

**ZONING BOARD OF ADJUSTMENT
BOROUGH OF ESSEX FELLS
MINUTES OF THE MEETING OF MARCH 31, 2026**

The meeting was called to order at 7:00 p.m. The Open Public Meetings Act announcement was read as required by law. Those present were Vice-Chairman Michael Spellman, Secretary Tom O'Beirne, Chris Shearin, MJ Jolda, Oscar Bate and William Kovacs. In addition, Michael D. Sullivan, Esq., Board Attorney, was present.

On motion made by Board Member Bate, seconded by Board Member Jolda, the minutes of the meeting of February 26, 2026 were adopted unanimously by all those eligible to vote.

On motion made by Board Member Jolda, seconded by Board Member Bate, the resolution of Eddy Allegaert and Christine Moy, 58 Holton Lane, Block 3.03, Lot 14 approving an impervious coverage variance was approved by a vote of 6 – 0 (Vice-Chairman Spellman, Secretary O'Beirne and Board Members Shearin, Jolda, Bate and Kovacs voting in the affirmative).

The next matter to come before the Board was the continued hearing of Geoffrey Holden and Stacy Hendler, 30 Inwood Road, Block 12.01, Lot 2 for a fence height variance. The applicants, Geoffrey Holden and Stacy Hendler, were present. Ms. Hendler submitted Exhibit A-1 into evidence consisting of four pages depicting the left (easterly) and right (westerly) sides of the home and a marked-up survey titled "Fence Proposal – Hendler/Holden 30 Inwood Road, Essex Fells." She indicated the original location of the proposed fence was identified in red and the new preferred location is identified as Option #2 in blue. Mr. Holden referred to the first page of the exhibit which depicted the left side of the house and stated Option #2 is the most appropriate due to the location of the porch door, window well and hose bib. Page two depicts the right side of the home and again the placement of the original fence location is shown in red and the new preferred location identified as Option #2 in blue. Page three depicts the drainage pit on the right side of the home. The proposed locations in blue would be roughly in the same locations on either side of the house.

Ms. Hendler introduced Exhibit A-2 which is a photograph of the front of the home across the street at 29 Inwood Road which depicts a black aluminum fence identical to the one proposed. Ms. Hendler reiterated the fence is an open black aluminum fence.

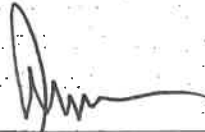
The matter was opened to the public. Anushree Sonic, 212 Devon Road, Essex Fells, New Jersey stated she had no questions or comments regarding the application pending before the Board. She did have a question as to the definition of a "structure" in the zoning ordinance. Board Attorney Sullivan referred her to the Zoning Officer.

The Board began deliberations. Board Member Kovacs indicated he was in favor of the revised proposal, Option #2, the fence locations along the front align and would hide the condenser units.

Board Member Bate stated approval of the application would be contrary to our zoning laws and he was opposed. Board Member Shearin indicated he was in favor of Option #2. Board Member Jolda stated she was struggling with this application. Secretary O'Beirne stated the applicants made efforts to satisfy Board concerns and he was in favor. Vice-Chairman Spellman stated he was in favor and that approval of this application would not set a precedent as each case rests on its merits.

On motion made by Secretary O'Beirne, seconded by Board Member Shearin to approve the black aluminum fence at a height of 6 feet forward of the rear-most line of the existing home where a maximum of 3 feet is allowed and identified as Option #2 on Exhibit A-1 subject to the following conditions: (1) compliance with Comments 5.1 through 5.4 contained in the review memorandum of Petry Engineering, LLC dated January 27, 2026, (2) the variance approval is limited to the open black aluminum fence, (3) the applicants shall be bound by all representations made in testimony presented to the Board, and (4) the applicants shall be responsible for payment of all escrow charges in connection with review of this matter was approved by a vote of 4 – 2 (Vice-Chairman Spellman, Secretary O'Beirne and Board Members Shearin and Kovacs voting in the affirmative and Board Members Bate and Jolda voting in the negative).

There being no further business to come before the Board, on a motion made by Board Member Kovacs, seconded by Board Member Shearin, the meeting was duly adjourned at 7:35 p.m. by unanimous vote.



A. MICHAEL CANDIDO, Chairman
Zoning Board of Adjustment
April 23, 2026