



Joint Planning Board  
Borough of Demarest  
118 Serpentine Road  
Demarest, NJ 07627

Received Date:  
Completeness Date:  
Action by Date:

## VARIANCE APPLICATION

### Section 1: Project Summary

File No. \_\_\_\_\_

| 1A. Property Information |                                       |       |       |
|--------------------------|---------------------------------------|-------|-------|
| Property Address         | 25 Meadow Street, Demarest, NJ, 07627 |       |       |
| Block and Lot            | B: 9                                  | L: 52 | Qual: |
| Zone                     | R-D                                   |       |       |
| Principal Use            | Single Family Home                    |       |       |

| 1B. Contacts |                                       | Owner | Applicant     |
|--------------|---------------------------------------|-------|---------------|
| Name         | 25 Meadow St., LLC                    |       | Same as Owner |
| Address      | 25 Meadow Street, Demarest, NJ, 07627 |       |               |
| Phone #      |                                       |       |               |
| Email        |                                       |       |               |

| 1C. "C Variances" Requested |                                | Requested | Town Requirement |
|-----------------------------|--------------------------------|-----------|------------------|
|                             | Improved Lot Coverage          | 30 %      | 30 %             |
|                             | Building Coverage              | 19.7 %    | 20 %             |
|                             | Residential & Parking Coverage | 24.7 %    | 25 %             |
| ✓                           | Setback-Front(s)               | 26.6 ft   | 31 Ft            |
|                             | Setback-Rear                   | 58.8 ft   | 30 Ft            |
|                             | Setback-Side(s)                | 10 ft     | 10 Ft            |
|                             | Other(s) - list all            |           |                  |

| 1D. "D Variances" Requested |                                          |      |    |
|-----------------------------|------------------------------------------|------|----|
|                             | D (1) – Use                              |      |    |
|                             | D (2) – Expansion of a Nonconforming Use |      |    |
|                             | D (3) - Conditional Use                  |      |    |
| X                           | D (4) – FAR / Livable Floor Area         | 32.8 | %  |
|                             | D (6) – Height (10ft or 10%)             |      | Ft |

#### 1E. Project Description:

New single family home.



## Section 2: Zoning Analysis

ZONE: **R-D**



### 2A. Property Description – Including Setbacks, Frontage, Size & Depth

| Lot & Building Zoning                   | i. Required  | ii. Existing | iii. Proposed | Variance Requested (Yes / No) |
|-----------------------------------------|--------------|--------------|---------------|-------------------------------|
| 1. Lot Area Square Feet (sq.ft.)        | 10,000 sq ft | 7730 sq ft   | 7730 sq ft    | no- existing nonconforming    |
| 2. Lot Frontage                         | 100 ft       | 50 ft        | 50 ft         | no- existing nonconforming    |
| 3. Lot Depth                            | 100 ft       | 154.60 ft    | 154.60 ft     | NO                            |
| 4. Setback-Front Yard                   | 31.0 ft      | 33.9 ft      | 26.6 ft       | YES                           |
| 5. Setback-Front Yard 2 (if applicable) | N/A          | N/A          | N/A           | N/A                           |
| 6. Setback-Rear Yard                    | 30 ft        | 87.6 ft      | 58.8 ft       | NO                            |
| 7. Setback-Side Yard (Left)             | 10 ft        | 0.9 ft       | 10 ft         | NO                            |
| 8. Setback-Side Yard (Right)            | 10 ft        | 17. 6 ft     | 10 ft         | NO                            |
| 9. Principal Building Height            | 24/30 ft     |              | 29.1 ft       | NO                            |

### 2B. Maximum Coverages – Including Building, Livable Floor Area, Lot Coverage and Building + Parking

| Maximum Permitted              | i. Required | ii. Existing | iii. Proposed | Variance Requested (Yes / No) |
|--------------------------------|-------------|--------------|---------------|-------------------------------|
| 1a. Building Coverage (%)      | 20%         |              | 18.9 %        | NO                            |
| 1b. Building Coverage (sf)     |             |              | 1458 sf       | NO                            |
| 2a. Livable Floor Area (%)     | 30%         |              | 32.8 %        | YES                           |
| 2b. Livable Floor Area (sf)    |             |              | 2535 sf       | NO                            |
| 3a. Improved Lot Coverage (%)  | 30%         |              | 29.9%         | NO                            |
| 3b. Improved Lot Coverage (sf) |             |              | 2310sf        | NO                            |
| 4a. Residential & Parking (%)  | 25%         |              | 23.9%         | NO                            |
| 4b. Residential & Parking (sf) |             |              | 1844 sf       | NO                            |

### 2C. Livable Floor Area Summary

|                            | Floor 1 | Floor 2 | Floor 3 | Basement* | Other Garage | Other |
|----------------------------|---------|---------|---------|-----------|--------------|-------|
| Total Square Feet (sq.ft.) | 1382 sf | 1153 sf |         | N/A       | included in  |       |
| Total Sq. Ft               | 2318    |         |         |           | Floor 1      |       |
| Percentage of Lot (%)      | 32.8 %  |         |         |           | area         |       |

\*Include basement in the calculations only if 30% or more of your basement is above the average grade (an average of a natural grade adjacent to the perimeter of a building measured at points ten (10) feet apart starting at the lowest elevation) \*\*



## Section 3. Accessory Calculations

- A. Improved Lot Coverage: The part of the site that is covered by buildings or accessory buildings; impervious or pervious surfaces; and any other structures or impervious surfaces.
- B. Building Coverage: The percentage of the plot or lot area covered by the principal building and accessory building(s).
- C. Setback(s): The required distance between a building or structure and a property line.
- D. Floor Area Ratio (FAR) / Livable Floor Area: The aggregate of all floors included within the outer walls of the building, excluding basements, garages and other unheated areas and including only such floor area under a sloping ceiling for which the headroom is not less than five (5) feet six (6) inches and then only if at least seventy-five percent (75%) of such floor area has a ceiling height of net less than seven (7) feet, six (6) inches and if any such floor that is situated above another story has access to the floor by a permanent, built-in stairway and has a permanent complete floor and a means of heating to seventy-five degrees Fahrenheit (75F) at all times.

| Square Feet (sq.ft.)   | 3A. Improved Lot Coverage |          | 3B. Building Coverage |          | 3C. Side Set Back | 3C. Rear Set Back |
|------------------------|---------------------------|----------|-----------------------|----------|-------------------|-------------------|
|                        | Existing                  | Proposed | Existing              | Proposed | Proposed          | Proposed          |
| Building               | N/A                       | 2310     | N/A                   | 1458     | 10.2              | 60.2              |
| Detached Garage        | N/A                       | N/A      | N/A                   | N/A      | N/A               | N/A               |
| Driveway               | N/A                       | 386      |                       |          |                   |                   |
| Covered Patio          | N/A                       | N/A      | N/A                   | N/A      | N/A               | N/A               |
| Patio                  | N/A                       | 186      |                       |          | 11                | 60.2              |
| Deck                   | N/A                       | N/A      |                       |          | N/A               | N/A               |
| Shed                   | N/A                       | N/A      | N/A                   | N/A      | N/A               | N/A               |
| Front Walkway          | N/A                       | 180      |                       |          | >10               | N/A               |
| Side Walkway           | N/A                       | N/A      |                       |          | N/A               | N/A               |
| Rear Walkway           | N/A                       | N/A      |                       |          | N/A               | N/A               |
| Retaining Wall(s)      | N/A                       | N/A      |                       |          | N/A               | N/A               |
| AC & Generator Pads    | N/A                       | 28       |                       |          | >10               | >30               |
| Swimming Pool          | N/A                       | N/A      |                       |          | N/A               | N/A               |
| Sports Court           | N/A                       | N/A      |                       |          | N/A               | N/A               |
| Other<br>Generator pad | See above                 |          |                       |          |                   |                   |
| Other<br>A/C Pad       | See above                 |          |                       |          |                   |                   |
| Other<br>Mech Pads     | N/A                       | N/A      |                       |          | N/A               | N/A               |
| Other                  |                           |          |                       |          |                   |                   |
| Other                  |                           |          |                       |          |                   |                   |
| Total Sq. Ft.          |                           | 2310     | N/A                   | 1458     |                   |                   |
| % of Total Lot Area    |                           | 29.9     |                       | 18.9     |                   |                   |



## Section 4. Site & Building Information

A. Describe the proposed construction:

**New single family dwelling.**

B. Describe the current use of buildings on the property:

**Single family dwelling.**

C. Describe any existing deed restrictions or easements on property if any; these include but are not limited to storm drains, sidewalk, open space, streams, brooks, etc. Please provide copies of these documents as well.

**None.**

D. Is the lot or the building non-conforming to the Demarest Zoning Ordinance or any other Borough Ordinance? If so, please describe.

**Yes. The lot is 7,730 square feet where 10,000 square feet is required and the existing dwelling maintains a non-conforming side yard setback of 0.9 feet**

E. Has a variance been previously granted or denied on the subject property? If so, please describe what it is and when it was issued. Please provide copies of these documents as well.

**None to the applicant's knowledge. According to the Borough's tax records, the dwelling on the Property was constructed in 1920 and predates the applicable zoning ordinance.**

F. Will there be significant changes being made to the land of the property itself (such as the removal or replacement of dirt, change in grade, removal of trees)?

**Net soil removed from site 173 cubic yards.**

I, being of full age, hereby swear that all the information I have provided in the above application and the attached survey and / or plans are true and correct to the best of my knowledge.

**25 Meadow St., LLC**

**Matthew Bader, Managing Member**

Print Name of Applicant

*Matt Bader*

Matt Bader (Jul 16, 2026 14:44:18 EDT)

Signature

**Jul 16, 2026**

Date

## **RIDER TO APPLICATION**

25 Meadow Street  
Block 52, Lot 9  
Demarest, New Jersey

The Applicant, 25 Meadow St., LLC, requests a bulk variance to permit the construction of a new single-family dwelling at 25 Meadow Street, formally known and designated as Block 52, Lot 9 on the Borough's Tax Map (the "Property"). The Property is undersized, with an area of 7,730 square feet, where the R-D Zone requires a minimum of 10,000 square feet. The Property is also exceptionally narrow, with a width of 50 feet, where 100 feet is required.

Despite the Property's limited width and area, the Applicant proposes a new dwelling that conforms to all bulk requirements in the R-D Zone except the required front-yard setback and the newly revised floor area ratio limits. Based on the ordinance's average front-yard setback calculation for homes on the same side of Meadow Street within 300 feet of the Property, the required front-yard setback is 33.1 feet. That average is driven primarily by the unusually large setback at 17 Meadow Street (44.1 feet). The other homes within 300 feet on the same side of the street have setbacks between 25.2 and 29.3 feet, including the homes immediately adjacent to the Property—29 Meadow and 23 Meadow—which sit 25.3 feet and 29.3 feet from their front lot lines, respectively. The Applicant proposes a 26.6-foot front-yard setback, consistent with the adjacent dwellings. Although the Applicant could meet the 33.1-foot requirement, doing so would require either a smaller building footprint (even though the proposal already falls below the 20% building coverage limit and the 25% building-plus-driveway coverage limit) or an increase in impervious coverage, because a deeper setback would require a longer driveway.

The Applicant submits that the Board may grant the front-yard setback variance under either N.J.S.A. 40:55D-70(c)(1) or N.J.S.A. 40:55D-70(c)(2). As explained above, the Property's

undersized and narrow configuration limits the Applicant's ability to comply with every bulk standard in the R-D Zone. The ordinance's minimum front yard is 25 feet, and the proposed development exceeds that standard. However, the average-setback calculation effectively penalizes the Property because one dwelling maintains a substantially larger setback than the homes closer to the Property. Strict application of the average-setback requirement would force the Applicant to (i) seek the requested front-yard variance, (ii) reduce coverage below what the ordinance otherwise permits, or (iii) seek a coverage variance.

Furthermore, a modest deviation in the front-yard setback on this undersized, narrow lot advances the purposes of zoning because the benefits of the project, when considered in their entirety, substantially outweigh any detriments associated with the front yard setback variance. The proposal promotes the general welfare by replacing the existing 1920s-vintage structure with a new, code-compliant dwelling that conforms to virtually every bulk requirement in the R-D Zone. The project also allows the Applicant to demolish the existing dwelling, which sits nearly on the western side lot line (at its closest point, 0.9 feet from the lot line), thereby furthering purpose (c) of the Municipal Land Use Law by helping to ensure sufficient light, air, and open space. Finally, the new dwelling's attractive design advances purpose (i) of the Municipal Land Use Law by promoting a desirable visual environment.

These benefits substantially outweigh the limited impacts associated with the minor front-yard setback variance, particularly because the new dwelling will dramatically reduce the existing impact on the dwelling to the west created by the current noncompliant side-yard condition. Because the dwellings on either side of the Property maintain setbacks within a few feet of the proposed front-yard setback, the proposed dwelling will not protrude or disrupt the streetscape. Under N.J.S.A. 40:55D-70(c)(2), a variance is appropriate where the proposal

provides a better zoning alternative than a conforming development. Here, the proposed front yard mirrors the adjacent setbacks and permits otherwise conforming development on the Property; that outcome provides a better alternative than a fully conforming design that would force unnecessary reductions or other deviations.

The Applicant also requires a floor area ratio variance due to the newly imposed requirement that garages are now included within the definition of floor area<sup>1</sup>. The Applicant proposes a floor area ratio of 32.8% when a maximum of 30% is permitted, as 2,535 square feet of floor area is proposed. As described by the New Jersey Supreme Court in *Commercial Realty and Resources Corp. v. First Atlantic Prop.*, 122 N.J. 546 (1991), and the Appellate Division in *Randolph Town Center v. Twp. of Randolph Bd. of Adj.*, 324 N.J. Super. 412 (App. Div. 1999), a floor area ratio limit is a technique used to limit the intensity of uses of property. Accordingly, to obtain a floor area ratio variance, an applicant must show “that the site will accommodate the problems associated with a proposed use with larger floor area than permitted by the ordinance.” *Id.* at 417.

The Applicant submits that there are special reasons to warrant a deviation from the floor area ratio requirement in that the Property can accommodate the extra 216 square feet that is proposed. The modestly-sized house, which exceeds the permissible floor area by 9.3%<sup>2</sup>, is not too large, but rather the Property is too small, since the Property is 22.7%<sup>3</sup> smaller than required in the R-D Zone. The ability to accommodate the extra floor area without problems is evidenced by the fact that the proposed side yards (10.2 feet and 11 feet) exceed the minimum

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<sup>1</sup> When this application was initially submitted on May 15, 2026, the dwelling was larger than currently proposed and conformed to the R-D Zone’s floor area ratio requirement, as the new Zoning Ordinance did not go into effect until May 19, 2026 when it was filed with the Bergen County Planning Board. However, because the plan then submitted required several additional variances that were not listed, it was incomplete and the new ordinance now applies.

<sup>2</sup> 2.8%/30%

<sup>3</sup> 2,270 square foot deficiency/10,000 square feet required

side yard requirements in the Zone, while the rear yard is more than double what the Zoning Ordinance requires. The building is also under the height limit, meaning that it is within the building envelope, other than the front yard setback deviation described above. It is also below the building coverage limit. Thus, rather than presenting a massive structure that swallows the lot from the street or adjacent properties, the proposed dwelling will look as though it conforms to the Borough's zoning requirements even though the lot is exceedingly narrow.

For these same reasons, the Board may grant the variances without substantial detriment to the public good. The deviations from the calculated front-yard setback (which is driven by a single home located some distance from the Property) and floor area ratio requirement (which is driven by the undersized nature of the Property) create minimal impacts on adjacent properties for the reasons stated above.

Likewise, granting the variances will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The proposal preserves the neighborhood's character, as shown by the setbacks of the homes immediately adjacent to the Property. The flexible front-yard setback requirement aims to maintain a consistent streetscape; here, one dwelling with an unusually deep front yard drives the average-setback calculation and creates the inconsistency, not the Applicant's request for a front yard that is largely consistent with the homes immediately adjacent to the Property. The floor area ratios imposed in the residential zones are intended to preserve the character and scale of development in established single-family neighborhoods, and the proposal does not undermine that goal. Instead, allowing the Applicant to construct a new dwelling on the Property will further that goal by reintroducing the appropriate scale of development on the Property in place of the existing structure with its grossly non-conforming side yard.



## Section 5. Environmental Questionnaire

If any of the following questions are answered YES or OTHER, explain briefly on a separate clearly labeled document.

- A. Describe any adjacent environmental areas to the property – including any creeks, rivers, ponds, environmentally protected areas, riparian zones, etc.  
**none**
- 
- B. Is the site located in or adjacent to a wetlands area? ☐ YES | ☒ NO
- C. Does the new project require the removal of any trees of four (4) inch diameter at a height of six (6) inches above ground level? ☐ YES | ☒ NO
- D. On the site plan, state how many, the species, and location of the trees on site. If it is a woodland area, give area and tree density.  
**Two, Eighteen (18) ft maple trees exist on the property.**
- 
- E. Does the new project require the removal of ornamental shrubs? ☐ YES | ☒ NO
- F. Does the applicant plan to relocate the trees and shrubs of item 3 and 4? ☐ YES | ☒ NO
- G. Does the new project require the alteration, channelization or relocation of any water course?  
☐ YES | ☒ NO
- H. Will the project introduce any change in the quality of present storm water runoff? Include any changes in nonporous surface due to the project. ☐ YES | ☒ NO
- I. Will the project require directing surface drainage into a water course? ☐ YES | ☒ NO
- J. Will the project have any impact on Borough Services presently provided, such as: Police, fire, public works, schools, public sewers, etc.? ☐ YES | ☒ NO
- K. Will any required excavation for the project penetrate the high-water table in existence at the site? ☐ YES | ☒ NO
- L. Will the project interfere or change the high-water table at the site or its surroundings due to change in drainage? ☐ YES | ☒ NO
- M. Will the project require any special foundation provisions such as: pile, spread footing supports, etc.? ☐ YES | ☒ NO
- N. Will the operation of the project increase local vehicular traffic? ☐ YES | ☒ NO
- O. Will the operation of the project increase local air pollution? ☐ YES | ☒ NO
- P. Will the operation of the project exceed the existing noise level? ☐ YES | ☒ NO
- Q. Will the operation of the project exceed standard noise code levels? ☐ YES | ☒ NO
- R. Will the operation of the project increase the present light intensity levels? ☐ YES | ☒ NO
- S. Will the operation of the project produce odors? ☐ YES | ☒ NO
- T. Will the project impact on, or be in violation of the Demarest Master Plan and/or current zoning in the area? ☐ YES | ☒ NO
- U. Is the area of the project currently served by public utilities such as: electric, gas, water?  
☒ YES | ☐ NO
- V. Has the site of the project ever been used for storage and disposal of hazardous materials or toxic substances or dangerous chemicals? ☐ YES | ☒ NO

**\*\*Please clearly label using section and question letter all attached sheets explaining the above answers.**



## **Section 6: Representatives' Contact Information**

### **6A. Legal Representative Contact Info**

|                         |                                                         |
|-------------------------|---------------------------------------------------------|
| Contact & Business Name | <b>Daniel Steinhagen, Esq.</b>                          |
| Address                 | <b>200 Market Street, Suite 401, Montvale, NJ 07645</b> |
| Phone                   | <b>201-799-2128</b>                                     |
| Email                   | <b>dsteinhagen@beattielaw.com</b>                       |

### **6B. Engineer Contact Info**

|                         |                                                         |
|-------------------------|---------------------------------------------------------|
| Contact & Business Name | <b>Sean P. McClellan, McCLELLAN ENGINEERING</b>         |
| Address                 | <b>84 Gettysburg Way Lincoln Park, New Jersey 07035</b> |
| Phone                   | <b>(862) 668-1160</b>                                   |
| Email                   | <b>McClellanEngineering@gmail.com</b>                   |

### **6C. Planner Contact Info**

|                         |  |
|-------------------------|--|
| Contact & Business Name |  |
| Address                 |  |
| Phone                   |  |
| Email                   |  |

### **6D. Architect Contact Info**

|                         |                                      |
|-------------------------|--------------------------------------|
| Contact & Business Name | <b>Uri Rapaport Architect A.I.A.</b> |
| Address                 | <b>PO Box 361 Tenaflly NJ 07670</b>  |
| Phone                   | <b>(201) 569 6871</b>                |
| Email                   | <b>uri@rapaportdesign.com</b>        |

### **6E. Other**

|                         |  |
|-------------------------|--|
| Contact & Business Name |  |
| Address                 |  |
| Phone                   |  |
| Email                   |  |

# 25 Meadow Street LLC- Variance Application - Revised(7208913.1)

Final Audit Report

2026-07-16

|                 |                                                |
|-----------------|------------------------------------------------|
| Created:        | 2026-07-16                                     |
| By:             | Daniel Steinhagen (dsteinhagen@beattielaw.com) |
| Status:         | Signed                                         |
| Transaction ID: | CBJCHBCAABAA7jYs9z0gRquaURoY1n175d-LhQMIPpYc   |

## "25 Meadow Street LLC- Variance Application - Revised(7208913.1)" History

-  Document created by Daniel Steinhagen (dsteinhagen@beattielaw.com)  
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-  Signer mattbader1@gmail.com entered name at signing as Matt Bader  
2026-07-16 - 6:44:16 PM GMT
-  Document e-signed by Matt Bader (mattbader1@gmail.com)  
Signature Date: 2026-07-16 - 6:44:18 PM GMT - Time Source: server - Signature Appearance Selected: TYPE
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