Zoning Board of Adjustment

April 15, 2026
Meeting
Agenda

THESE PROCEEDINGS WILL BE HELD VIRTUALLY (VIA ZOOM VIDEO COMMUNICATIONS, INC.)
****SEE LOGIN INSTRUCTIONS BELOW****

Video Conferencing	Audio Conferencing
Meeting Identification Number: **4244650146**	Telephone Number: **(646) 558-8656**
Meeting Password: **1212**	Meeting Identification Number: **4244650146**
Link: https://us02web.zoom.us/j/4244650146?pwd=Slk2ZG1pTEY0K1AzYmtSV3h5TFF5UT09	Meeting Password: **1212**

A.) **Call to Order**
1.) Meeting @ 7:00pm- ***PUBLIC***;
B.) **Pledge of Allegiance**
C.) **Attendance**
D.) **Correspondence**
1.) March 19, 2026 to April 15, 2026;
E.) **Minutes**
1.) March 18, 2026 Meeting;
F.) **Resolutions**
n/a;
G.) **Open to Public**- ***TOPICS CANNOT RELATE TO PENDING BOARD CASELOAD AND/OR LITIGATION***;
H.) **Caseload**
I.) **Closed Session**
J.) **Miscellaneous**
n/a;
K.) **Adjournment**

#1 **CASE Z-2025-11**

APPLICANT:	DIAMOND ENGINEERS & DEVELOPERS, INC.
SUBJECT PROPERTY:	437-439 DURIE AVENUE
BLOCK/LOT:	1003/18.02
ZONING DISTRICT:	2 (RESIDENTIAL B)
REPRESENTATION:	MATTHEW CAPIZZI, ESQ.
REAL ESTATE TAX:	CURRENT THRU 2025/4TH QUARTER
AFFIDAVIT OF SERVICE:	JANUARY 7, 2026; APRIL 1, 2026
AFFIDAVIT OF PUBLICATION:	JANUARY 9, 2026; APRIL 5, 2026

The applicant is seeking Use Variance Relief and Site Plan Approval for the construction of an addition to and the conversion of a detached garage to a 1-family house to supplement a 2-family house; the application was received November 12, 2025 and scheduled for the November 25, 2025 Work Session, at which time, it was deemed incomplete; pending the Subcommittee's receipt of requested items, the application was rescheduled for the December 22, 2025 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 January 21, 2026 Meeting; due to the Board's heavy caseload, the application was postponed to the February 18, 2026 Meeting; the applicant's engineer and architect testified and were cross-examined, and the case was adjourned, pending the Board's receipt of requested items, to the **April 15, 2026 Meeting**.

#2 CASE Z-2026-04

APPLICANT:	BENEDICT NWACHUKWU, MD
SUBJECT PROPERTY:	37 SHERMAN AVENUE
BLOCK/LOT:	2204/25
ZONING DISTRICT:	1 (RESIDENTIAL A)
REPRESENTATION:	ERIK DYKEMA, ESQ. (REPLACING ANDREW BOLSON, ESQ.)
REAL ESTATE TAX:	CURRENT THRU 2026/1ST QUARTER
AFFIDAVIT OF SERVICE:	MARCH 30, 2026
AFFIDAVIT OF PUBLICATION:	APRIL 1, 2026

The applicant is seeking Bulk Variance Relief for the construction of a swimming pool (in-ground with automatic cover), patio (on-grade with outdoor kitchen), retaining wall and rockery to supplement a 1-family house; the application was received March 16, 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**.

#3 CASE Z-2026-05

APPLICANT:	HERBERT AVENUE ASSOCIATES, LLC
SUBJECT PROPERTY:	84 HERBERT AVENUE
BLOCK/LOT:	1207/30
ZONING DISTRICT:	5 (INDUSTRIAL)
REPRESENTATION:	MATTHEW CAPIZZI, ESQ.
REAL ESTATE TAX:	CURRENT THRU 2026/1ST QUARTER
AFFIDAVIT OF SERVICE:	APRIL 2, 2026
AFFIDAVIT OF PUBLICATION:	APRIL 5, 2026

The applicant is seeking Use Variance Relief and Site Plan Approval for the tenancy by a fitness center within 1 of 5 existing non-residential buildings; the application was received March 13, 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**.

#4 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:	N/A
AFFIDAVIT OF PUBLICATION:	N/A

The applicant is seeking 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; to allow for the applicant to retain legal counsel and contemplate a redesign, the case was postponed to the **April 28, 2026 Work Session**.

#5 **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:	N/A
AFFIDAVIT OF PUBLICATION:	N/A

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 28, 2026 Work Session**.