Zoning Board of Adjustment

May 20, 2026
Meeting
Minutes

THESE PROCEEDINGS WERE HELD VIRTUALLY

CALL TO ORDER

7:03pm

ATTENDANCE

Present
Joseph Bianco, RA/PP- Chairman
Wayne Sabo- Vice Chairman
Leslie Brunell, PE- Secretary
Evan Elias- Full Member
Kristie Davida- Full Member
Cochi Ho- Alternate #2
Yuval Tal- Alternate #3
Hani Samaan- Alternate #4
Christopher Cho- Council Liaison
Daniel Steinhagen, Esq.- Board Attorney
Jeffrey Morris, PE- Board Engineer
Paul Demarest- Board Coordinator

Absent
Heena Dhorajia, EIT- Full Member
Dharamraj Baboo- Full Member
Zachary Messinger- Alternate #1

CORRESPONDENCE

The Board did not receive any correspondence since its April 15, 2026 Meeting.

OPEN TO PUBLIC

n/a;

MINUTES

A motion was made by Mr. Ho and seconded by Vice Chairman Sabo to approve the minutes for the April 15, 2026 Meeting. The motion passed (5-0-0):

Yes- Ho; Davida; Elias; Sabo; Bianco;

No- n/a;

Abstain- n/a;

RESOLUTIONS

A motion was made by Ms. Davida and seconded by Mr. Ho to memorialize the Resolution for Case Z-2025-11 (437-439 Durie Avenue/Diamond Engineers & Developers, Inc.) subject to the following 2 conditions, which were not part of the voice vote of approval, and shall be reflected in a revised site plan: 1.) retain 2 trees proposed for removal; 2.) retain slate walkway proposed for removal. The motion passed (5-0-0):

Yes- Ho; Davida; Elias; Sabo; Bianco;

No- n/a;

Abstain- n/a;

A motion was made by Mr. Ho and seconded by Mr. Elias to memorialize the Resolution for Case Z-2026-04 (37 Sherman Avenue/Nwachukwu). The motion passed (5-0-0):

Yes- Ho; Davida; Elias; Sabo; Bianco;

No- n/a;

Abstain- n/a;

A motion was made by Mr. Ho and seconded by Vice Chairman Sabo to memorialize the Resolution for Case Z-2026-05 (84 Herbert Avenue/Herbert Avenue Associates, LLC). The motion passed (4-0-0):

Yes- Ho; Elias; Sabo; Bianco;

No- n/a;

Abstain- n/a;

CASELOAD

#1 CASE Z-2026-03

APPLICANT:	ZIV BERGER
SUBJECT PROPERTY:	15 DIVISION STREET
BLOCK/LOT:	907/4
ZONING DISTRICT:	2 (RESIDENTIAL B)
REPRESENTATION:	MATTHEW CAPIZZI, ESQ.
REAL ESTATE TAX:	CURRENT THRU 2026/1ST QUARTER
AFFIDAVIT OF SERVICE:	MAY 7, 2026
AFFIDAVIT OF PUBLICATION:	MAY 10, 2026

Synopsis

The applicant originally-sought Bulk Variance Relief for the construction of an addition (cantilever inclusive), porch (alcove), trellis, (2) steps/landings and patio (on-grade) as well as driveway and walkway reconfigurations to supplement a 1-family house; the application was received March 12, 2026 and scheduled for the March 23, 2026 Work Session, at which time, it was deemed complete; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the April 15, 2026 Meeting; the applicant subsequently retained legal counsel and amended the proposed scope of work to the construction of a new 1-family house and associated appurtenances necessitating Use Variance Relief (floor area ratio) as well, and the case was rescheduled for the April 27, 2026 Work Session, at which time, it was deemed complete; pending the Board's receipt of requested items and public noticing requirements, which reflected the elimination of a request for Use Variance Relief (floor area ratio), the application was scheduled for the **May 20, 2026 Meeting**.

Relief Sought

1.) Bulk Variance: side yard <left-facing> setback (15' minimum required/10' provided);
2.) Bulk Variance: side yard <right-facing> setback (15' minimum required/10.58' provided);
3.) Bulk Variance: side yard setback aggregate (30' minimum required/20.58' provided);
4.) Bulk Variance: building coverage (20% maximum allowed/20.80% provided);
5.) Bulk Variance: impervious coverage (30% maximum allowed/33.40% provided);

Witnesses

1.) Chris Blake, RA, 150 Engle Street, Englewood, New Jersey;
2.) David Spatz, PP, Community Housing & Planning Associates, Inc., 60 Friend Terrace, Harrington Park, New Jersey;

Exhibits

A-1: 6 photographs depicting existing exterior conditions of subject and nearby properties, prepared by Witness #2 and undated;

Prior Subcommittee Requests

1.) consider redesigning proposal to provide 36.37' proposed front yard setback (based upon front yard average setback study);
2.) consider redesigning proposal to provide 10' proposed left- and right-facing side yard setbacks with latter measured from proposed window well;
3.) correct Limiting Schedule to reflect proposed building height is measured to midpoint (not top of ridge);
4.) correct Limiting Schedule to reflect minimum side yard setback aggregate requirement is 30';
5.) explore how to reduce proposed building and impervious coverages to 20% and 30% respectively;
6.) indicate proposed new concrete curb and sidewalk installations;
7.) indicate electric utility service is to be installed underground;
8.) depict existing buildings located on both adjacent/left-and right-facing parcels (11 Division Street and 19 Division Street respectively) along with their distances to property lines shared with subject property to evaluate proposal's light and air impact (take into account proposed window well facing 19 Division Street);
9.) correct depictions of proposed window well on Page A1 and A2 so they mirror each other;
10.) simplify proposed building height and floor to floor height calculations depicted on Page A3;
11.) consider hip roof style to minimize proposal's impact on light and air for adjacent properties;
12.) incorporate boundary and topographical survey onto Page A3;
13.) pay additional $150.00 application fee for Use Variance request relating to floor area ratio (FAR);
14.) post additional $1,500.00 in legal escrow for Use Variance request relating to FAR;
15.) correct discrepancy between Limiting Schedule and notation below it with respect to existing front yard setback average;
16.) explore reducing proposed building coverage to maximum allowance (20%) thereby negating associated Bulk Variance request as well as Use Variance request relating to FAR;
17.) provide new attached concrete curb and sidewalk along street frontage whereby grass strip in-between is eliminated and sidewalk is 5'-wide to ameliorate on-street parking concerns resulting from limited width of Division Street;
18.) provide underground electric and telecommunication utility service installations;
19.) disambiguate graphic on site plan so that side yard (right-facing) setback of 10' minimum is provided for entire length of proposed house;
20.) consider amending proposed roof style of front and rear elevations (from gable) to soften mass of proposed construction on undersized lot;
21.) indicate proposed attic access will be via retractable ladder (not staircase);
22.) provide proposed ceiling height calculation for attic to confirm it is not considered floor area;

Prior Board Requests

n/a;

New Board Requests

n/a;

Public Questions

n/a;

Public Comments

n/a;

Decision
A motion was made by Mr. Tal and seconded by Secretary Brunell to approve the application. The motion passed (7-0-0):
Yes- Tal; Ho; Davida; Elias; Brunell; Sabo; Bianco;
No- n/a;
Abstain- n/a;

Conditions
1.) provide hard copy of Exhibit A-1 (not pre-filed);
2.) correct spelling of "Zoning" in title block of site plan;
3.) attempt to install underground electric and telecommunication utility services by way of riser pole to negate excavating thoroughfare;
4.) obtain approval from Board/Borough Engineers for requisite storm water management system;
5.) install new concrete curb and sidewalk along entire street frontage;
6.) provide 1 street tree planting in collaboration with Shade Tree Commission;

#2 CASE Z-2026-06

APPLICANT:	NIHAT ALTINTAS
SUBJECT PROPERTY:	454 CLOSTER DOCK ROAD
BLOCK/LOT:	1714/3
ZONING DISTRICT:	2 (RESIDENTIAL B)
REPRESENTATION:	SELF
REAL ESTATE TAX:	CURRENT THRU 2026/1ST QUARTER
AFFIDAVIT OF SERVICE:	MAY 7, 2026
AFFIDAVIT OF PUBLICATION:	MAY 9, 2026

Synopsis
The applicant is seeking a Design Waiver for the installation of a privacy fence to supplement a 1-family house; the application was received April 15, 2026 and scheduled for the April 27, 2026 Work Session, at which time, it was deemed complete; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the **May 20, 2026 Meeting**.

Relief Sought
1.) Design Waiver: residential fence height in front yard (4' maximum allowed/6' provided)

Witnesses
1.) Nihat Altintas, 454 Closter Dock Road, Closter, New Jersey;
2.) Jiwon Paik, 454 Closter Dock Road, Closter, New Jersey;

Exhibits
A-1: pre-filed fencing product specification, uncredited and undated;

Prior Subcommittee Requests
1.) provide specification (cut) sheet if there is change in proposed type of fencing from what was initially-filed;

Prior Board Requests
n/a;

New Board Requests
n/a;

Public Questions
1.) Heejin Kim, 41 First Street, Closter, New Jersey;
2.) Albert Mc Whirr, 24 Second Street, Closter, New Jersey;

Public Comments
n/a;

Decision
A motion was made by Secretary Brunell seconded by Vice Chairman Sabo to approve the application. The motion

passed (7-0-0):
Yes- Tal; Ho; Davida; Elias; Brunell; Sabo; Bianco;
No- n/a;
Abstain- n/a;

Conditions
1.) resubmit tax map highlighting correct lot;
2.) correct site plan to reflect proposed fencing will not encroach upon sidewalk;
3.) remove existing fencing upon installation of proposal to prevent double fencing;

CLOSED SESSION

n/a;

MISCELLANEOUS

At the request of the Governing Body's Ordinance Committee, the Board reviewed a draft ordinance which would amend Chapter 176-2 of the Borough Code to require hardscape having a minimum width of 3' (excluding coping) around swimming pools in their entirety, the idea for which originated from the Board's prior Annual Reports to the Governing Body and Planning Board as a means to increase safety as well as both lessen the likelihood of requests for Board relief and unauthorized construction.

All Board voting members present endorsed the draft ordinance while making the following recommendations, with the exception of Mr. Samaan, who felt the proposal to be too restrictive:

1.) incorporate proposed ordinance into both Chapter 176 (Swimming Pools) and Chapter 200 (Zoning) of Borough Code;
2.) indicate Zoning Officer and Construction Official, not "Building Inspector", as parties responsible for issuing associated permits;
3.) indicate design professional or homeowner (under certain conditions), not "architect", as party responsible for preparing calculations;
4.) repeat stating "private swimming pool, wading pool, tank or plunge" throughout body of proposed ordinance to be consistent with which appurtenances are subject to proposed regulations;
5.) clarify what is meant by "maintenance" for purposes of triggering proposed regulations;

ADJOURNMENT

8:53pm