

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

**AGENDA**

**REGULAR MEETING – November 15, 2022**

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, 2021.

Join Zoom Meeting

<https://us02web.zoom.us/j/7318183076?pwd=cGY3R3JOQnlmSGE1V0pQMkp1NG9RZz09>

Meeting ID: 731 818 3076

Passcode: 271918

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. Press		
Ms. Hayden, Chair		
Alternate #1 Mr. Adelman		
Alternate # 2 TBC		
<b>Present:</b>		
Board Secretary, Teresa Ferrentino		
Mark Madaio, Board Attorney		
Colliers, Board Engineer		

**Variance Application #826-22**  
**Applicant Name: 6 Van Horn LLC**  
 6 Van Horn  
 Block #4, x Lot #3  
 Zone D

**Application submitted: September 19, 2022**

**Hearing Date(s):** N/A

**Relief Sought:** N.J.S.A. §40:55D-70(c) and Chapter 175 §175-27 accessory structures (pool, pool equipment, patio) in front/side yard, rear yard setback

<b>GENERAL ZONING Zone D</b>	<b>REQUIRED/ALLOWED</b>	<b>EXISTING</b>	<b>PROPOSED</b>
Lot Area	10,000 sf.	13,319 sf.	13,319 sf.
Frontage – Lenox	100 ft.	70.20 ft.	70.20 ft.
Frontage – Van Horn	100 ft.	189.49 ft.	189.49 ft.
Min. Front Yard (Lenox Ave)	25 ft.	25.7 ft.	25.1 ft.
Min Front Yard ( Van Horn)	25 ft.	25.1 ft.	25 ft.
<b>Min Side Yard (Lot)*(rear yard- east side property line)</b>	<b>10 ft.</b>	<b>13.5 ft.</b>	<b>10.1 ft.</b>
Min. Rear Yard	30 ft.	124.4 ft.	81.9 ft.
Bldg. Height	30 ft.	25 ft.	29.4 ft.
Max. Livable Floor Area (FAR)	30%	--	3458 sf. /26%
Building Coverage	20%	1393 sf. / 10.5%	2650 sf. / 19.9%
Maximum % Improved coverage: principal residence, vehicle access, parking	25%	1694 sf. /12.7%	3238 sf. /24.3%
Total Improved Lot Coverage	30%	1789 sf.	3996 sf. /30%

<b>ACCESSORY STRUCTURE (POOL)*</b>	<b>REQUIRED/ALLOWED</b>	<b>EXISTING</b>	<b>PROPOSED</b>
Min. Accessory side setback - lot	10 ft.	N/A	10 ft.
Min. Accessory side setback - street	25 ft.	N/A	25 ft.
Min. Accessory rear setback	10 ft.	N/A	

**\*VARIANCE NEEDED**

**NO INFORMATION PROVIDED ON POOL FENCING**

Motion to Open to the Public:

Second:

**Motion:**

**Second:**

<b>ROLL CALL TO APPROVE/DENY:</b>	<b>Eligible to Vote*</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
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Mr. Woods, Vice-Chair				
Mr. Davis				
Mr. Corrado				
Mr. McLain				
Mr. Park				
Mr. Press				
Ms. Hayden, Chairwoman				
Alternate #1 Mr. Adelman				
Alternate #2 TBC				

**Variance application 820.21.**

**Request for Extension of Variance expiration**

History: Heard at 10/19/21 Zoning Board meeting.

**Relief Sought:** building coverage §175-16; §175-19(B)(6)(7) accessory structure/pool in front yard, retaining wall height

Applicant Name: Jason and Rachael Liberman  
605 Piermont Road  
Block 76 Lots 4.02 & 4.03  
Zone B

Application heard and approved October 2021, resolution memorialized and published November 23, 2021.

**§ 27-20 Expiration of variances.**

Any variance granted by the Board of Adjustment or Planning Board permitting the erection or alteration of any structure or structures or permitting a specified use of any premises shall expire by limitation unless such construction or alteration shall have been actually commenced on each and every structure permitted by said variance, or unless such permitted use has actually been commenced, **within one year from the date of publication of the notice** of the judgment or determination of the Board of Adjustment or Planning Board; except, however, that the running of the period of limitation herein provided shall be tolled from the date of filing an appeal from the decision of the Board of Adjustment to the governing body, or to a court of competent jurisdiction, until the termination in any manner of such appeal or proceeding.

**Memorialization of Resolution to Approve Variance Application #822.22**

**Applicant Name:** The Vanessa Colon Trust  
2 Prospect Street  
Block # 59, Lot #18  
Zone B

**Relief Sought:** N.J.S.A. §40:55D-70(C) and Chapter 175 §175-27 for Improved lot coverage, accessory structures (pool, pool equipment & Patio) in front yard, building coverage

Motion:  
Second:

***\*Only those Board members who voted to approve may vote to memorialize the resolution.***

<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	No			
Mr. Park	Yes			
Mr. Press	Yes			
Ms. Hayden, Chairwoman	Yes			
Alternate #1 Mr. Adelman	Yes			
Alternate #2 TBC				

*Davis & McLain absent for October meeting*

**Memorialization of Resolution to Approve  
Variance Application #825-22**

**Applicant Name:** Vikki Gandhi  
Address 177 Orchard Street  
Block 85.04, Lot # 2  
Zone A

**Relief Sought:** N.J.S.A. §40:55D-70(c) and Chapter 175 §175-27 for Improved lot coverage, §175-19(3)(d) and (4) (C) accessory structure side/rear yard encroachment

Motion:

Second:

***\*Only those Board members who voted to approve may vote to memorialize the resolution.***

<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	No			
Mr. Park	No			
Mr. Press	Yes			
Ms. Hayden, Chairwoman	Yes			
Alternate #1 Mr. Adelman	Yes			
Alternate #2 TBC				

*Davis & McLain absent for October meeting*

**Approval of Minutes of October 18, 2022, 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	No			
Mr. Park	Yes			
Mr. Press	Yes			
Ms. Hayden, Chairwoman	Yes			
Alternate #1 Mr. Adelman	Yes			
Alternate #2 TBC				

**Other Business:**

Appoint nominating committee for 2023 officers, Board Attorney, Board Engineer, Secretary  
approval of 2023 meeting schedule:

January 17	July 18
February 21	August 15
March 21	September 19
April 18	October 17
May 16	November 21
June 20	December 19

**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. Press		
Ms. Hayden, Chairwoman		
Alternate #1 Mr. Adelman		
Alternate #2 TBC		

***Next Meeting December 20, 2022, at 7:30 p.m. via Zoom conference/ Boro Hall***