



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

Received Date: **07/13/2026**
Completeness Date: **08/18/2026**
Action by Date: **12/16/2026**

VARIANCE APPLICATION

Section 1: Project Summary

File No. **JPB-26-007**

1A. Property Information

Property Address	15 Brook Way, Demarest, NJ		
Block and Lot	B: 145	L: 13	Qual: N/A
Zone	R-C		
Principal Use	Single-family dwelling		

1B. Contacts

Owner

Applicant

Name	Jonathan Gal and Stephanie Barnhart Same as Owner	
Address	15 Brook Way, Demarest, NJ	
Phone #		
Email	galjs2@gmail.com	

1C. "C Variances" Requested

Requested

Town Requirement

☒	Improved Lot Coverage	34.86% %	30 %
☒	Building Coverage	25.17% %	20 %
☒	Residential & Parking Coverage	25.76 %	25 %
	Setback-Front(s)		Ft
☒	Setback-Rear	28.74'	50 Ft
☒	Setback-Side(s)	Left- 12.75' (as to Fireplace)	25 Ft
	Other(s) - list all		

1D. "D Variances" Requested

☐	D (1) - Use	
☐	D (2) - Expansion of a Nonconforming Use	
☐	D (3) - Conditional Use	
☐	D (4) - FAR / Livable Floor Area	%
☐	D (6) - Height (10ft or 10%)	Ft

1E. Project Description:

The Applicant seeks to construct a covered patio in the rear left corner of the dwelling at the Property together with an associated fireplace and spa in the rear yard.



Section 2: Zoning Analysis

ZONE: R-C

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.)	15,000 SF	12,500 SF	12,500 SF	No- ENC
2. Lot Frontage	100'	100'	100'	No.
3. Lot Depth	100'	125'	125'	No.
4. Setback-Front Yard	35'	35'	35'	No.
5. Setback-Front Yard 2 (if applicable)		N/A	N/A	
6. Setback-Rear Yard	30'	44.50'	28.74'	Yes.
7. Setback-Side Yard (Left)	15'	15'	12.75'	Yes.
8. Setback-Side Yard (Right)	15'	15'	15'	No.
9. Principal Building Height	30'	28.58'	28.61'	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%	20.56%	25.17%	Yes.
1b. Building Coverage (sf)		2,570 SF	3,146 SF	Yes.
2a. Livable Floor Area (%)	30%	28.10%	28.10%	No.
2b. Livable Floor Area (sf)		3,511 SF	3,511 SF	No.
3a. Improved Lot Coverage (%)	30%	31.77%	34.86%	Yes.
3b. Improved Lot Coverage (sf)		3,971 SF	4,357 SF	Yes.
4a. Residential & Parking (%)	25%	25.76%	25.76%	No- ENC
4b. Residential & Parking (sf)		3,220 SF	3,220 SF	No- ENC

2C. Livable Floor Area Summary

N/A	Floor 1	Floor 2	Floor 3	Basement*	Other	Other
Total Square Feet (sq.ft.)						
Total Sq. Ft						
Percentage of Lot (%)						

*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 not 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	2,570 SF	3,146 SF	2,450 SF	2,450 SF		
Detached Garage						
Driveway	770 SF	770 SF				
Covered Patio				576 SF		
Patio	340 SF	99 SF				
Deck						
Shed						
Front Walkway						
Side Walkway						
Rear Walkway						
Retaining Wall(s)						
AC & Generator Pads	8 SF	8 SF				
Swimming Pool						
Sports Court						
Other Covered Porch			120 SF	120 SF		
Other Steps & Walks	283 SF	229 SF				
Other Spa		105 SF				
Other						
Other						
Total Sq. Ft.	3,971 SF	4,357 SF	2,570 SF	3,146 SF		
% of Total Lot Area	31.77%	34.86%	20.56%	25.17%		



HUBSCHMAN ENGINEERING

ENGINEERS
SURVEYORS
PLANNERS

263A SOUTH WASHINGTON AVE., BERGENFIELD, NJ 07621 • (201) 384-5666 • FAX (201) 384-7968

June 30, 2026

VIA EMAIL AND HAND DELIVERED

Capizzi Law Offices
205 Fairview Avenue
Westwood, NJ, 07675

**RE: Proposed Covered Porch
15 Brook Way
Block 145, Lot 13
Demarest, New Jersey
Our File No.: 4349**

The applicant is proposing the construction of a covered patio and spa to an existing residential dwelling located at 15 Brook Way in the Borough of Demarest, Bergen County.

- **Lot Zone:** Residential R-C
- **Lot Area:** 12,500 S.F.
- **Min. Lot Area:** 15,000 S.F.

Building Coverage		
Max. Permitted: 20%		
Area	Existing (S.F.)	Proposed (S.F.)
Footprint	2,450	2,450
Covered Porch	120	120
Covered Patio	N/A	576
Total	2,570 S.F.	3,146 S.F.
	20.56 %	25.17 %

Improved Lot Coverage

Max. Permitted: 30%

Impervious Area	Existing (S.F.)	Proposed (S.F.)
Footprint	2,450	2,450
Covered Porch	120	120
Covered Patio	N/A	576
Driveway	770	770
Steps & Walk	283	229
Patio	340	99
Spa	N/A	105
AC Units	8	8
Total	3,971 S.F.	4,357 S.F.
	31.77 %	34.86 %

Residential & Parking Coverage

Max. Permitted: 25%

Area	Existing (S.F.)	Proposed (S.F.)
Footprint	2,450	2,450
Driveway	770	770
Total	3,220 S.F.	3,220 S.F.
	25.76 %	25.76 %

Floor Area Ratio

Max. Permitted: 30%

Area	Existing (S.F.)	Proposed (S.F.)
Floor Area	3,511	3,511
Total	3,511 S.F.	3,511 S.F.
	28.10 %	28.10 %

If you have any questions, or should require additional information, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to be 'MH' with a long horizontal stroke extending to the right.

HUBSCHMAN ENGINEERING, P.A.
Michael J. Hubschman, P.E., P.P.



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Variance Application

Section 4. Site & Building Information

A. Describe the proposed construction:

The Applicant seeks to construct a covered patio in the rear left corner of the dwelling together with an associated fireplace and spa in the rear yard of the Property.

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.

Drainage Easement for the benefit of the Borough of Demarest as noted on Filed Map #4495 filed 7/31/1953.

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

Yes:

- Minimum Lot Area
- Maximum Building Coverage
- Maximum Improved Lot Coverage
- Maximum Residential & Parking Coverage

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.

No.

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)?

Please refer to Engineering Plan prepared by Hubschman Engineering, P.A., consisting of two (2) sheets dated June 1, 2026 and last revised as of June 15, 2026

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.

Print Name of Applicant

Signature

Date

[Handwritten Signature]

Matthew G. Capizzi, Esq.

Attorney for Applicant

7/10/2026



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Variance Application

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.
N/A
- 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 N/A
- 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 REQUIRES VARIANCE FOR BUILDING COVERAGE & IMPROVED COVERAGE
- 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.**



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Variance Application

Section 6: Representatives' Contact Information

6A. Legal Representative Contact Info

Contact & Business Name	Matthew G. Capizzi, Esq., of Capizzi Law Offices
Address	205 Fairview Avenue, Westwood NJ
Phone	201-266-8300
Email	matthew@capizzilaw.com

6B. Engineer Contact Info

Contact & Business Name	Michael Hubschman, P.E., of Hubschman Engineering, P.A.
Address	263A S. Washington Avenue, Bergenfield NJ 07621
Phone	201-384-5666
Email	mike@hubschmanengineering.com

6C. Planner Contact Info

Contact & Business Name	
Address	
Phone	
Email	

6D. Architect Contact Info

Contact & Business Name	Stephanie Pantale, R.A., of Stephane De Carlo Pantale Architect
Address	70-K Chestnut Ridge Road, Montvale NJ
Phone	201-573-8250
Email	pantalearchitect@hotmail.com

6E. Other

Contact & Business Name	
Address	
Phone	
Email	