

City of Englewood Zoning Board of Adjustment

Minutes

Regular meeting

Thursday, September 18, 2025 8:00 p.m.

REMOTE MEETING/ZOOM MEETING

Attorney: Michael Kates, Esq.

Advisors: John Szabo., PP, AICP

Certified Court Reporters: Donna Arnold, CCR, RPR

IT Consultant, Zoom meeting moderator: Asher Forst

Board Secretary: Oksana Leonovich

Call to Order

Chairman Maron called the meeting to order at 8:05 p.m.

Call to Order, Statement of Compliance with Open Public Meetings Act

Chairman Maron confirmed that the meeting was in compliance with the Open Public Meetings Act.

Roll Call

Ms. Leonovich conducted the roll call:

Member	Present	Absent
Chairman David Maron	✓	
Vice Chairman Uri Moche	✓	
Juanita Harris	✓	
Kenneth Senkyire		✓
Dr. Thom Kelly	✓	
Mateo Duque		✓
Howard Shafer	✓	
Dr. Margaret Haynes		✓
Vanessa Beatriz Marquez	✓	
Milton Davis	✓	
Dr. Suzanne Mullings		✓

New Hearing

File ZBA-25-015, 217 Fountain Rd, Block 3302, Lot 10

The applicant is requesting C(1) and C(2) variances to permit a construction of a two-story addition to the rear left side of the dwelling, a one-story addition to the rear right side of the dwelling, an in-ground pool, a covered patio, and other associated improvements at the property. Relief is sought for right & left side setbacks, minimum combined side yard setback, maximum building coverage, and rear yard setback requirements

Attorney: Matthew Capizzi, Esq.

Architect: Jordan Rosenberg, AIA

Engineer: Sean McClellan, PE

Landscape Architect: Ben Heller, LLA, RLA, ASLA

Planner: David Spatz, PP, AICP

Mr. Capizzi presented the application for variances and explained that the property is in the R-A zone with a slightly narrow width of 112 feet where 120 feet is required. The additions were designed primarily to accommodate the property owner's mobility limitations and to increase living space. He noted that the additions would require variances for left side yard setback, continuation of a non-conforming right side yard setback for a front porch, rear yard setback for the pool, and building coverage.

Mr. McClellan presented his testimony. Site plan dated 01/02/2024 was admitted as evidence. Mr. McClean described the property's irregular shape and the existing non-conforming setbacks. The new eastern addition would be conforming at 17.4 feet from the property line, but the front covered porch would continue the existing non-conforming setback of 7.3 feet. The rear left addition (garage) would have a setback of 12.7 feet where 15 feet is required. The pool would be conforming for side yard setbacks but non-conforming for rear yard setback at 23.1 feet where 50 feet is required. He further testified about building coverage, which would be 19.7% where 18% is permitted. He noted that the existing garage structure on the rear property line accounts for 422 square feet, almost the entire amount of the overage (429 square feet). He explained the grading and drainage plan, stating that runoff would be less after construction due to the installation of seepage pits.

The meeting was opened to public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

Mr. Rosenberg presented his testimony. Architectural plan set dated 04/30/2025 was submitted as evidence. He explained the existing home layout and the proposed additions. The eastern addition would provide a larger kitchen with better circulation and the western garage addition would provide wheelchair accessibility with a wider-than-standard garage at 24 feet, mudroom at grade level, and an elevator. The front porch would extend the full width of the house for aesthetic purposes. Mr. Rosenberg presented a rendering of the proposed home, describing the materials as shingle-style architecture with recessed paneled columns, composite siding, asphalt shingle roof, and true simulated divided light windows. Marked was the following:

A-1 Front yard, Colorized rendering

The meeting was opened to public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

Mr. Tabaksblat presented his testimony explaining his permanent mobility disability. He explained that his mobility is expected to worsen over time, and the current stair lifts in the home are inadequate for his needs.

The meeting was opened to public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

Mr. Heller presented his testimony explaining that the plan includes retaining existing vegetation where possible and adding Green Giant arborvitae along the property lines for screening. The proposed pool area would have a turfed artificial surface that is permeable. Marked were the following:

A-2 Landscape Planting Plan, last revised 09-17-25

A-3 Landscape Colored Rendering 09-17-25

The meeting was opened to public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

Mr. Spatz presented his testimony. He explained that the variances could be granted under both C1 and C2 criteria. He identified the hardship as the preexisting non-conforming lot width and the inability to remove the existing shared garage structure. He stated that the positive criteria included improving aesthetics with a garage to get cars off the driveway, and the negative criteria was minimal due to the setbacks and screening. Marked was the following:

A-4 Google aerial and photographs of property and adjacent properties

The meeting was opened to public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

The meeting was opened to public for comments. The following person came forward:

Joe Cohen, 301 Broad Ave, Englewood, NJ 07631

The public portion of the meeting for comments was then closed.

Mr. Szabo made comments saying that he took no exception to Mr. Spatz's testimony and noted that much of the building coverage was from the patio, which doesn't have the same impact as a full-scale addition. Setbacks are appropriately screened, proposed development is reasonable and the garage will take the cars off streets.

In regards to Mr. Volcy's technical comments in his report dated 09/17/25, Mr. Capizzi confirmed that the applicant will be compliant.

Motion to approve: Mr Shafer., Second: Mr. Moche

Approved by a vote of 7 yes (Moche, Harris, Kelly, Shafer, Marquez, Davis, Maron) 0 no

New Hearing

File ZBA-25-016, Brittany and Bruno Alimi, 76 Beech Rd, Block 3102, Lot 7

The applicant is requesting C(1) and C(2) to permit a construction of a two-story addition along the easterly left side of the existing dwelling and a second story addition atop the existing first floor, and a terrace in the rear yard. Relief is sought for minimum front and left side yard setbacks, minimum combined side yard setback, maximum building coverage, and maximum impervious coverage requirements.

Attorney: Matthew Capizzi, Esq.

Engineer: Massimo Piazza, PE

Architect: Andrew Dolan, AIA

Landscape Architect: Chris Karach,

Planner: Nicholas A. Graviano, PP, AICP, JD

Mr. Capizzi made his opening statement explaining that the property is in the R-AAA zone, which requires a minimum lot area of 88,000 square feet, but the subject property is only 21,000 square feet, undersized by 76%. The lot width is 112 feet where 225 feet is required, and it has a somewhat triangular shape. The current home has its front door facing the easterly side yard rather than the street, and the proposed additions would correct this by placing a front-loading garage and having the house face the street.

Mr. Piazza presented his testimony. Civil plan set dated 05/20/25 was admitted as evidence. He described the property shape, grading, and the proposed additions. The variances requested included front yard setback, 42 feet proposed where 50 feet is required, though this is an improvement over the existing 35.5 feet, left side yard setback 15.8 feet proposed where 25 feet is required, combined side yard setback, building coverage 14.7% proposed where 10% is permitted, and impervious coverage 27.6% proposed where 25% is permitted. Mr. Piazza explained the drainage plan, noting that they would be providing 711 cubic feet of storage where only 122 cubic feet is required.

The meeting was opened to public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

Mr. Dolan presented his testimony. Architectural plan set dated 06/06/25 admitted as evidence. He explained that the existing home has an awkward layout with the front door halfway through the house facing east. The proposed design would reorient the home to face the street with a new entry foyer and two-car garage. The second floor would be reconfigured to provide bedrooms and a primary suite. The roof height would not exceed the existing height of 37.1 feet, and the new portions would be built into the roof including dormers into design. Marked was the following:

A-1 Colored rendering of proposed addition, Sheet A0.03

The meeting was opened to public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

Mr. Karach presented his testimony. He explained that the concept was to provide privacy at all property lines with a hierarchy of plantings, including evergreen trees for screening, canopy trees, shrubs, and perennials. He noted that most existing trees to be removed were dead or storm-damaged. Marked was the following:

A-2 Colorized version of drawing L-2526, "Schematic Landscape Plan" dated 5/29/25

The meeting was opened to public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

Mr. Graviano presented his testimony and stated that the variances could be granted under both C1 and C2 criteria. He explained that the hardship is the undersized, irregularly shaped lot being regulated by standards meant for a lot three times its size. He further opined that the proposal would advance several purposes of the Municipal Land Use Law, including promoting the general welfare, providing sufficient space for residential use, and promoting a desirable visual environment.

The meeting was opened to public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

The meeting was opened to public for comments. No one came forward.

The public portion of the meeting for comments was then closed.

Mr. Szabo noted that he took no exception to the testimony and pointed out that the way the addition was integrated into the roofline significantly reduced its impact. He also praised the landscape plan as exceptional for the site.

Motion to approve: Ms. Harris, Second: Mr. Moche

Approved by a vote of 7 yes (Moche, Harris, Kelly, Shafer, Marquez, Davis, Maron) 0 no

Continued Hearing

File ZBA-25-017, 19WIVY LLC, 19 W Ivy Ln, Block 701, Lot 17

The applicant is requesting a D(1) variance to permit a construction of a new two-story, two-family residential dwelling with related site improvements including landscaping, grading, installation of utilities, stormwater infrastructure and tree removal. Relief is sought for permitted use in R-D district, where single-family use only is permitted.

Attorney: Benjamine Wine, Esq.

Engineer: Kiersten Osterkorn, PE, PLS, PP

Architect: Arlenis Dominguez, RA, AIA

Planner: Matt Flynn, PP

Mr. Wine reminded the Board that at the August 14th meeting engineering and architectural testimonies were presented for the proposed two-family residence. He noted three revisions made to the plans based on Board comments from the previous meeting: 1) the driveways would be constructed with permeable pavers, 2) the sidewalk along the frontage was removed, and 3) the street trees were investigated and found to be in poor condition, with replacement trees proposed.

Mr. Flynn presented his testimony. He highlighted several factors making the site suitable for a two-family dwelling:

- The property is adjacent to the Neighborhood Centerl N-C zone with an auto body shop next door
- The lot is 18,900 square feet, more than double the minimum lot size of 7,500 square feet
- There are no single-family dwellings adjacent to or across from the property in Englewood
- There are multiple other two-family dwellings in the R-D zone nearby
- The proposal meets all bulk requirements for the zone

Mr. Flynn testified that the proposed development would create a transitional property between the commercial area and residential neighborhood. He noted that the density of the proposal, 4.6 units per acre, is actually lower than what is permitted in the zone for single-family homes, 5.8 units per acre. He concluded that the site meets the Medici enhanced burden of proof for site suitability and that there would be no substantial detriment to the public good or impairment of the zone plan. Marked was the following:

A-3 Set of 5 pages

The meeting was opened to public for questions. The following person came forward:

Howard Seiden, 88 Willow Ln, Tenafly, NJ

The public portion of the meeting for questions was then closed.

Mr. Wine confirmed that the applicant will comply with Mr. Volcy's comments in his report dated 08/08/2025.

The meeting was opened to public for comments. No one came forward.

The public portion of the meeting for comments was then closed.

Mr. Wine presented his final arguments.

Motion to approve: Mr. Moche, Second: Ms. Harris

Approved by a vote of 7 yes (Moche, Harris, Kelly, Shafer, Marquez, Davis, Maron) 0 no

New Hearing

File ZBA-25-0187, 21WIVY LLC, 21 W Ivy Ln, Block 701, Lot 16

The applicant is requesting a D(1) variance to permit a construction of a new two-story, two-family residential dwelling with related site improvements including landscaping, grading, installation of utilities, stormwater infrastructure and tree removal. Relief is sought for permitted use in R-D district, where single-family use only is permitted.

Attorney: Benjaminine Wine, Esq.

Engineer: Kiersten Osterkorn, PE, PLS, PP

Architect: Arlenis Dominguez, RA, AIA

Planner: John McDonough

Due to late hour, the hearing was adjourned to 09/29/2025. Re-notice is not required.

Motion to adjourn the meeting: Mr. Moche, Second: Mr. Shafer

Without objections Chairman Maron adjourned the meeting at 11:10 pm.

Respectfully submitted,
Oksana Leonovich
Board Secretary