



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

Received Date: 11/07/2025
Completeness Date: 12/15/2025
Action by Date: 04/14/2026

VARIANCE APPLICATION

Section 1: Project Summary

File No. JPB-25-012

1A. Property Information			
Property Address	77 Pine Terrace		
Block and Lot	B: 84.08	L: 10	Qual:
Zone	R-BB		
Principal Use	Single-family residence		

1B. Contacts		Owner	Applicant
Name	Barbara Sheleg	Barbara Sheleg	
Address	77 Pine Terrace		
Phone #	201-266-8300		
Email	matthew@capizzilaw.com		

1C. "C Variances" Requested		Requested	Town Requirement
<input type="checkbox"/>	Improved Lot Coverage	%	30 %
<input type="checkbox"/>	Building Coverage	%	15 %
<input type="checkbox"/>	Residential & Parking Coverage	%	25 %
<input type="checkbox"/>	Setback-Front(s)	As to Porte Cochere and Second Floor Addition: 41.3' As to Front Porch Decorative Elements: 47'	50 Ft
<input type="checkbox"/>	Setback-Rear		50 Ft
<input type="checkbox"/>	Setback-Side(s)		25 Ft
<input checked="" type="checkbox"/>	Other(s) - list all	Accessory Structures Not Permitted in the Side Yard v. Patio and Pergola Located in the Left-Side Yard	

1D. "D Variances" Requested		
<input type="checkbox"/>	D (1) – Use	
<input type="checkbox"/>	D (2) – Expansion of a Nonconforming Use	
<input type="checkbox"/>	D (3) - Conditional Use	
<input type="checkbox"/>	D (4) – FAR / Livable Floor Area	%
<input type="checkbox"/>	D (6) – Height (10ft or 10%)	Ft

N/A

1E. Project Description:

The Applicant seeks variance relief relative to existing improvements, including (1) a two-story addition along the front right elevation and (2) a patio and pergola in the left side yard of the Property.



Section 2: Zoning Analysis

ZONE: R-BB

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.)	30,000 sq ft	32,488 SF	32,488 SF	
2. Lot Frontage	150 ft	150'	150'	
3. Lot Depth	150 ft	174.8'	174.8'	
4. Setback-Front Yard	50 ft	41.3'	41.3' as to Porte Cochere and Second Floor Addition:	Yes.
5. Setback-Front Yard 2 (if applicable)	50 ft	N/A	47' as to Front Porch Decorative Elements	
6. Setback-Rear Yard	50 ft	177'	177'	
7. Setback-Side Yard (Left)	25 ft	37'	37'	
8. Setback-Side Yard (Right)	25 ft	41.2'	41.2'	
9. Principal Building Height	30 ft	26+/-	26+/-	

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 (%)	15%	11.4%	11.4%	No.
1b. Building Coverage (sf)		3,707 SF	3,707 SF	No.
2a. Livable Floor Area (%)	30%	10.9%	13.7%	No.
2b. Livable Floor Area (sf)		3,535 SF	4,447 SF	No.
3a. Improved Lot Coverage (%)	30%	29.4%	29.4%	No.
3b. Improved Lot Coverage (sf)		9,547 SF	9,547 SF	No.
4a. Residential & Parking (%)	25%	15.3%	15.3%	No.
4b. Residential & Parking (sf)		4,955 SF	4,955 SF	No.

2C. Livable Floor Area Summary						
	Floor 1	Floor 2	Floor 3	Basement*	Other	Other
Total Square Feet (sq.ft.)	2,104 SF	2,343 SF				
Total Sq. Ft	4,447 SF					
Percentage of Lot (%)	13.7%					

*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	3,707 SF	3,707 SF	2,932 SF	2,932 SF		
Detached Garage	177 SF	177 SF				
Driveway	1,918 SF	1,918 SF				
Covered Patio						
Patio / Concrete Pads/ Kitchen	1,471 SF	1,471 SF				
Deck	334 SF	334 SF				
Shed						
Front Walkways	669 SF	669 SF				
Side Walkway						
Rear Walkway	188 SF	188 SF				
Steps						
Retaining Wall(s)	138 SF	138 SF				
AC & Generator Pads	53 SF	53 SF				
Swimming Pool and Equipment	892 SF	892 SF				
Sports Court						
Other Covered Front Porch			105 SF	105 SF		
Other Pergola Over Rear Deck			332 SF	332 SF		
Other Pergola Over Side Patio			338 SF	338 SF		
Other						
Other						
Total Sq. Ft.	9,547 SF	9,547 SF	3,707 SF	3,707 SF		
% of Total Lot Area	29.4%	29.4%	11.4%	11.4%		

Front Porch & Steps



Section 4. Site & Building Information

A. Describe the proposed construction:

The Applicant seeks variance relief relative to existing improvements, including (1) a two-story addition along the front right elevation and (2) a patio and pergola in the left side yard of the Property.

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

Single-family residence.

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.

N/A

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

No.

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)?

No.

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.

Barbara Sheleg
Print Name of Applicant

Signature

11/7/2025
Date



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.

- 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
- 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	Matthew G. Capizzi, Esq., of Capizzi Law Offices
Address	205 Fairview Avenue, Westwood NJ 07675
Phone	201-266-8300
Email	matthew@capizzilaw.com

6B. Engineer Contact Info	
Contact & Business Name	Joe Vince, P.E., of Schwanewede Hals & Vince
Address	111 Littleton Road, Suite 200, Parsippany NJ 07054
Phone	201-337-0053
Email	jvince@shveng.com

6C. Planner Contact Info	
Contact & Business Name	Joe Vince, P.E., of Schwanewede Hals & Vince
Address	111 Littleton Road, Suite 200, Parsippany NJ 07054
Phone	201-337-0053
Email	jvince@shveng.com

6D. Architect Contact Info	
Contact & Business Name	Mario Navedo, A.I.A., of Mario Navedo Architects, LLC
Address	1208 Lansdowne Terrace, Plainfield NJ 07062
Phone	908-373-1904
Email	marionavedo.design@gmail.com

6E. Other	
Contact & Business Name	
Address	
Phone	
Email	



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

Variance Application


SECTION 9: FORM REQUESTING PROPERTY TAX CERTIFICATION
DEPARTMENT OF FINANCE - OFFICE OF THE TAX COLLECTOR

DATE					
OWNER	Barbara Sheleg				
ADDRESS	77 Pine Terrace				
BLOCK	84.08	LOT	10	QUAL.	

Below Line for Borough Use Only

Date: 9/4/2025

I, DEBRA MATI Tax Collector of the Borough of Demarest, hereby certify that the property taxes on the property known as, Block (s) 84.08, Lot (s) 10, as shown on the Borough Tax Assessment Maps, have been paid through 3Q (AUG. 1) 2025 and that the taxes on the aforementioned property are not past due nor are there any penalties, assessments, or interest due or outstanding as of this date.



Signature of Tax Collector

§ 27-32 Payment of taxes.

Pursuant to the provisions of N.J.S.A. 40:55D-39 and N.J.S.A. 40:55D-65, every application for development submitted to the Planning Board or to the Board of Adjustment shall be accompanied by proof that no taxes or assessments for local improvements are due or delinquent on the property which is the subject of such application; or, if it is shown that taxes or assessments are delinquent on said property, any approvals or other relief granted by either Board shall be conditioned upon either prompt payment of such taxes or assessments or the making of adequate provision for the payment thereof in such manner that the municipality will be adequately protected.