Zoning Board of Adjustment

April 15, 2026
Meeting
Minutes

THESE PROCEEDINGS WERE HELD VIRTUALLY

CALL TO ORDER

7:05pm

ATTENDANCE

Present
Joseph Bianco, RA/PP- Chairman
Wayne Sabo- Vice Chairman
Heena Dhorajia, EIT- Full Member
Evan Elias- Full Member
Kristie Davida- Full Member
Zachary Messinger- Alternate #1
Cochi Ho- Alternate #2
Christopher Cho- Council Liaison
Daniel Steinhagen, PE- Board Attorney
Jeffrey Morris, PE- Board Engineer
Paul Demarest- Board Coordinator

Absent
Leslie Brunell, PE- Secretary
Dharamraj Baboo- Full Member
Yuval Tal- Alternate #3
Hani Samaan- Alternate #4

CORRESPONDENCE

In light of Secretary Brunell's absence, Mr. Demarest read mail received by the Board into the record.

OPEN TO PUBLIC

n/a;

MINUTES

A motion was made by Mr. Messinger and seconded by Mr. Elias to approve the minutes for the March 18, 2026 Meeting. The motion passed (7-0-0):

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

No- n/a;

Abstain- n/a;

RESOLUTIONS

n/a;

CASELOAD

#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

Synopsis

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**.

Relief Sought

1.) Use Variance: more than 1 principal use on 1 lot is not permitted in District 2 (Residential B);
2.) Use Variance: more than 1 principal building on 1 lot is not permitted in District 2 (Residential B);
3.) Site Plan Approval-
    a.) Bulk Variance: side yard <right-facing> setback (15' minimum required/3' provided);
    b.) Bulk Variance: rear yard setback (20' minimum required/19.81' provided) <REQUEST ELIMINATED>;
    c.) Bulk Variance: impervious coverage (30% maximum allowed/44.54% provided);

Witnesses

1.) Michael Hubschman, PE, 263(A) South Washington Avenue, Bergenfield, New Jersey;
2.) Piero Gabucci, RA, Axis Architectural Group, LLC, 201 West Passaic Street, Unit 102, Rochelle Park, New Jersey;
3.) David Spatz, PP, Community Housing & Planning Associates, Inc., 66 Friend Terrace, Harrington Park, New Jersey;

Exhibits

A-3: colorized version of pre-filed site plan prepared by Witness #1, dated October 6, 2025 and last revised March 25, 2026;

A-4: site plan (partial depiction of subject property limited to existing detached garage and appurtenances in immediate vicinity) reflecting elimination of Bulk Variance request for rear yard setback as well as reductions in proposed building and impervious coverages (as reflected in Exhibit A-7), prepared by Witness #1 and dated April 14, 2026;
A-5: Google Maps aerial image of subject and surrounding properties, uncredited and undated;
A-6: 13 photographs depicting existing exterior and interior conditions of subject detached garage, prepared by Witness #2 and undated;
A-7: pre-filed architecturals prepared by Witness #2, dated August 27, 2025 and last revised March 27, 2026;
A-8: administrative report prepared by Building Department (Scott Jezequel) and dated December 10, 2025;

Prior Subcommittee Requests

1.) provide real estate certification confirming no delinquency;
2.) provide report(s) from Building, Electrical, Plumbing and Fire Protection Subcode Officials detailing site visit findings on utilities installed in existing detached garage;
3.) provide testimony on rationale for requesting 3rd market-rate dwelling unit on-site;
4.) provide timeline of when utilities in existing detached garage were installed;
5.) provide site survey depicting existing conditions including gas, water, electric and sewer utility connections for existing detached garage;
6.) detail existing/proposed mechanical equipment and revise impervious coverage calculations accordingly;
7.) depict proposed utility upgrades necessitated by addition to detached garage;
8.) depict existing buildings located on all adjacent lots along with their distances to property lines shared with subject property;
9.) explore reducing proposed impervious coverage;
10.) provide 15’ separation between front of detached garage and northernmost edge of existing parking space #’s 6 and 7 to address safety and quality of life;
11.) provide all existing exterior elevations of detached garage;
12.) explore reducing proposed floor area of addition to detached garage;
13.) confirm type of condensing unit to be installed as part of proposed mini-split air conditioning (ductless) system, on-ground or wall-mounted, as former is considered impervious coverage requiring updated calculations;

Prior Board Requests

1.) provide hard copies of Exhibits A-1 and A-2 (not pre-filed);
2.) provide further detail on unauthorized gas, water, electric and/or sewer utility connections including existing/proposed meter counts;
3.) accept as potential condition of approval that existing/proposed electric utility service is installed underground;
4.) accept as potential condition of approval that proposed dwelling unit be designated as affordable housing unit and deed-restricted as such for 10 years;
5.) revise site plan so that Limiting Schedule reflects municipal standards for 1-family house as Board concluded proposal to entail (not accessory building containing accessory apartment);
6.) provide pavement striping for all existing/proposed parking spaces;
7.) provide shadow study taking into account both existing conditions and proposed improvements to ascertain proposal’s impact on sunlight access for neighboring properties;

New Board Requests

n/a;

Public Questions

n/a;

Public Comments

1.) Lauren Bottieri, 69 Legion Place, Closter, New Jersey;

Decision

A motion was made by Mr. Messinger and seconded by Mr. Elias to approve the application. The motion passed (7-0-0):

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

No- n/a;

Abstain- n/a;

Conditions

1.) provide hard copies of Exhibits A-3, A-4, A-5 and A-6 (not pre-filed);
2.) convert existing detached garage to proposed dwelling unit having no more than 1 bedroom and without change to former's existing building footprint and building envelope (proposed addition is not authorized);
3.) retain existing rear exterior doorway to allow for direct interior access to rear yard, thereby, avoiding path of travel through driveway/parking lot to access rear yard;
4.) provide landscape plan detailing vegetation akin to that depicted in Exhibit A-7;
5.) obtain inspection approvals from Building Department for all unauthorized amenity and utility work performed in and around existing detached garage;
6.) lease proposed dwelling unit as market rate (affordable housing unit designation is not required);
7.) revise site plan and architecturals to reflect conditions of Board approval including but not limited to eliminating proposed addition to detached garage and retaining Prior Subcommittee Request #10;

#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

Synopsis
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**.

Relief Sought
1.) Bulk Variance: impervious coverage (30% maximum allowed/34.20% provided);

Witnesses
1.) Jeffrey Egarian, PE, DJ Egarian & Associates, Inc., 271 Route 46 West, Unit G(208), Fairfield, New Jersey;
2.) Richard Cording, PLA, CLC Landscape Design, Inc., 58 Ringwood Avenue, Ringwood, New Jersey;
3.) Benedict Nwachukwu, MD, 37 Sherman Avenue, Closter, New Jersey;

Exhibits
A-1: 5 renderings of proposal, uncredited and undated;
A-2: pre-filed unidentified aerial image of subject and surrounding properties highlighting those parcels improved with swimming pools (in-ground), uncredited and undated;

Prior Subcommittee Requests
1.) post $1,000.00 engineering escrow deposit for Board Engineer's review of drainage calculations to be prepared by professional engineer;
2.) explore reducing proposed impervious coverage;

Prior Board Requests
n/a;

New Board Requests
n/a;

Public Questions
1.) Daniel Osorio, 26 Taylor Drive, Closter, New Jersey;

Public Comments
n/a;

Decision

A motion was made by Mr. Ho and seconded by Mr. Messinger to approve the application. The motion passed (7-0-0):

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

No- n/a;

Abstain- n/a;

Conditions

1.) provide hard copy of Exhibit A-1 (not pre-filed);
2.) correct spelling of "Sherman Avenue" on graphic of site plan;
3.) verify existing fencing is code-compliant with serving as swimming pool barrier;
4.) provide tree and shrubbery planting schedule (select deer-resistant species);

#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

Synopsis

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**.

Relief Sought

1.) Use Variance: fitness center is not permitted use in District 5 (Industrial);
2.) Use Variance: more than 1 principal use on 1 lot is not permitted in District 5 (Industrial);
3.) Site Plan Approval-
    a.) Design Waiver: number of parking spaces (299 parking spaces minimum required of which 20 are generated from proposed fitness center/88 parking spaces provided);

Witnesses

1.) Peter Dido, RA, FDS Architects & Timeless Development, LLC, 84 Herbert Avenue, Building A, Closter, New Jersey;
2.) Lauren Kerin, Studio 201, LLC, 145 Piermont Road, Tenafly, New Jersey;
3.) Matthew Seckler, PE/TE, Stonefield Engineering & Design, LLC, 92 Park Avenue, Rutherford, New Jersey;
4.) David Spatz, PP, Community Housing & Planning Associates, Inc., 66 Friend Terrace, Harrington Park, New Jersey;

Exhibits

n/a;

Prior Subcommittee Requests

1.) correct floor plan to indicate 2nd means of egress from subject building is within proposed scope of work;

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. Ho and seconded by Mr. Messinger to approve the application. The motion passed (6-0-0):
Yes- Ho; Messinger; Elias; Dhorajia; Sabo; Bianco;
No- n/a;
Abstain- n/a;
Recusal- Davida;

Conditions
1.) delineate all 88 existing parking spaces with striping as per administrative report prepared by Fire Prevention Bureau (Kevin Whitney) and dated March 18, 2026;

MISCELLANEOUS

n/a;

CLOSED SESSION

n/a;

ADJOURNMENT

10:50pm