof of mailing
R	Affidavit of Publication of Notice of Hearing, together with copy of published notice [TO BE OBTAINED/ATTACHED]