

LAND USE BOARD BOROUGH
OF ALLENDALE
Municipal Building 500
West Crescent Ave
Allendale, NJ

The Initial Meeting of the Allendale Land Use Board will be held in the Council Chambers in the Allendale Municipal Building, 500 West Crescent Avenue, 2nd Floor, Allendale, NJ 07401 on January 18, 2023 at 7:30 p.m. Formal action will be taken.

I. CALL TO ORDER

- A. Open Public Meetings Act Announcement
- B. Salute to Flag

II. OATH OF OFFICE

- A. Class I - Mayor Amy Wilczynski (term corresponds with term of office)
- B. Class II - Ron Kistner (term expiring December 31, 2023)
- C. Class III - (term expiring December 31, 2023)
- D. Class IV - John Dalo (term expiring December 31, 2026)
- E. Class IV - Kevin Quinn (term expiring December 31, 2025)
- F. Class IV - Melissa Bergen (term expiring December 31, 2025)
- G. Class IV - Frank Putrino (term expiring December 31, 2023)
- H. Class IV - Michael Sirico (term expiring December 31, 2023)
- I. Class IV - Joe Daloisio (term expiring December 31, 2023)
- J. Alternate #1 - (term expiring December 31, 2024)
- K. Alternate #2 - (term expiring December 31, 2023)

III. ROLL CALL

IV. ELECTION OF OFFICERS

- A. Resolution LUB 23-01: Order of Voting
- B. Resolution LUB 23-02: Election of Chair
- C. Resolution LUB 23-03: Election of Vice Chair
- D. Resolution LUB 23-04: Election of Secretary

V. RESOLUTIONS

- A. Resolution LUB 23-05: Appointment of Land Use Board Legal Counsel
- B. Resolution LUB 23-06: Appointment of Land Use Board Engineer
- C. Resolution LUB 23-07: Appointment of Land Use Board Planner
- D. Resolution LUB 23-08: Time and Place of Land Use Board Meetings for 2023
- E. Resolution LUB 23-09: Adoption of By Laws for the Land Use Board

VI. APPROVAL OF MINUTES

- December 21, 2022 Land Use Board Regular Meeting

VII. RESOLUTIONS

LUB 23-10: Resolution of Approval

Application File No: LUB 2022-23

Applicant: Andrew Nimmo & Jennifer Sedgley

Address: 39 Montrose Terrace, Allendale, NJ 07401

Block: 406 Lot: 18

Application: Renovation and expansion of second floor of a single family home

LUB 23-11: Resolution of Approval

Application File No: LUB 2021-17

Applicant: Eric & Lisa Nef

Address: 47 Homewood Avenue, Allendale, NJ 07401

Block: 2005 Lot: 6

Application: Extension of Time

VIII. PUBLIC HEARINGS

Application File No: LUB 2023-01

Applicant: Gregory & Brianne Szep

Address: 79 Edgewood Road, Allendale, NJ 07401

Block: 1403 Lot: 2

Proposed: Two story addition at rear of existing house. Rear Yard setback, 270-54D

Application File No: LUB 2023-02

Applicant: Jacklyn D'Arminio & Andrew McVeigh

Address: 900 Franklin Turnpike, Allendale, NJ 07401

Block: 502 Lot: 9

Proposed: Second floor addition. Pursuant to 270-37(A)4

IX. OPEN TO THE PUBLIC FOR COMMENT

X. OTHER

XI. ADJOURNMENT

**** AGENDA & AGENDA MATERIALS SUBJECT TO CHANGE****

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 1/18/2023

RESOLUTION: LUB 23-01

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wilczynski						
Quinn						
- Alt. #1						
- Alt. #2						

Carried ☐ Defeated ☐ Tabled ☐

Order of Voting

Be It Resolved by the Land Use Board of the Borough of Allendale, County of Bergen, State of New Jersey that voting order for board in 2023 will be as follows:

Melissa Bergen

Frank Putrino

Ron Kistner

Joseph Daloisio

John Dalo

Michael Sirico

Amy Wilczynski

Kevin Quinn

DATED: January 18, 2023

Chair

ATTEST:

Secretary

DATED: January 18, 2023

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 1/18/2023

RESOLUTION: LUB 23-02

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wilczynski						
Quinn						
-- Alt. #1						
-- Alt. #2						

Carried ☐ Defeated ☐ Tabled ☐

Election of Land Use Board Chair

Be It Resolved that _____ is hereby elected Chair of the Land Use Board of the Borough of Allendale for the year 2023.

DATED: January 18, 2023

Chair

ATTEST:

Secretary

DATED: _____, 2023

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 1/18/2023

RESOLUTION: LUB 23-03

Carried ☐ Defeated ☐ Tabled

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wilczynski						
Quinn						
Alt. #1						
Alt. #2						

Order of Voting

Election of Land Use Board Vice Chair

Be It Resolved that _____ is hereby elected Vice Chair of the Land Use Board of the Borough of Allendale for the year 2023.

DATED: _____, 2023

Chair

ATTEST:

Secretary

DATED: _____ 2023

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 1/18/2023

RESOLUTION: LUB 23-04

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wylczynski						
Quinn						
-- Alt. #1						
-- Alt. #2						

Carried ☐ Defeated ☐ Tabled ☐

Election of Land Use Board Secretary

Be It Resolved that _____ is hereby elected Secretary of the
Land Use Board of the Borough of Allendale for the year 2023.

DATED: _____, 2023

Chair

ATTEST:

Secretary

DATED: _____ 2023

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 1/18/2023

RESOLUTION: LUB 23-05

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wilczynski						
Quinn						
--- Alt. #1						
--- Alt. #2						

Carried ☐ Defeated ☐ Tabled ☐

Appointment of Land Use Board Legal Counsel

WHEREAS, there exists a need on the part of the Land Use Board of the Borough of Allendale (the "Board") to appoint legal counsel to represent the Board in such applications and other matters as may, from time to time, come before the Board; and

WHEREAS, the Board has determined that _____ of the law firm _____ is qualified and experienced to be appointed to and to hold such position; and

WHEREAS, the New Jersey Public Contracts Law, N.J.S.A. 40A:11-1, et seq. ("NJPCL") provides under N.J.S.A. 40A:11-5 that contracts for professionals which exceed the bid threshold in the NJPCL may be awarded without public advertising and bidding therefore; and

WHEREAS, the Board, by adoption of this Resolution wishes to appoint _____ as Land Use Board Legal Counsel from and after the date of adoption of this Resolution until December 31, 2023, or such other time as a successor attorney may be appointed.

NOW THEREFORE BE IT RESOLVED by the Land Use Board of the Borough of Allendale that _____ be and hereby is appointed as Land Use Board Legal Counsel; and

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 1/18/2023

RESOLUTION: LUB 23-05

BE IT FURTHER RESOLVED that the Land Use Board Chair, the Land Use Board Secretary, Land Use Board Administrator and the Chief Financial Officer are authorized to take all appropriate actions so as to implement this Resolution.

DATED: _____, 2023

Chair

ATTEST:

Secretary

DATED: _____, 2023

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 1/18/23

RESOLUTION: LUB 23-06

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wilczynski						
Quinn						
-- Alt. #1						
-- Alt. #2						

Carried ☐ Defeated ☐ Tabled ☐

Appointment of Land Use Board Engineer

WHEREAS, there exists a need on the part of the Land Use Board of the Borough of Allendale, (the "Board") to appoint an engineer to represent the Board in such applications and other matters as may, from time to time, come before the Board; and

WHEREAS, the Board has determined that _____ of the firm _____ is qualified and experienced to be appointed to and to hold such position; and

WHEREAS, the New Jersey Public Contracts Law, N.J.S.A. 40A:11-1. et seq. ("NJPCL") provides under N.J.S.A. 40A:11-5 that contracts for professionals which exceed the bid threshold in the NJPCL may be awarded without public advertising and bidding therefore; and

WHEREAS, the Board, by adoption of this Resolution wishes to appoint _____ as Land Use Board Engineer from and after the date of adoption of this Resolution until December 31, 2023, or such other time as a successor engineer may be appointed;

NOW THEREFORE BE IT RESOLVED by the Land Use Board of the Borough of Allendale that _____ be and hereby is appointed as Land Use Board Engineer; and

DATED: . 2023

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 1/18/23

RESOLUTION: LUB 23-07

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wilczynski						
Quinn						
-- Alt. #1						
-- Alt. #2						

Carried ☐ Defeated ☐ Tabled ☐

Appointment of Land Use Board Planner

WHEREAS, there exists a need on the part of the Land Use Board of the Borough of Allendale, (the "Board") to appoint a planner to represent the Board in such applications and other matters as may, from time to time, come before the Board; and

WHEREAS, the Board has determined that _____ of the firm _____ is qualified and experienced to be appointed to and to hold such position; and

WHEREAS, the New Jersey Public Contracts Law, N.J.S.A. 40A:11-1. et seq. ("NJPCL") provides under N.J.S.A. 40A:11-5 that contracts for professionals which exceed the bid threshold in the NJPCL may be awarded without public advertising and bidding therefore; and

WHEREAS, the Board, by adoption of this Resolution wishes to appoint _____ as Land Use Board Planner from and after the date of adoption of this Resolution until December 31, 2023, or such other time as a successor engineer may be appointed;

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 1/18/23

RESOLUTION: LUB 23-07

NOW THEREFORE BE IT RESOLVED by the Land Use Board of the Borough of Allendale that _____ be and hereby is appointed as Land Use Board Planner; and

BE IT FURTHER RESOLVED that the Land Use Board Chair, the Land Use Board Secretary, Land Use Administrator and the Chief Financial Officer are authorized to take all appropriate actions so as to implement this Resolution.

DATED: _____, 2023

Chair

ATTEST:

Secretary

DATED: _____, 2023

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 1/18/23

RESOLUTION: LUB 23-08

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wilczynski						
Quinn						
-- Alt. #1						
-- Alt. #2						

Carried ☐ Defeated ☐ Tabled ☐

Time & Place of Land Use Board Meetings for 2023

Whereas, the Open Public Meetings Act, NJSA 10-4-18 et seq. took effect on January 19, 1976;
and,

Whereas, the Land Use Board of the Borough of Allendale desires to be in complete compliance with the requirements and spirit of that act.

Now, Therefore, Be it Resolved by the Land Use Board as follows:

1. The schedule of its work session and regular session meetings, copy of which is attached and made part hereof, is hereby adopted for the year 2023;
2. A copy of the schedule shall be:
 - a. Posted and maintained throughout the year on the bulletin board in the Allendale Municipal Building;
 - b. Emailed to The Record and The Ridgewood News newspapers;
 - c. Filed in the Office of the Borough Clerk; and
 - d. Mailed to those who have requested same and have prepaid the sum of \$10.00 fixed to cover the cost of providing such notice.
 - e. Official action may be taken.

DATED: _____, 2023

Chair

ATTEST:

Secretary

DATED: _____, 2023

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 1/18/23

RESOLUTION: LUB 23-08

**BOROUGH OF ALLENDALE
LAND USE BOARD
2023 MEETING DATES**

The Land Use Board of the Borough of Allendale will hold its meetings on the following dates at the Allendale Municipal Building, 500 West Crescent Avenue, 2nd Floor, Allendale, New Jersey 07401. Meetings begin at 7:30 p.m.

MONTH	WORK SESSION	REGULAR SESSION
January	16th	18 th
February	13 th	15th
March	13 th	15th
April	17th	19 th
May	15th	17th
June	19th	21 st
July	17th	19 th
August	14th	16th
September	18 th	20 th
October	16th	18 th
November	13 th	15 th
December	18 th	20th

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 1/18/23

RESOLUTION: LUB 23-09

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wilczynski						
Quinn						
-- Alt. #1						
-- Alt. #2						

Carried ☐ Defeated ☐ Tabled ☐

ADOPTION OF BY LAWS OF
THE LAND USE BOARD OF THE BOROUGH OF ALLENDALE

Whereas, the Land Use Board of the Borough of Allendale was established by Ordinance 18-03; and

Whereas, N.J.S. 40:55D-8 provides that a municipal agency adopt rules not inconsistent with the provisions of the Municipal Land Use Law; and

Whereas, the Land Use Board adopted By Laws on March 28, 2018 and

Whereas, the Land Use Board of the Borough of Allendale is desirous of adopting said By Laws for the year 2023 and

Now, Therefore, Be It Resolved by the Land Use Board of the Borough of Allendale that the By Laws be and are hereby adopted for the year 2023.

Approved:

ALLENDALE LAND USE BOARD

Chairman

Attest:

Secretary

Adopted: January 18, 2023

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: January 18, 2023

RESOLUTION: 23-10

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wilczynski						
Quinn						
- Alt. #1						
-- Alt. #2						

Carried ☐ Defeated ☐ Tabled ☐

RESOLUTION 23-10

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
APPLICATION FOR VARIANCE FOR
ANDREW NIMMO & JENNIFER SEDGLEY
BLOCK 406, LOT 18
(a/k/a 39 MONTROSE TERRACE)

WHEREAS, the applicants, ANDREW NIMMO & JENNIFER SEDGLEY, the owners of the property located at 39 Montrose Terrace, known as Block 406, Lot 18 on the Tax Map, in the Borough of Allendale, County of Bergen and State of New Jersey, applied to the Land Use Board of the Borough of Allendale in an application dated November 30, 2022 for approval of variance relief for a proposed addition and renovations to the premises, which is located in the AA residential zone, from the Allendale Code, Zoning; and

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: January 18, 2023

RESOLUTION: 23-10

WHEREAS, variance relief is necessary since the property is pre-existing non-conforming, and the proposed addition/renovation requires variance relief from bulk standards in the Allendale Code; and

WHEREAS, the application and plans specifically seek approval to construct an addition and renovations to the existing dwelling, including a complete renovation of the structure, including an expansion of a second floor and home-office space, as well as renovation of first floor of the residence, and a new front and rear porch; and

WHEREAS, the application seeks specific variance relief for lot size, front, rear and side yard setbacks; and

WHEREAS, the Land Use Board considered the matter at the December 21, 2022 regular meeting of the Land Use Board at which time the applicant and their professional personally appeared and testified;

NOW THEREFORE BE IT RESOLVED by the Borough of Allendale Land Use Board that it hereby makes the following findings of fact and conclusions:

1. Notice of the public hearing was properly given by the applicant in accordance with applicable law.
2. The property is located at 39 Montrose Terrace, known as Block 406, Lot 18, on the Tax Map of the Borough of Allendale. The property is located in the AA residential zone. The application was in evidence.
3. As part of the application, the applicant submitted the Land Use Application and associated documents; and an Architectural plan set entitled, "Nimmo-Sedgley Residence, 39 Montrose Terrace, Allendale, NJ" consisting of 19 sheets. The plans prepared by Z+ Architects (Mary Fitzpatrick Scro, RA) are dated August 5, 2022.

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: January 18, 2023

RESOLUTION: 23-10

4. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated December 8, 2022. The Memorandum was in evidence and reviewed and examined by the members of the Land Use Board.

5. Variance relief is required because this property located in the AA residential zone has pre-existing, non-conforming conditions, due to the front, rear and side yard encroachments, as well as an undersized lot, as follows:

§270-54B – Front Setback . The noted 35.9 ft existing front setback is ± 4.1 ft less than the required 40 ft. The proposal reduces the setback to ± 32.2 ft.

§270-54D – Rear Setback. The noted ± 43.2 ft existing rear setback is ± 6.8 ft less than the required 50 ft. The proposal reduces the setback to ± 42.1 ft.

§270-54E – Lot Area. The noted lot area is ± 255 sf less than the required 26,000 sf. The application does not appear to alter this condition.

§270-64B – Side Yard Setbacks. The existing required enhanced side yard setback is noted to be ± 24.1 ft. The existing setbacks are conforming. The proposal increases the GBA and expands the enhanced side yard setback. The dwelling will encroach ± 5.7 ft into the expanded ± 31.7 ft right setback.

6. The property is located on the western side of Montrose Terrace within the Borough's AA Residence Zone District. The property is developed with a single-family dwelling and associated amenities. The application and plans propose additions and renovations to the dwelling (including first and second floor expansions, rear covered and raised patio). A future pool and other amenities are also illustrated on the plan. The application and plans request relief for conflicts with §270-54B (front yard), §270-54D (rear yard) and §270-64B (side yard) of the Code.

7. The applicant and their architect, Mary Fitzpatrick Scro, AIA, were sworn and testified as to the existing conditions of the property, and that Mr Nimmo had grown up in the residence and had moved back to Allendale to this home with his family. They testified that the application is a renovation of an older split level home into a more modern home in the modern farmhouse style, with open concept first floor living and an expanded second floor and front and rear patio. Living space is proposed to all be on the second level, and a home office added. The variance relief requested is for a rear, front and side yard setbacks. The lot is uniquely shaped, on an undersized lot, which is wide but shallow. The site plan shows the irregular shape. A front porch is proposed, and it is open, and encroaches on the front yard setback. The right yard setback will remain as is, but the enhanced building area triggers an increased setback requirement. The rear yard setback issue is triggered by a staircase from a covered patio that slightly abuts into the rear

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: January 18, 2023

RESOLUTION: 23-10

yard setback. A doorway in the front of the house will be removed, and access to the front will be from the front door and new covered but open patio area. There will be new siding and design elements associated with the addition/renovation which will be an aesthetic improvement to the home. No additional exterior lighting is proposed, and existing landscaping will be maintained and/or replaced. Any improvements on the property would require variance relief, due to the pre-existing non-conforming conditions. The addition would be aesthetically pleasing to the property and consistent with the neighborhood.

8. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated December 8, 2022. The Memorandum was in evidence and reviewed and examined by the members of the Land Use Board. Mr. Vreeland also provided testimony relative to the application to the Land Use Board. Mr. Vreeland testified that the proposed addition would have no impact on surrounding properties. The applicant specifically agreed to incorporate the recommendations of the Borough Engineer's review letter and testimony into the renovation plans.

9. No members of the public appeared in connection with the application.

BE IT FURTHER RESOLVED, based upon the factual and legal evidence, testimony and contentions set forth herein, that the Allendale Land Use Board hereby grants the applicants' request for a variance relief, and to permit the addition and renovations as proposed in the application; and

BE IT FURTHER RESOLVED that the Allendale Land Use Board hereby determines that the variance hereby granted constitutes a "hardship" variance under N.J.S.A. 40:55 D-70C.(1); and

BE IT FURTHER RESOLVED that the Allendale Land Use Board specially adopts and accepts the testimony of the applicant, his professional and the Borough Engineer, in connection with the testimony that the applicant is entitled to variance relief, due to the unique nature of the property, namely the irregular shape, width, shallowness, physical placement of the home on the lot, and the pre-existing non-conforming conditions, namely the existing front, rear and side yard

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: January 18, 2023

RESOLUTION: 23-10

setback, which are all deemed hardships by the Board. In addition, the hardships associated with the present condition of the property and premises outweigh the negative criteria to the Borough zoning ordinances and the zone plan and neighborhood. Further, the addition will be aesthetically pleasing, it will conform with FAR regulations, and will not be obtrusive due to the placement and location of the proposed improvements and minimal encroachments; and

BE IT FURTHER RESOLVED that the Allendale Land Use Board hereby grants approval of the requested variance, subject to the following conditions, which shall be complied with prior to the issuance of a construction permit:

- A. All fees and assessments required by ordinances, and due and owing to the Borough of Allendale for this site for professional review and approval of the applicant's plans, shall be paid in full to the Borough of Allendale by the applicant.
- B. Applicant and professionals shall work with the Borough Engineer in the event that any field adjustments shall be required for the proper construction of the proposed addition, so as not to negatively impact any surrounding properties and to minimize and address any stormwater or drainage issues, and comply with Mr. Vreeland's December 8, 2022 review letter, specifically points 4.1 through 4.5.4.
- C. The applicants shall work with the Borough Engineer/Arborist on the installation of shade trees on the property along Montrose Terrace.
- D. Applicant shall prepare and submit an "As-Built" survey plot and plan as a condition of issuance of a Certificate of Occupancy.

BE IT FURTHER RESOLVED construction shall proceed in accordance with this Resolution, the approved plans and drawings marked in evidence, the testimony of the applicant in accordance with all applicable State, County and Municipal codes, ordinances, rules and regulations.

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: January 18, 2023

RESOLUTION: 23-10

BE IT FURTHER RESOLVED that the Land Use Board Secretary shall mail a copy of this Resolution within ten days from the date of adoption thereof to the applicant or to their attorney, if any, without charge; and to all other persons who request the same and pay the required fee therefore. The Secretary shall also file a copy of this Resolution in the offices of the Borough Clerk, Building Inspector, Construction Code Official, Tax Assessor and the Borough Attorney and shall publish a brief notice of the decision in the official newspaper, the cost of which shall be paid for by the applicant.

Approved:

ALLENDALE LAND USE BOARD

KEVIN QUINN, Chairman

Attest:

JOSEPH DALOISIO, SECRETARY

Adopted: January 18, 2023

**RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: January 18, 2023

RESOLUTION# LUB 23-11

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wilczynski						
Quinn						
-Alt. 1						
-Alt. 2						

Carried ☐ Defeated ☐ Tabled ☐

RESOLUTION 23-11

**LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
EXTENSION OF TIME FOR VARIANCE
FOR LISA & ERIC NEF
BLOCK 2005, LOT 6
(a/k/a 47 HOMEWOOD AVENUE)**

WHEREAS, the applicants, Lisa and Eric Nef, the owners of the property located at 47 Homewood Avenue, known as Block 2005, Lot 6 on the Tax Map, in the Borough of Allendale, County of Bergen and State of New Jersey, have previously been granted variance relief by the Land Use Board of the Borough of Allendale by Resolution dated January 19, 2022 for approval of a variance for the premises, which is located in the A zone, from the Allendale Code, Zoning; and

WHEREAS, as a condition of the aforesaid Resolution, the applicant was to commence construction within one year of the date of the publication of said Resolution; and,

**RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: January 18, 2023

RESOLUTION# LUB 23-11

WHEREAS, the construction was not commenced within the prescribed term provided, due to unforeseen circumstances impacting the property and the applicants, through no fault of the applicants or their professionals; and

WHEREAS, the applicants have requested that the Land Use Board modify and extend the final resolution of approval of January 19, 2022 so that they can begin construction of the previously approved project; and

WHEREAS, this matter was presented to the Land Use Board at a public meeting held on December 21, 2022 at the Borough of Allendale Municipal Building, Allendale, New Jersey; and

WHEREAS, the Land Use Board has determined that the variance relief should be extended to allow construction to commence, since the delay was of no fault of the applicants or their professionals, and that no prejudice will inure to the Borough;

NOW THEREFORE BE IT RESOLVED by the Land Use Board of the Borough of Allendale that the Resolution of Memorialization heretofore made by the Zoning Board on January 19, 2022 pertaining to the development of the lands of Lisa and Eric Nef, owner of the premises at 47 Homewood Avenue, Borough of Allendale, County of Bergen, State of New Jersey (Lot 6, Block 2005) be and the same is hereby modified by extending the time to commence construction for the period of time through January 18, 2024; and

BE IT FURTHER RESOLVED that all Resolutions heretofore adopted by the Zoning Board pertaining to the premises in question and to the development thereof shall remain in full force and effect except only for the modifications contained herein.

**RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: January 18, 2023

RESOLUTION# LUB 23-11

BE IT FURTHER RESOLVED that construction shall proceed in accordance with the approved plans and drawings submitted to the Construction Department, and in accordance with all applicable State, County and Municipal codes, ordinances, rules and regulations.

BE IT FURTHER RESOLVED that the Land Use Board Secretary shall mail a copy of this Resolution within ten days from the date of adoption thereof to the applicant or to their attorney, if any, without charge; and to all other persons who request the same and pay the required fee therefore. The Secretary shall also file a copy of this Resolution in the offices of the Borough Clerk, Building Inspector, Construction Code Official, Tax Assessor and the Borough Attorney.

Approved:

ALLENDALE LAND USE BOARD

Attest:

KEVIN QUINN, Chairman

, SECRETARY

Adopted: January 18, 2023

900 Franklin Turnpike
Allendale, NJ 07401
December 8, 2022

VIA HAND DELIVERY

Linda Garofalo, Land Use Board Secretary
Borough of Allendale
500 W. Crescent Ave
Allendale, NJ 07401

RE: Zoning Review Application for 900 Franklin Turnpike, Allendale NJ
Block 502, Lot 9
Applicant/Owner: Jaclyn S. D'Arminio, Esq. and Andrew A. McVeigh
Ref # ZR-2022-00048

Dear Ms. Garofalo;

Please be advised that I and my husband Andrew McVeigh, do hereby submit to the Allendale Land Use Board ("Board") the enclosed Application for a hardship bulk "C" variance from Borough Code 270-37(A)(4) for a "rear yard setback" variance ("Application").

Description of the Property and Proposed Construction

We are the owners of the Property known as 900 Franklin Turnpike, Allendale, NJ and identified as Block 502, Lot 9 on the local tax map ("Property"). The Property is a corner lot facing on both Franklin Turnpike and Iroquois Avenue. As it exists, the residential structure on this property consists of 1.5 stories. The "second story," containing two bedrooms, is currently "dormered" with a varying ceiling height in both bedrooms. Our proposal is to raise the ceiling on this second story, creating a true second story. In addition, we intend to expand the second story into existing non-livable attic space. Overall, the proposal will create a second story with two main bedrooms, a bathroom, one smaller "guest" bedroom and office space.

The Property has multiple existing non-conformities which can be listed as follows:

- The lot is undersized; where 26,000sq ft is required, 16,740 sq feet exists.
- The minimum required lot width is 130ft where 120ft exists.
- Both front yard setbacks are non-conforming
 - Franklin Tpk 39.1ft where 40ft is required
 - Iroquois Ave 34ft where 40ft is required
- The Rear yard Setback is non-conforming; where 50ft is required 36.7ft exist

While the proposed conversion and expansion of the second story will not exceed the existing bounds of the first story of the structure, the Proposal does invade the required rear yard setback, technically intensifying the non-conformity and requiring a variance. The proposed construction

shall, at one corner, come within 45ft of the rear property line, where 50 ft required. **Thus the Application requests a variance for the Rear Yard Setback.**

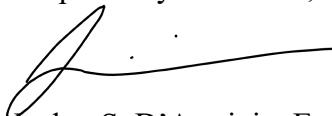
Contents of the Application

As required, please find enclosed herewith the following documentation:

- 1) Fifteen (15) Copies of This Cover Letter.
- 2) Fifteen (15) copies of the completed Allendale Land Use Board Application Checklist relevant to this project
- 3) Fifteen (15) copies of the completed Required Materials and Checklist for Allendale Land Use Board Hearings, relevant to this project.
- 4) Fifteen (15) Copies of the Notice of Appeal and Variance Application Form Borough of Allendale New Jersey with the Variance Application Portion completed as relevant to this project.
- 5) Fifteen (15) Copies of the Zoning Denial Letter issued by Anthony Hackett, Zoning Official/Construction Official dated September 22, 2022.
- 6) Fifteen (15) copies of the Proposed Residential Site Plan and Elevations drafted by Christopher Greimel, P.E., R.A., P.P. and dated September 11, 2022. Be advised that these plans consist of three (3) pages each.
- 7) Personal Check # 118 signed by myself, made to the Borough of Allendale in the amount of \$500.00, and dated December 8, 2022, representing the application fee.
- 8) Personal Check Personal Check # 119 signed by myself, made to the Borough of Allendale in the amount of \$600.00, and dated December 8, 2022, representing the escrow fee.

In addition, a copy of this application and all the related documentation has been supplied to you via email in digital form. We anticipate that this matter will be heard by the Board either at the December or January meeting. Should you require any additional information, please do not hesitate to reach out to myself at jsdarminio@gmail.com or 845-641-1522 or my husband, Andrew A. McVeigh, at aamcveigh@gmail.com or 201-637-8269.

Respectfully submitted,



Jaclyn S. D'Arminio, Esq.
Attorney Pro Se

ALLENDALE LAND USE BOARD
APPLICATION CHECK LIST

NAME Jaclyn D'Arminio and Andrew McVeigh BLOCK 502 LOT 9

ADDRESS 900 Franklin Turnpike, Allendale, NJ 07401

ZONE AA TYPE OF VARIANCE "C" Variance

BRIEF DESCRIPTION OF APPLICATION Convert and expand existing 1/2 story to a full second story

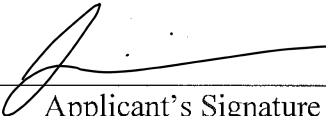
SPECIFIC VARIANCE(S) REQUIRED Rear yard Setback: 50ft required where 45 is proposed

Expansion is proposed over an existing first story, a rear yard non conformity exists for the proeprty at 36.7ft

<u>ADMINISTRATIVE REQUIREMENTS</u>	<u>STATUS</u>
1. Application form complete	<u>Provided</u>
2. Fee paid	<u>Provided</u>
3. Denial by Building Inspector	<u>Provided</u>
4. Affidavit of Service	<u>To Be Provided</u>
5. Proof of Publication	<u>To Be Provided</u>
6. Taxes Current	<u>To Be Confirmed</u>
7. Plot Plan	<u>Provided</u>
8. Maps	<u>Provided</u>
9. Photographs	<u>To Be Provided</u>
10. Email address	<u>jsdarminio@gmail.com</u>
11. Miscellaneous	<u></u>

12/8/2022

Date


Applicant's Signature

REQUIRED MATERIALS AND CHECKLIST FOR
ALLENDALE LAND USE BOARD HEARINGS

This checklist and attached sample drawings are provided to ensure that you or your professionals are prepared for your hearing and that your application is complete. All items should be supplied to the extent that they are applicable to the specific application. If information is insufficient or missing, the board may deem your application incomplete and adjourn your hearing until it receives all necessary documentation. Please create 15 packets of the below information.

I. PROVIDE AN ACCURATE SURVEY FOR THE PROPERTY IN QUESTION WHICH CONTAINS THE FOLLOWING INFORMATION:

- x 1. Footprint of existing buildings or structures.
- x 2. Precise distances from all property lines to closest point of principal building including steps, deck or other extensions of the building.
- N/A 3. The location and precise distances of accessory buildings, such as garages and sheds, to property lines and the principal building or structure.
- X 4. The location and dimensions of steps, patios, driveways, decks, pools and all other improved impervious areas and their precise distances to nearest property line and structures.
- X 5. An accurate depiction of the proposed construction or alteration including the information requested in 1, 2, 3 and 4 above.
- X 6. The precise distances from all property lines to the closest point of the proposed construction.

II. AN ENLARGED TAX MAP DEPICTING PROPERTY IN QUESTION AND ITS RELATIONSHIP TO NEIGHBORING PROPERTIES.

- X 1. The precise distances from the existing buildings or structure in question to the closest point of all neighboring buildings and structures.
- X 2. The precise distances from the proposed construction to the closest point of all neighboring buildings and structures.

III. STRUCTURAL DIMENSIONS:

- X 1. All dimensions of existing building or structure.
- X 2. All dimensions of proposed building or structure.

* Applicant reserves the right to modify the language of this notice provided same is compliant with the requirements of the law.

- X 3. Height of existing building or structure.*
 X 4. Height of proposed building or structure.*
 *(height to be measured from lowest point of the ground that abuts the foundation of the structure to the highest point on the roof.)

- X 5. Front, rear and side elevations of the proposed structure.

IV. FLOOR PLANS.

- X 1. Floor plans of the existing interior of the building containing all relevant dimensions.
 X 2. Floor plans of the interior of the proposed construction containing all relevant dimensions.
 X 3. Precise square footage of the existing building.
 X 4. Precise square footage of the proposed construction.
 X 5. Floor area ratio calculation pursuant to Section 270-63 of the zoning ordinance (required for all applications)

V. PHOTOGRAPHS.

- TBP 1. Photographs of the property in question and existing improvements may be helpful to the Board in presenting your information.
 TBP 2. Photographs of views from the existing building or structure to neighboring properties and buildings which show existing plantings or other buffers are also helpful and may be requested by the Board.

(All photographs should be taken by you or someone who can testify to the Board as to when they were taken and that the photographs represent an accurate depiction of what they saw at the time.)

VI. LANDSCAPING AND LAND FEATURES.

- N/A 1. The survey, plat or plan should locate and describe any proposed landscaping to be done in connection with the application.
 N/A 2. The location of any unusual property features should be indicated, such as flood plain, streams, wooded areas, rock outcroppings or steep slopes.

VII. PREVIOUS APPLICATIONS.

- ** 1. Applicants should be prepared to discuss prior applications to the Land Use Board, Board of Adjustment and Planning Board and the results thereof.

**Upon information and belief no such application exists

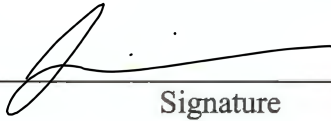
VIII. Any additional information which may be deemed necessary by the Land Use Board, its Consultants or Borough departments and agencies.

NOTE: ALL DIMENSIONS AND DISTANCES MUST BE DEPICTED TO SCALE ON DRAWINGS AND PLANS.

Any questions regarding your hearing or the checklist should be directed to the Land Use Administrator at the Borough of Allendale Municipal Building 201-818-4400 x202. **Please submit fifteen (15) packets with copies of all drawings and plans to the Land Use Administrator at least ten (10) days prior to the hearing.** It is suggested that the property owner refer to the appropriate building code to assure proper engineering and construction techniques, or to secure the services of a local, reputable architect and/or engineer.

12/8/2022

Date



Signature

NOTICE OF APPEAL AND VARIANCE APPLICATION FORM
BOROUGH OF ALLENDALE, NEW JERSEY

TO THE APPLICANT: COMPLETE SECTIONS IN FULL FOR RELIEF REQUESTED

NOTICE OF APPEAL OF
ZONING ENFORCEMENT OFFICER'S DECISION

TO THE ZONING ENFORCEMENT OFFICER:

**N/A as the Applicant does
not dispute the Zoning Officer's Findings

The petition of _____
shows that on or about the _____ day of _____, 20____
an application to the Zoning Official for the purpose of (describe intended
action) _____

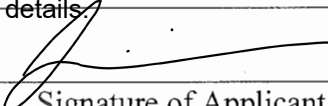
_____ on the premises located at (street address) _____
_____ Block _____ Lot _____
as shown on the Municipal Tax Maps and owned, or optioned, by the applicant was made; that
after due consideration the Zoning Enforcement Officer did on the _____ day of _____, 20____
decline to issue said permit for the reasons stated in the attached copy of the Zoning Enforcement
Officer's Refusal of Permit Form.

Applicant, feeling aggrieved at the action of the Zoning Enforcement Officer, files this notice of
appeal with said Officer, together with the required fee of _____, and requests that
action of the Zoning Enforcement Officer be reversed or modified as the facts may be
determined, and applicant further requests that a day be fixed for hearing on this appeal and
states that the proper notice will be given to all owners of property situated within two hundred
(200) feet of the property specified above, and others as required by Statute.

APPLICATION FOR VARIANCE

TO THE LAND USE BOARD:

An application is hereby made for a (Hardship) ~~(Floor Area Ratio)~~ ~~(Use)~~ variance from the terms
of Article(s) and Section(s) Borough Code 270-37(A)(4) _____
_____ of the Zoning Ordinance so as to
permit the conversion and expansion of an existing 1/2 story to a full second story. The Property has several
existing non-conformities which are outlined in the Zoning Officer's Denial Letter, of which the proposed project is not
intensifying or modifying. However, the proposed project will invade the permitted rear yard setback thus
requiring a variance. The Existing rear yard is non conforming at 36.7ft, the Expansion is proposed to come to 45'
where 50ft is required. Please see attached Rider for additional details.



Signature of Applicant

Typ* Not applicable as text here

DESCRIPTION OF PROPOSED STRUCTURE OR USE

PREMISES AFFECTED known as Lot(s) 502 Block(s) 9
Street Address 900 Franklin Turnpike Allendale, NJ 07401
Applicant Jaclyn D'Arminio and Andrew McVeigh Address same as property
Owner Same as Applicant Address Same as Applicant
Lessee N/A Address N/A
Last Previous Occupancy Residential - use not proposed to change
Size of Lot 16740sqft
Floor area ratio calculation Existing 14.61%, Proposed 16.72%
Percentage of lot occupied by building(s) 11.22% Existing and Proposed
Height of building(s) * stories * feet *
Set back from front property line ** ft. From side (if corner lot) ** ft.
Zoning requirements – Frontage 40, side yards 20, set-back , rear yard 50
“Prevailing set-back” of adjoining buildings within one block
Has there been any previous appeal involving these premises? Applicant has no knowledge
If so, state character of appeal and date of disposition

Proposed use: Use to be unchanged

This application for a use variance includes an application for subdivision ***N/A, site plan ***N/A/, conditional use *** N/A approval.

ATTACHED HERETO AND MADE A PART OF THIS APPLICATION I SUBMIT THE FOLLOWING: (NOTE: All of these papers must be submitted with application.)

- (a) The original Zoning Review Application, signed by the Zoning Officer and/or a true copy of the Official order issued by the Zoning Officer and signed by him, where applicable.
- (b) Fifteen (15) copies of all application documents
- (c) Fifteen (15) copies of a map showing all lots within 200 feet of the property; if buildings exist thereon the map shall be a certified “location map” and clearly indicate such buildings and their approximate location, together with “prevailing set-back” dimensions.
- (d) Fifteen (15) copies of a Plot Plan and clearly indicate such buildings thereon with all front, side and rear yard dimensions.
- (e) Fifteen (15) copies of List of Property owners served, indicating method of service on each, date of service, together with copies of the post office receipts, if any.
- (f) Fifteen (15) copies of Subdivision, Site Plan, or Conditional Use application, when applicable.

(File all copies with the Land Use Administrator when only a variance is sought.)

Date: 12/8/2022



Signature of Applicant or Agent

* Height: Existing: 19ft, Proposed 28ft; Stories: Existing 1.5, Proposed 2

** See Zoning Chart on Plans

***N/A as the applicaiton is for a Bulk "C" variance on an existing residential property, the application does not include a subdivision or a proposed change of use

* Applicant reserves the right to modify the language of this notice provided same is compliant with the requirements of the law.

BOROUGH OF ALLENDALE

LAND USE BOARD

DATE TBP

NOTICE OF HEARING TO PROPERTY OWNERS

(Cross out inapplicable sections)

TO WHOM IT MAY CONCERN:

In compliance with the Zoning Ordinance of the Borough of Allendale, NJ, notice is hereby served upon you to the effect that ~~(I)~~ (We) Jaclyn D'Arminio and Andrew McVeigh hereby propose to (give detailed information) convert and expand the existing 1/2 story on the property to a full second story

Location 900 Franklin Turnpike Allendale, NJ 07401

The Zoning Officer of the Borough of Allendale, Bergen County, New Jersey, refused this request by reason of its being in violation of Section Borough Code 270-37(A)(4)

of the Zoning Ordinance, ~~from which decision (I) (We) hereby appeal. (I) (We)~~ have applied to the Land Use Board for a hardship, ~~(floor area ratio), (use) variance, (together with subdivision N/A, site plan N/A, conditional use N/A approval)~~, and from any other variances or waivers that the Board may deem necessary.

Any person or persons affected by this ~~(appeal)~~ (application) may have an opportunity to be heard at the meeting to be held TBD, 20TBD, at 7:30pm in the Allendale Municipal Building, 500 West Crescent Avenue, 2nd Floor, Allendale, NJ 07401.

All documents relating to this application may be inspected by the public between the hours of 9 a.m. and 4:30 p.m. in the office of the Borough Clerk in the Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey 07401.


Signature

Note: This Notice must be personally Served or sent by certified or registered mail at least 10 days before the day of the hearing, and proof of service given to the Land Use Administrator.

* Applicant reserves the right to modify the language of this notice provided same is compliant with the requirements of the law.

*Not Applicable as the property is not within 200ft of an adjacent municipality

BOROUGH OF ALLENDALE
LAND USE BOARD

NOTICE OF HEARING TO ADJACENT MUNICIPALITY

TO: MUNICIPAL CLERK _____
OF _____

PLEASE TAKE NOTICE:

That _____, the undersigned, has appealed to the
(Applicant)
Land Use Board of the Borough of Allendale for relief from _____

To permit _____

at _____

Block _____, Lot _____, _____

of _____, which property is within two hundred (200) feet of
your municipality. A hearing in this matter will be held on _____, 20____,
at 7:30pm in the Allendale Municipal Building, Allendale, New Jersey. Applicant is seeking a
hardship_____, use_____ variance, and subdivision_____, site plan_____, conditional use_____,
approval. This notice is given pursuant to the provisions of N.J.S.A. 40:55D-12d.

Applicant's Signature

NOTE: This notice must be personally served or sent by certified or registered mail at
least 10 days before the day of the hearing, and proof of service given to the Land
Use Administrator.

*To be provided at a later date - Applicant reserves the right to modify the language of this affidavit provided same is compliant with the requirements of the law.

AFFADAVIT OF PROOF OF SERVICE

LAND USE BOARD

OF

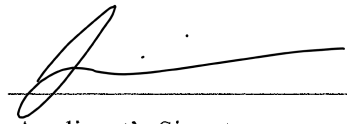
BOROUGH OF ALLENDALE

PROOF OF SERVICE OF NOTICES REQUESTED BY STATUTE MUST BE
FILED AND VERIFIED WITH BOARD SECRETARY AT LEAST 10 DAYS PRIOR TO MEETING
OR CASE WILL NOT BE HEARD.

STATE OF NEW JERSEY)

COUNTY OF BERGEN) SS.

Jaclyn S. D'Arminio, Esq. _____, of full age, being duly sworn according to law, deposes and says, that (s)he resides at 900 Franklin Turnpike Allendale in the municipality of Allendale, County of Bergen, and State of New Jersey, and that (s)he is (are) the applicant(s) in a proceeding before the Land Use Board of Allendale, New Jersey, being an appeal or application under the Zoning Ordinance, which relates to premises at 900 Franklin Turnpike, Allendale, NJ 07401, and that on TBP, 20 TBP (s)he gave written notice of the hearing on this application to each and all of the persons upon whom service must be made, in the required form and according to the attached lists, and in the manner indicated thereon.



Applicant's Signature

Sworn to and subscribed before me

this _____ day of _____,

20____.

TBP

NOTICE TO APPLICANT: Attach list of all persons served.

*To be provided at a later date - Applicant reserves the right to modify the language of this affidavit provided same is compliant with the requirements of the law.

NEWSPAPER NOTICE

LAND USE BOARD
BOROUGH OF ALLENDALE
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Land Use Board of the Borough of Allendale will hold a public hearing on TBP, 20TBP, at 7:30 p.m. in the Allendale Municipal Building, 500

West Crescent Avenue, 2nd Floor, Allendale, New Jersey 07401 on the application of
Jaclyn D'Arminio and Andrew McVeigh (Applicant) at
900 Franklin Turnpike Allendale, NJ 07401 (Address)

Block No. 502, Lot No. 9 for a (hardship, ~~floor area ratio, use~~) variance
from Section Borough Code 270-37(A)(4)

of the zoning ordinance of the Borough of Allendale, and for any other
variances or waivers that the Board may deem necessary, for the purpose of
Converting and Expanding an existing 1/2 story into a full second story

Name and Address of Applicant

Sample Legal Notice

To be published in *The Record* or *The Ridgewood News* at least ten (10) days prior to the scheduled hearing date.

Original notice cut from newspaper must be given to Board Secretary along with all forms.



Anthony Hackett
Zoning Official

**BOROUGH OF
ALLENDALE**
CODE ENFORCEMENT OFFICE
500 West Crescent Avenue Allendale, NJ 07401

Phone: (201) 818-4400 x208
Fax: (201) 825-1913

MEMORANDUM

TO: Jaclyn D'Arminio and Andrew Mc Veigh
900 Franklin Tpk.
Allendale, NJ 07401

FROM: Anthony Hackett, Zoning Official/Construction Official

CC: Linda Garofalo Land use Administrator

RE: Second floor addition

DATE: September 22, 2022

The Allendale Building/Zoning Department received the following documents:

- A. Borough of Allendale Zoning Review Application
- B. Site plan and sealed drawings prepared by Christopher Greimel

I have reviewed these documents and the Borough of Allendale Zoning Ordinances and I must deny your application for the following reason(s):

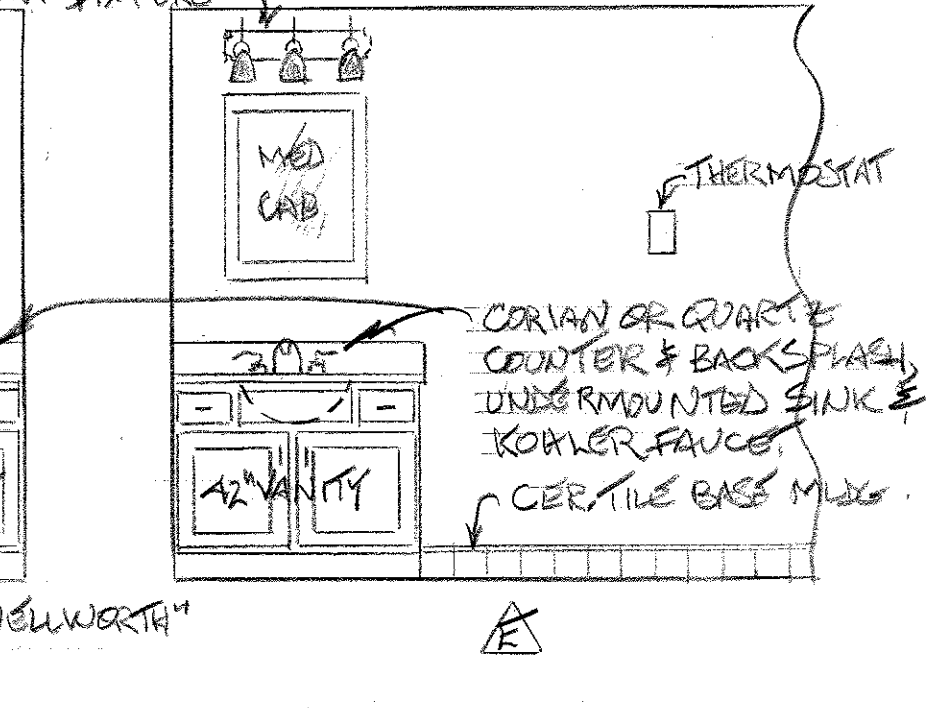
1) Your property is located in the AA zone, and is a corner property. According to Borough Ordinance, you are not permitted to create a vertical expansion above an existing non-conformity. Currently there is a 45' rear yard setback where 50' is required. **See Borough Code 270-37(A)4**

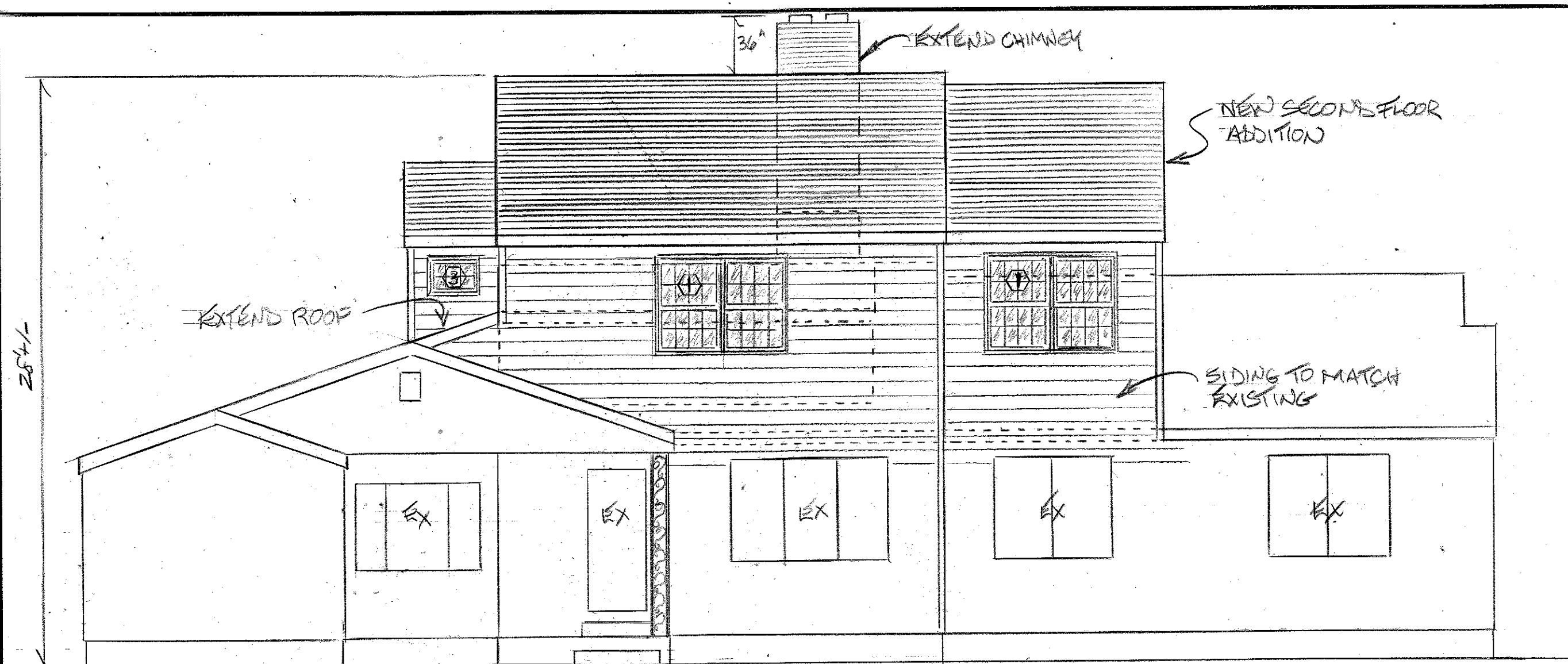
It should also be noted that there are several existing non conformities:

- The lot is undersized. you have 16,740 sq feet, where 26,000 sq feet is required.
- The minimum lot width is 130' and you have 120'.
- Both front yard setbacks are non-conforming
 - Franklin Tpk 39.1' where 40' is required
 - Iroquois Ave 34' " " "

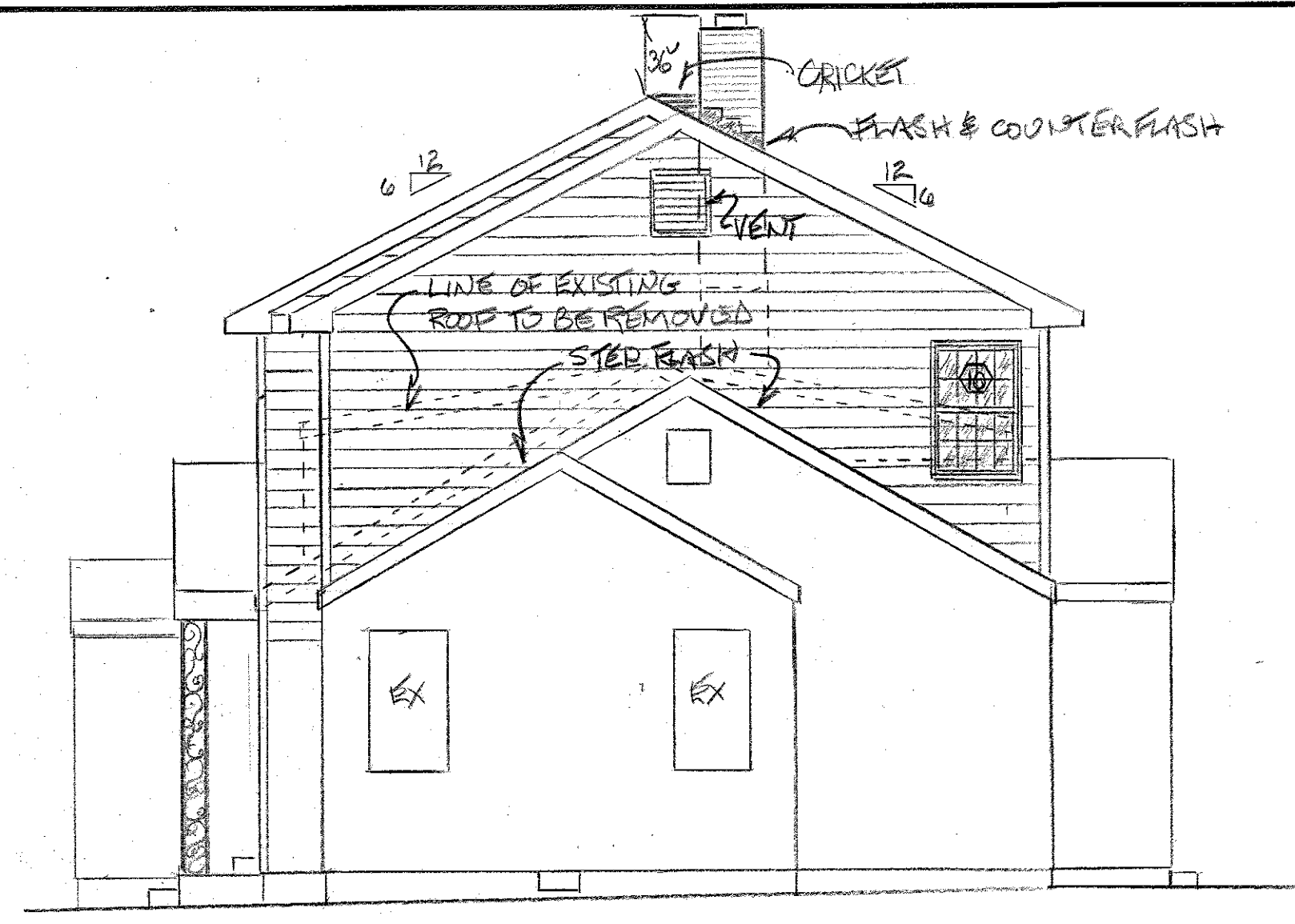
You are hereby notified that you have the right under N.J.S.A. 40:55D-72 to appeal this decision to the Zoning board of adjustments of the Borough of Allendale within 20 days from the date of the decision. For further information please visit. <http://allendalenj.gov/zoning-board-of-adjustments/>

Anthony Hackett
Construction Official

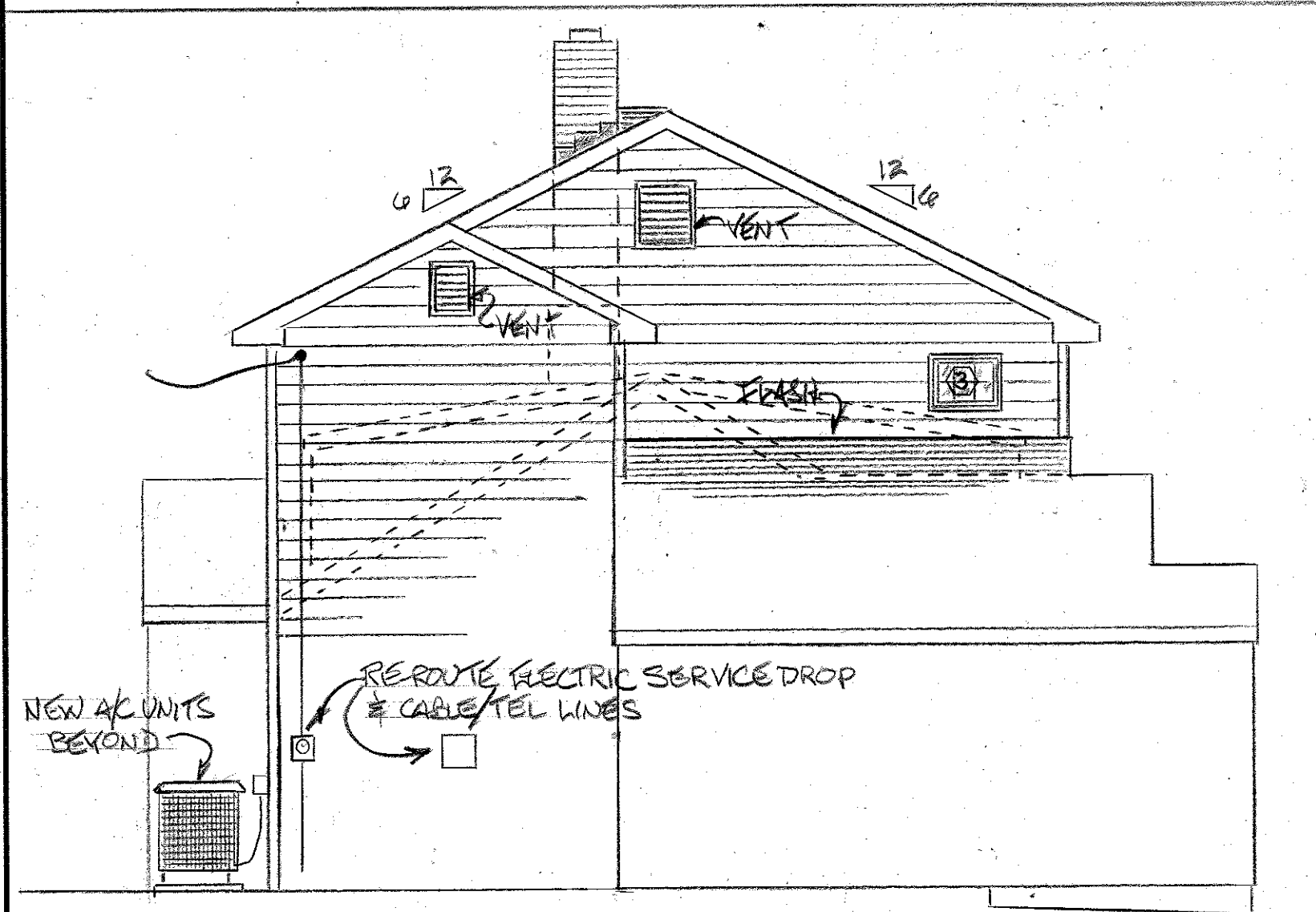

$$(3/8)^n = 1/10^n$$



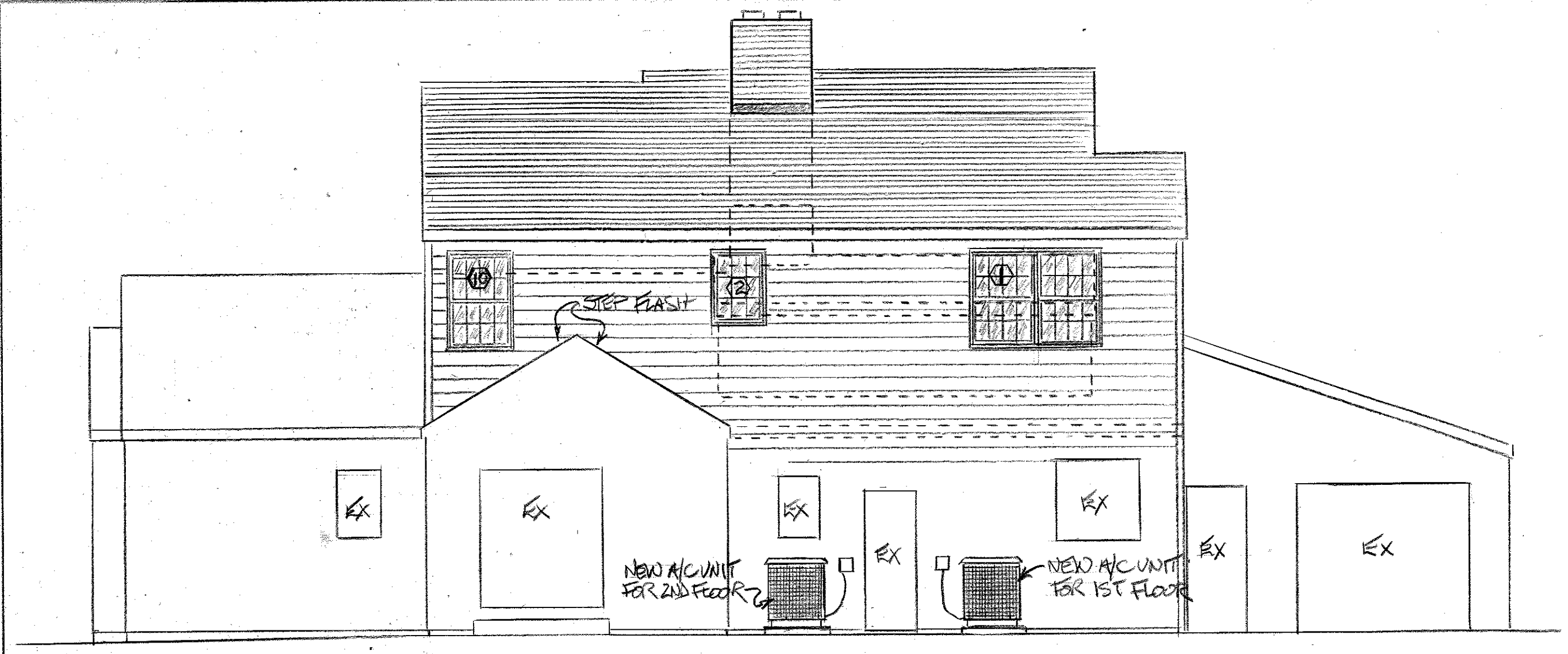
FRONT ELEVATION
(31/6"=1'0")



SOUTH SIDE ELEVATION
(31/6"=1'0")



NORTH SIDE ELEVATION
(31/6"=1'0")



REAR ELEVATION
(31/6"=1'0")

PLANS FOR: ANDREW McVEIGH & JACLYN D'AMENIO
 LOCATION: 900 FRANKLIN TURNPIKE
ALLENDALE, NEW JERSEY
 BLOCK # 502 LOT # 9

Christopher J. Greimel
 CHRISTOPHER J. GREIMEL, P.E., R.A., P.P.
 PROFESSIONAL REGISTERED PROFESSIONAL
 ENGINEER ARCHITECT PLANNER
 NJ LICENSE #28992 NJ LICENSE #09959 NJ LICENSE #03435
 157 Park Avenue, Allendale New Jersey 07401
 201-825-7535

DRAWN BY: CTG
 APPROVED BY: CTG
 DATE: 9/14/22
 PROJECT #: 22-08-02
 REVISION #: ORIG

DRAWING #
3 OF 3

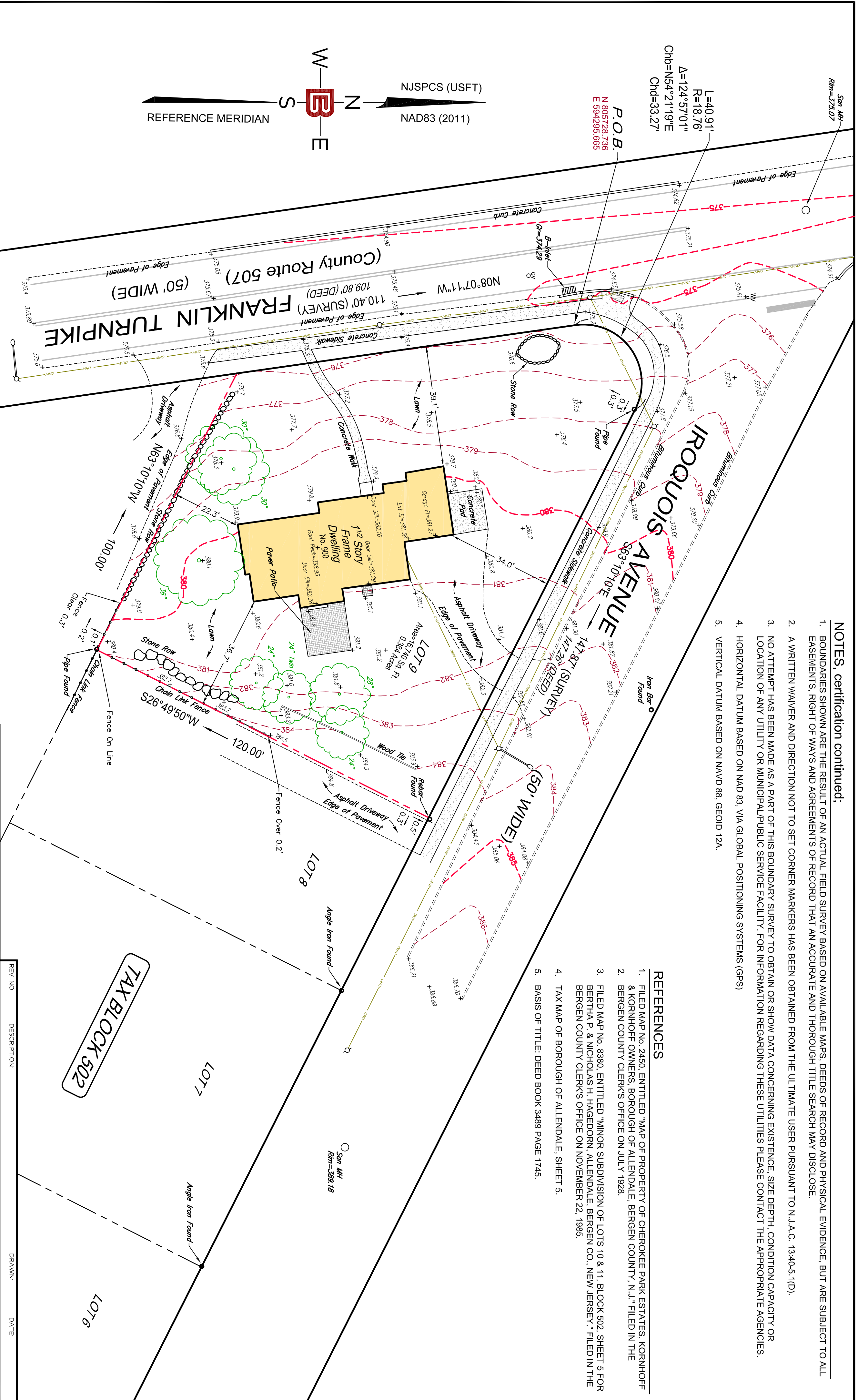
FOR VARIANCE APPLICATION

NOTES, certification continued:

- BOUNDARIES SHOWN ARE THE RESULT OF AN ACTUAL FIELD SURVEY BASED ON AVAILABLE MAPS, DEEDS OF RECORD AND PHYSICAL EVIDENCE, BUT ARE SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS AND AGREEMENTS OF RECORD THAT AN ACCURATE AND THOROUGH TITLE SEARCH MAY DISCLOSE.
- A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO N.J.A.C. 13:40-5.1(D).
- NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE DEPTH, CONDITION CAPACITY OR LOCATION OF ANY UTILITY OR MUNICIPAL/PUBLIC SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES PLEASE CONTACT THE APPROPRIATE AGENCIES.
- HORIZONTAL DATUM BASED ON NAD 83, VIA GLOBAL POSITIONING SYSTEMS (GPS)
- VERTICAL DATUM BASED ON NAVD 88, GEOID 12A.

REFERENCES

- FILED MAP No. 2450, ENTITLED "MAP OF PROPERTY OF CHEROKEE PARK ESTATES, KORNHOFF & KORNHOFF OWNERS, BOROUGH OF ALLENDALE, BERGEN COUNTY, N.J." FILED IN THE BERGEN COUNTY CLERKS OFFICE ON JULY 1928.
- FILED MAP No. 8380, ENTITLED "MINOR SUBDIVISION OF LOTS 10 & 11, BLOCK 502, SHEET 5 FOR BERTHA P. & NICHOLAS H. HAGEDORN, ALLENDALE, BERGEN CO., NEW JERSEY." FILED IN THE BERGEN COUNTY CLERKS OFFICE ON NOVEMBER 22, 1985.
- TAX MAP OF BOROUGH OF ALLENDALE, SHEET 5.
- BASIS OF TITLE: DEED BOOK 3489 PAGE 1745.



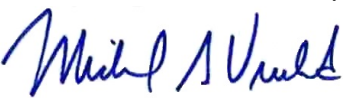
I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PERFORMED IN THE FIELD UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH CURRENTLY ACCEPTED ACCURACY STANDARDS.

NOT VALID UNTIL SEALED
MILOSLAV REHAK
N.J. PROFESSIONAL LAND SURVEYOR
NO. 43233

REV. NO.	DESCRIPTION:	DRAWN:	DATE:
04/21/2022	FIELD DATE:	M.T.	DRAWN:
M.K. M.T.	FIELD CREW:	M.T.	CHECKED:
GA28068900	CERT. OF AUTH.		DATE:
LOCATION AND TOPOGRAPHIC SURVEY			
900 FRANKLIN TURNPIKE			
LOT 9 in BLOCK 502			
BOROUGH of ALLENDALE COUNTY of BERGEN, N.J.			
PREPARED FOR			
JACLYN D'ARMINIO			
DATE: APRIL 25, 2022			
SCALE: 1"=20'			
FILE NO. 22-170			
DWG NO. SV-1			

MEMORANDUM

TO: Borough of Allendale Land Use Board
L. Garofalo, Land Use Administrator / C. Botta, Board Attorney

FROM: Michael Vreeland, Board Engineer 

CC: A. McVeigh & J. D'Arminio, Applicants /
C. Greimel, Applicant's Architect

RE: 900 Franklin Turnpike - Variance Application
Block 502 Lot 9
VCEA Project No. ALN-1001.056

DATE: January 9, 2023

We are in receipt of the following information pertaining to the above-referenced application:

- A. Land Use Application and associated documents.
- B. Architectural plan set entitled, "Proposed 2nd Floor Addition, Andrew McVeigh & Jaclyn D'Arminio, 900 Franklin Turnpike, Allendale, New Jersey" consisting of 3 sheets. The plans prepared by Christopher J. Greimel P.E., R.A., P.P. are dated September 14, 2022.
- C. Survey entitled, "Location And Topographic Survey, Of, 900 Franklin Turnpike, Lot 9 in Block 502, Borough of Allendale County of Bergen, N.J.". The survey prepared by Bertin Engineering (Miloslav Rehak, PLS) is dated April 21, 2022.

We have reviewed the aforementioned information along with the Borough Code, visited the site and offer the following comments for the Board's consideration:

1. INTRODUCTION

The property is located at the southeast corner of the intersection of Franklin Turnpike and Iroquois Avenue within the Borough's AA Residence Zone District. The property is developed with a single-family dwelling and associated amenities.

The application and plans propose additions and renovations to the dwelling (including second floor expansions).

The application and plans request relief for conflicts with § 270-37(A)4 (rear yard) of the Code.

OFFICE LOCATIONS

www.vancleefengineering.com

Lebanon, NJ
908-735-9500

Hamilton, NJ
609-689-1100

Toms River, NJ
732-573-0490

Freehold, NJ
732-303-8700

Bethlehem, PA
610-332-1772

Hillsborough, NJ
908-359-8291

Mt. Arlington, NJ
862-284-1100

Phillipsburg, NJ
908-454-3080

Doylestown, PA
215-345-1876

2. TECHNICAL COMPLETENESS

We have reviewed the application for technical completeness in accordance with the Application Checklist. Based on the nature of the proposal, we believe the Applicant's submission is sufficient to conduct technical review.

We defer to the Land Use Administrator and the Board Attorney regarding administrative and legal completeness matters.

3. ZONING

We have reviewed this application in accordance with the requirements of the Borough's Code. Based on this review we find the following:

3.1. Non-Conforming Conditions:

3.1.1. §270-54B – Front Setback

Comment: The noted 35.9 ft existing front setback (Franklin Turnpike) is ± 4.1 ft less than the required 40 ft. The noted 34 ft existing front setback (Iroquois Avenue) is ± 6 ft less than the required 40 ft. The proposal does not appear to alter this condition.

3.1.2. §270-54D – Rear Setback & §270-37A – Additions to Nonconforming Structures

Comment: The noted ± 36.7 ft existing rear setback is ± 13.3 ft less than the required 50 ft. **Although the proposal does not appear to alter this condition, proposed alterations would result in a vertical expansion above an existing nonconformity.**

3.1.3. §270-54E – Lot Area

Comment: The noted $\pm 16,740$ sf existing lot area is $\pm 9,260$ sf less than the required 26,000 sf. The proposal does not appear to alter this condition.

3.1.4. §270-54F – Lot Width

Comment: The noted ± 120 ft existing lot width is ± 10 ft less than the required 120 ft. The proposal does not appear to alter this condition.

3.2. Discussion:

Since this proposal does not meet the requirements noted above, the Applicant must seek relief from the Board pursuant to the Municipal Land Use Law under N.J.S.A. 40-55D-70c.

The Applicant has requested "C" variances in conjunction with this proposal.

"C(1)" or "Hardship" Variances:

In judging an application by the C(1) criteria, the core question presented to the Board is whether there has been a showing of (1) peculiar and exceptional practical difficulties to, or (2) exceptional and undue hardship upon, the Applicant arising out of (a) the exceptional narrowness, shallowness or shape of the subject property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting the subject property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting the subject property or the structures lawfully existing thereon. In all cases, the alleged hardship must relate to a specific piece of property.

"C(2)" or "Benefits v. Detriments" Variances:

In judging an application by the C(2) criteria, the core questions presented to the Board is whether the grant of a variance would promote or advance the purposes of the Municipal Land Use Law and the benefits of such deviation outweigh any detriment.

As in all variance cases, the Applicant bears the burden of proving both the positive and negative criteria. Relief cannot be granted unless it can be granted without substantial detriment to the public good and unless it will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

We specifically note that it is the Applicant's burden to show the special reasons and satisfy the negative criteria. As such, the Applicant will need to present additional information concerning the aforementioned issues as well as the positive and negative elements pertaining to the subject proposal.

4. TECHNICAL REVIEW COMMENTS

- 4.1. We assume the proposal will be finished similar to the existing dwelling. This should be confirmed.
- 4.2. The plans do not include exterior lighting. The Applicant should confirm additional lighting is not proposed.

Please contact me should you have any questions.

ALLENDALE LAND USE BOARD
APPLICATION CHECK LIST

NAME Brianne & Greg Szep BLOCK 1403 LOT 2

ADDRESS 79 Edgewood Road Allendale NJ 07401

ZONE AA TYPE OF VARIANCE NJSA 40:55D-70(C) Bulk

BRIEF DESCRIPTION OF APPLICATION Seeking relief from rear yard setback requirement to construct a 2-story addition at rear of existing house

SPECIFIC VARIANCE(S) REQUIRED 34.7 ft rear yard setback where 50 ft is required per 270-54D

ADMINISTRATIVE REQUIREMENTS

STATUS

- | | |
|---------------------------------|------------------------------------|
| 1. Application form complete | <u>X 11/29/22</u> |
| 2. Fee paid | <u>X 12/2/22</u> |
| 3. Denial by Building Inspector | <u>X 11/22/22</u> |
| 4. Affidavit of Service | <u>X to be submitted on 1/5/23</u> |
| 5. Proof of Publication | <u>X to be published on 1/6/23</u> |
| 6. Taxes Current | <u>X 11/29/22</u> |
| 7. Plot Plan | <u>X 11/29/22</u> |
| 8. Maps | <u>X 11/29/22</u> |
| 9. Photographs | <u>N/A</u> |
| 10. Email address | <u>X 11/29/22</u> |
| 11. Miscellaneous | <u>N/A</u> |

11/29/22
Date

Gregory Szep
Applicant's Signature

REQUIRED MATERIALS AND CHECKLIST FOR
ALLENDALE LAND USE BOARD HEARINGS

This checklist and attached sample drawings are provided to ensure that you or your professionals are prepared for your hearing and that your application is complete. All items should be supplied to the extent that they are applicable to the specific application. If information is insufficient or missing, the board may deem your application incomplete and adjourn your hearing until it receives all necessary documentation. Please create 15 packets of the below information.

I. PROVIDE AN ACCURATE SURVEY FOR THE PROPERTY IN QUESTION WHICH CONTAINS THE FOLLOWING INFORMATION:

- X 1. Footprint of existing buildings or structures.
- X 2. Precise distances from all property lines to closest point of principal building including steps, deck or other extensions of the building.
- N/A 3. The location and precise distances of accessory buildings, such as garages and sheds, to property lines and the principal building or structure.
- X 4. The location and dimensions of steps, patios, driveways, decks, pools and all other improved impervious areas and their precise distances to nearest property line and structures.
- X 5. An accurate depiction of the proposed construction or alteration including the information requested in 1, 2, 3 and 4 above.
- X 6. The precise distances from all property lines to the closest point of the proposed construction.

II. AN ENLARGED TAX MAP DEPICTING PROPERTY IN QUESTION AND ITS RELATIONSHIP TO NEIGHBORING PROPERTIES. REFER TO SHEET Z-2

- N/A 1. The precise distances from the existing buildings or structure in question to the closest point of all neighboring buildings and structures.
- N/A 2. The precise distances from the proposed construction to the closest point of all neighboring buildings and structures.

III. STRUCTURAL DIMENSIONS:

- X 1. All dimensions of existing building or structure.
- X 2. All dimensions of proposed building or structure.

- X 3. Height of existing building or structure.*
 X 4. Height of proposed building or structure.*
 *(height to be measured from lowest point of the ground that abuts the foundation
 of the structure to the highest point on the roof.)

- X 5. Front, rear and side elevations of the proposed structure.

IV. FLOOR PLANS.

- X 1. Floor plans of the existing interior of the building containing all relevant dimensions.
 X 2. Floor plans of the interior of the proposed construction containing all relevant dimensions.
 X 3. Precise square footage of the existing building.
 X 4. Precise square footage of the proposed construction.
 X 5. Floor area ratio calculation pursuant to Section 270-63 of the zoning ordinance (required for all applications)

V. PHOTOGRAPHS. (TO BE SUBMITTED AT A LATER DATE.)

1. Photographs of the property in question and existing improvements may be helpful to the Board in presenting your information.
 2. Photographs of views from the existing building or structure to neighboring properties and buildings which show existing plantings or other buffers are also helpful and may be requested by the Board.

(All photographs should be taken by you or someone who can testify to the Board as to when they were taken and that the photographs represent an accurate depiction of what they saw at the time.)

VI. LANDSCAPING AND LAND FEATURES.

- N/A 1. The survey, plat or plan should locate and describe any proposed landscaping to be done in connection with the application.
 X 2. The location of any unusual property features should be indicated, such as flood plain, streams, wooded areas, rock outcroppings or steep slopes.

VII. PREVIOUS APPLICATIONS.

- N/A 1. Applicants should be prepared to discuss prior applications to the Land Use Board, Board of Adjustment and Planning Board and the results thereof.

VIII. Any additional information which may be deemed necessary by the Land Use Board, its Consultants or Borough departments and agencies.

NOTE: ALL DIMENSIONS AND DISTANCES MUST BE DEPICTED TO SCALE ON DRAWINGS AND PLANS.

Any questions regarding your hearing or the checklist should be directed to the Land Use Administrator at the Borough of Allendale Municipal Building 201-818-4400 x202. **Please submit fifteen (15) packets with copies of all drawings and plans to the Land Use Administrator at least ten (10) days prior to the hearing.** It is suggested that the property owner refer to the appropriate building code to assure proper engineering and construction techniques, or to secure the services of a local, reputable architect and/or engineer.

11/29/22
Date

Gregory Szep
Signature

NOTICE OF APPEAL AND VARIANCE APPLICATION FORM
BOROUGH OF ALLENDALE, NEW JERSEY

TO THE APPLICANT: COMPLETE SECTIONS IN FULL FOR RELIEF REQUESTED

NOTICE OF APPEAL OF
ZONING ENFORCEMENT OFFICER'S DECISION

TO THE ZONING ENFORCEMENT OFFICER:

The petition of Brianne & Greg Szep
shows that on or about the 14 day of November, 2022
an application to the Zoning Official for the purpose of (describe intended
action) constructing a 2-sty addition at the rear of the existing
dwelling

on the premises located at (street address) 79 Edgewood Road
Allendale NJ 07401 Block 1403 Lot 2
as shown on the Municipal Tax Maps and owned, or optioned, by the applicant was made; that
after due consideration the Zoning Enforcement Officer did on the 22 day of Nov, 2022
decline to issue said permit for the reasons stated in the attached copy of the Zoning Enforcement
Officer's Refusal of Permit Form.

Applicant, feeling aggrieved at the action of the Zoning Enforcement Officer, files this notice of
appeal with said Officer, together with the required fee of \$500, and requests that
action of the Zoning Enforcement Officer be reversed or modified as the facts may be
determined, and applicant further requests that a day be fixed for hearing on this appeal and
states that the proper notice will be given to all owners of property situated within two hundred
(200) feet of the property specified above, and others as required by Statute.

APPLICATION FOR VARIANCE

TO THE LAND USE BOARD:

An application is hereby made for a (Hardship) (~~Floor Area Ratio~~) (~~Use~~) variance from the terms
of Article(s) and Section(s) IX 270-54D of the Zoning Ordinance so as to
permit construction of a 2-story addition with a rear yard of 34.7
feet where 50 feet is required.

Brianne Szep
Signature of Applicant

DESCRIPTION OF PROPOSED STRUCTURE OR USE

PREMISES AFFECTED known as Lot(s) 2 Block(s) 1403
Street Address 79 Edgewood Road Allendale
Applicant _____ Address _____
Owner Brianne & Greg Szep Address 79 Edgewood Road Allendale
Lessee N/A Address _____
Last Previous Occupancy existing single-family residence
Size of Lot 29,867 SF
Floor area ratio calculation 12.1%
Percentage of lot occupied by building(s) 10.9%
Height of building(s) 2 stories 22.5 feet
Set back from front property line 52.3 ft. From side (if corner lot) N/A ft.
Zoning requirements - ~~Frontage~~ xxxx ~~side yards~~ xxxxxx ~~set-back~~ xxxxxx rear yard 50 ft
"Prevailing set-back" of adjoining buildings within one block approx 50 ft
Has there been any previous appeal involving these premises? _____
If so, state character of appeal and date of disposition _____

Proposed use: single-family residence / no change of use

~~This application for a use variance includes an application for subdivision~~ xxxxxx ~~site plan~~
xxxxxx ~~conditional use~~ xxxxxx ~~approval~~ xx

ATTACHED HERETO AND MADE A PART OF THIS APPLICATION I SUBMIT THE FOLLOWING: (NOTE: All of these papers must be submitted with application.)

- (a) The original Zoning Review Application, signed by the Zoning Officer and/or a true copy of the Official order issued by the Zoning Officer and signed by him, where applicable.
- (b) Fifteen (15) copies of all application documents
- (c) Fifteen (15) copies of a map showing all lots within 200 feet of the property; if buildings exist thereon the map shall be a certified "location map" and clearly indicate such buildings and their approximate location, together with "prevailing set-back" dimensions.
- (d) Fifteen (15) copies of a Plot Plan and clearly indicate such buildings thereon with all front, side and rear yard dimensions.
- (e) Fifteen (15) copies of List of Property owners served, indicating method of service on each, date of service, together with copies of the post office receipts, if any.
- (f) Fifteen (15) copies of Subdivision, Site Plan, or Conditional Use application, when applicable.

(File all copies with the Land Use Administrator when only a variance is sought.)

Date: 11/29/22

Gregory Szep
Signature of Applicant or Agent

BOROUGH OF ALLENDALE
LAND USE BOARD

DATE 11/29/22

NOTICE OF HEARING TO PROPERTY OWNERS

(Cross out inapplicable sections)

TO WHOM IT MAY CONCERN:

In compliance with the Zoning Ordinance of the Borough of Allendale, NJ, notice is hereby served upon you to the effect that ~~(X)~~ (We) Brianne & Greg Szep hereby propose to ~~(give detailed information)~~ construct a 2-story addition at the rear of our existing house

Location 79 Edgewood Road Allendale NJ 07401

The Zoning Officer of the Borough of Allendale, Bergen County, New Jersey, refused this request by reason of its being in violation of Section 270-54D - Rear Yard Setback

of the Zoning Ordinance, from which decision ~~(X)~~ (We) hereby appeal. ~~(X)~~ (We) have applied to the Land Use Board for a (hardship), ~~(floor area ratio)~~, ~~(use)~~ variance, ~~(together with subdivision)~~ ~~XXXXXX~~ site plan ~~XXXXXX~~ conditional use ~~XXXXXX~~ approval, and from any other variances or waivers that the Board may deem necessary.
variance for

Any person or persons affected by this (appeal) (application) may have an opportunity to be heard at the meeting to be held _____, 20____, at 7:30pm in the Allendale Municipal Building, 500 West Crescent Avenue, 2nd Floor, Allendale, NJ 07401.

All documents relating to this application may be inspected by the public between the hours of 9 a.m. and 4:30 p.m. in the office of the Borough Clerk in the Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey 07401.

Gregory Szep
Signature

Note: This Notice must be personally Served or sent by certified or registered mail at least 10 days before the day of the hearing, and proof of service given to the Land Use Administrator.

AFFADAVIT OF PROOF OF SERVICE

LAND USE BOARD

OF

BOROUGH OF ALLENDALE

PROOF OF SERVICE OF NOTICES REQUESTED BY STATUTE MUST BE
FILED AND VERIFIED WITH BOARD SECRETARY AT LEAST 10 DAYS PRIOR TO MEETING
OR CASE WILL NOT BE HEARD.

STATE OF NEW JERSEY)

COUNTY OF BERGEN) SS.

Greg Szep, of full age, being duly sworn according to law, deposes and
says, that ~~(s)~~he resides at 79 Edgewood Road in the municipality
of Allendale, County of Bergen, and State of New Jersey,
and that ~~(s)~~he is ~~(are)~~ the applicant~~(s)~~ in a proceeding before the Land Use Board of Allendale, New
Jersey, being an appeal or application under the Zoning Ordinance, which relates to premises at
79 Edgewood Road, and that on _____, 20____ (s)he gave written
notice of the hearing on this application to each and all of the persons upon whom service must be made,
in the required form and according to the attached lists, and in the manner indicated thereon.


Applicant's Signature

Sworn to and subscribed before me

this _____ day of _____,

20____.

NOTICE TO APPLICANT: Attach list of all persons served.

NEWSPAPER NOTICE

LAND USE BOARD
BOROUGH OF ALLENDALE
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Land Use Board of the Borough of Allendale will hold a public hearing on _____, 20____, at 7:30 p.m. in the Allendale Municipal Building, 500 West Crescent Avenue, 2nd Floor, Allendale, New Jersey 07401 on the application of _____ (Applicant) at _____ (Address) 79 Edgewood Road Allendale NJ 07401 Block No. 1403, Lot No. 2 for a (hardship, floor area ratio, use) variance from Section 270-54D Rear Yard Setback

_____ of the zoning ordinance of the Borough of Allendale, and for any other variances or waivers that the Board may deem necessary, for the purpose of construction of a 2-story addition at the rear of their existing dwelling

Name and Address of Applicant

Sample Legal Notice

To be published in *The Record* or *The Ridgewood News* at least ten (10) days prior to the scheduled hearing date.

Original notice cut from newspaper must be given to Board Secretary along with all forms.



Anthony Hackett
Zoning Official

**BOROUGH OF
ALLENDALE**
CODE ENFORCEMENT OFFICE
500 West Crescent Avenue Allendale, NJ 07401

Phone: (201) 818-4400 x208
Fax: (201) 825-1913

MEMORANDUM

TO: Gregory & Brianne Szep
79 Edgewood Rd
Allendale, NJ 07401

FROM: Anthony Hackett, Zoning Official/Construction Official

CC: Linda Garofalo Land use Administrator

RE: Rear Addition @ 79 Edgewood Rd

DATE: November 22, 2022

The Allendale Building/Zoning Department received the following documents:

- A. A drawing prepared by J M A Architects, LLC. Allendale NJ
- B. Survey prepared by Peter Kirch, Surveying Technologies Inc Ramsey NJ
- C. Borough of Allendale Zoning Review Application

I have reviewed these documents and the Borough of Allendale Zoning Ordinances and I must deny your application for the following reasons:

1) 79 Edgewood Rd Allendale NJ, is located in the AA Zone. According to the plans, the addition is going to be built on the left side of the rear of the existing home. Currently your home has an existing non-conforming rear yard at a different location on your home at 43.1 feet. The new addition will create an additional rear yard setback violation at 34.7 feet where 50 feet is required by code. See

Borough Ordinance 270-54D

You are hereby notified that you have the right under N.J.S.A. 40:55D-72 to appeal this decision to the Zoning board of adjustments of the Borough of Allendale within 20 days from the date of the decision. For further information please visit. <http://allendalenj.gov/zoning-board-of-adjustments/>

Anthony Hackett
Construction Official

November 18, 2022
10:29 AM

Borough of Allendale
Tax Account Detail Inquiry

Page No: 1

BLQ: 1403. 2.
Owner Name: SZEP, GREGORY J & BRIANNE

Tax Year: 2022 to 2022
Property Location: 79 EDGEWOOD RD

Tax Year: 2022	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original Billed:	5,164.28	5,164.28	5,535.01	5,367.18	21,230.75
Payments:	5,164.28	5,164.28	5,535.01	5,367.18	21,230.75
Balance:	0.00	0.00	0.00	0.00	0.00

Date	Qtr	Type	Description	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2022 Prin Balance
			Original Billed						21,230.75		21,230.75
02/08/22	1	Payment	CORELOGIC	001	VARIOUS	CK	8417	451 GWITT	5,164.28	0.00	16,066.47
04/29/22	2	Payment	CORELOGIC	001	VARIOUS	CK	8595	473 GWITT	5,164.28	0.00	10,902.19
07/28/22	3	Payment	CORELOGIC	001	VARIOUS	CK	8815	456 GWITT	5,535.01	0.00	5,367.18
10/28/22	4	Payment	CORELOGIC	001	VARIOUS	CK	9086	477 GWITT	5,367.18	0.00	0.00

Total Principal Balance for Tax Years in Range: 0.00



THE BOROUGH OF ALLENDALE

N E W J E R S E Y

500 WEST CRESCENT AVENUE, ALLENDALE, NJ 07401

WWW.ALLENDALENJ.GOV

ARI BERNSTEIN
MAYOR

200' PROPERTY OWNERS LIST REQUEST

FEE: \$10.00

DATE REQUESTED: _____ DATE PAID: _____

REQUESTED BY: Brianne & Greg Szep

PHONE #: _____

BLOCK: 1403 LOT: 2 QUALIFIER: _____

ADDRESS: 79 Edgewood Road Allendale

EMAIL ADDRESS: greg.szep@gmail.com, (cc to:) kate@jma-architects.com

REMARKS: _____

INITIALS: GS

MAP REFERENCE (FM):

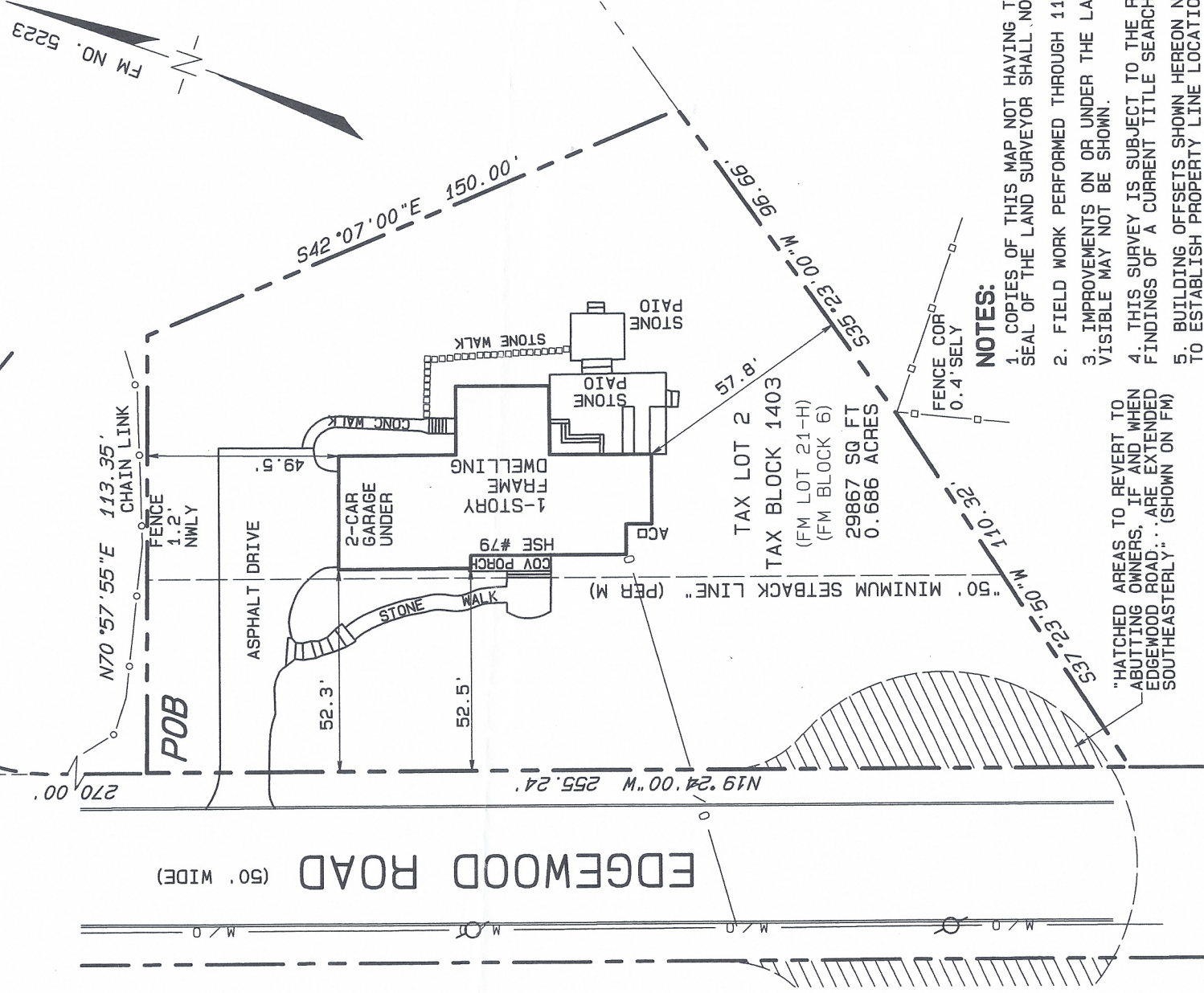
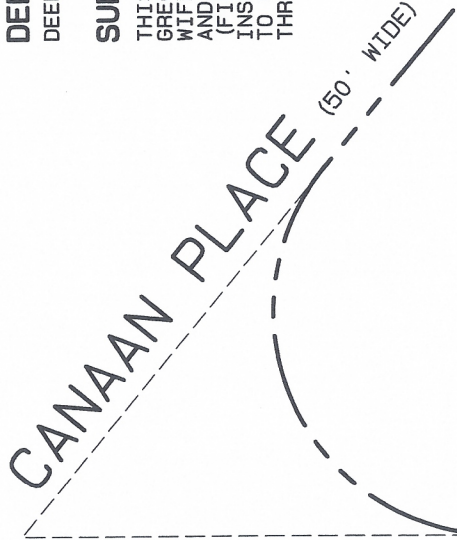
"SUBDIVISION PLAT EDGEWOOD HEIGHTS ESTATES, RIVERVIEW CORPORATION, BOROUGH OF ALLENDALE, BERGEN COUNTY, N.J.," FILED IN THE BERGEN COUNTY CLERK'S OFFICE ON JANUARY 29, 1958 AS MAP NO. 5223.

DEED REFERENCE:

DEED BOOK 00257, PAGE 0341 ET SEQ.

SURVEY CERTIFICATION:

THIS SURVEY IS SPECIFICALLY CERTIFIED ONLY TO: GREGORY J. SZEP AND BRIANNE SZEP, HUSBAND AND WIFE; JP MORGAN CHASE BANK N.A., ITS SUCCESSORS AND/OR ASSIGNS; FIRST JERSEY TITLE SERVICES, INC. (FILE 094767); OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; AND WILLIAM I. STRASSER, ESQ. TO BE CORRECT AND ACCURATE AND DOES NOT EXTEND THROUGH ASSIGNMENT TO ANY FUTURE PURCHASER(S).



NOTES:

1. COPIES OF THIS MAP NOT HAVING THE EMBOSSED SEAL OF THE LAND SURVEYOR SHALL NOT BE VALID.
2. FIELD WORK PERFORMED THROUGH 11/14/18.
3. IMPROVEMENTS ON OR UNDER THE LANDS AND NOT VISIBLE MAY NOT BE SHOWN.
4. THIS SURVEY IS SUBJECT TO THE REVIEW AND FINDINGS OF A CURRENT TITLE SEARCH AND REPORT.
5. BUILDING OFFSETS SHOWN HEREON NOT TO BE USED TO ESTABLISH PROPERTY LINE LOCATIONS.

LOCATION SURVEY FOR
GREGORY AND BRIANNE SZEP
#79 EDGEWOOD ROAD
TAX LOT 2, BLOCK 1403

BOROUGH OF ALLENDALE BERGEN COUNTY NEW JERSEY
NOVEMBER 19, 2018
SCALE: 1" = 40'

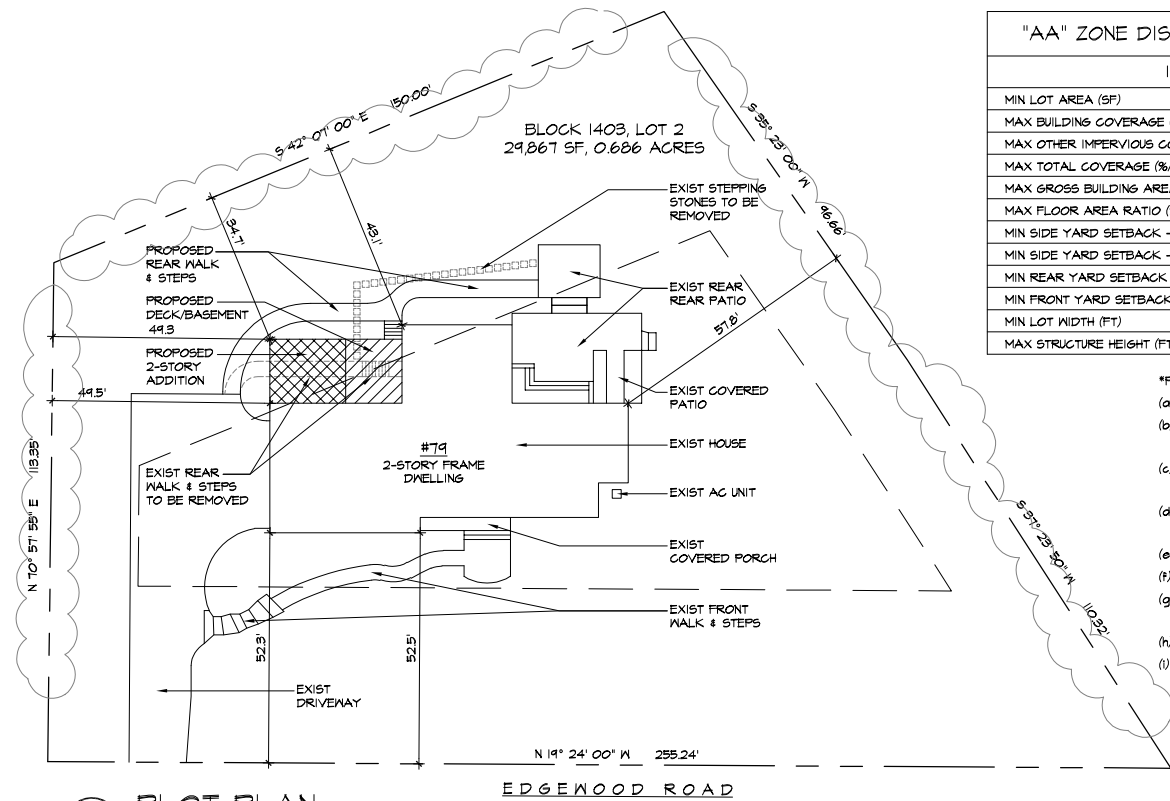
SURVEYING TECHNOLOGIES, INC.

SURTECH

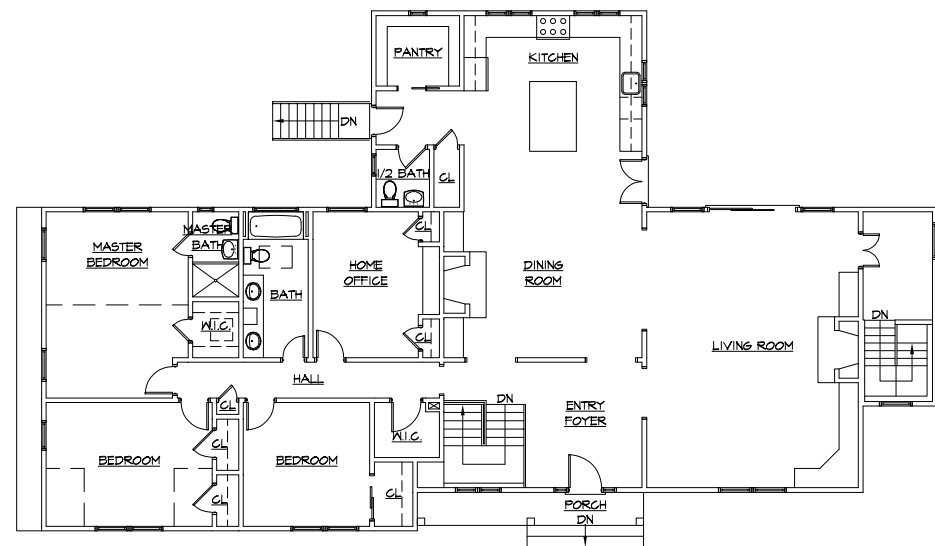
PETER C. KIRCH
PROFESSIONAL LAND SURVEYOR
NJPLS #23130 / NYPLS #49208

REVISIONS

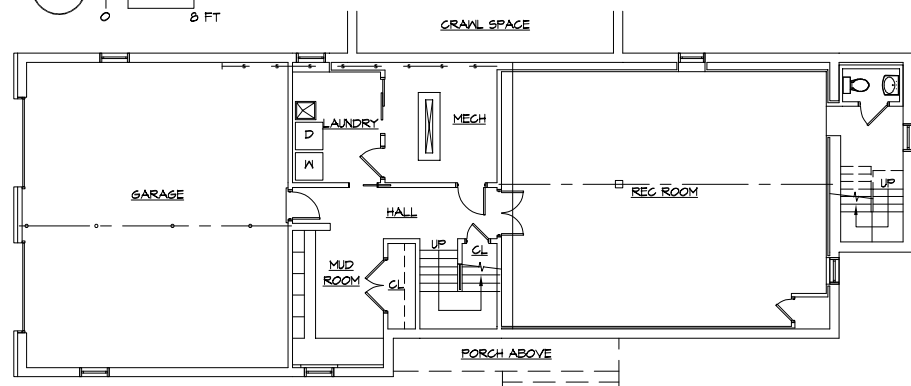
DRN	PCK
CHKD	KCK
JOB#	8220LS



1 PLOT PLAN
0 5 20 FT



2 EXIST FIRST FLOOR PLAN
0 8 FT



3 EXIST BASEMENT PLAN
0 8 FT

"AA" ZONE DISTRICT ONE-FAMILY RESIDENCE ZONE REGULATIONS				
ITEM	REQUIRED	EXISTING	PROPOSED	VARIANCE
MIN LOT AREA (SF)	26,000	29,867	29,867	NO
MAX BUILDING COVERAGE (%/SF)	-	9.4/2,817 (a)	10.9/3,254 (b)	NO
MAX OTHER IMPERVIOUS COVERAGE (%/SF)	-	10.2/3,043 (c)	10.7/3,185 (d)	NO
MAX TOTAL COVERAGE (%/SF)	31.8/9,448 (e)	19.6/5,860	21.6/6,439	NO
MAX GROSS BUILDING AREA (SF)	6,212	9,358 (f)	9,608 (g)	NO
MAX FLOOR AREA RATIO (%)	21.0 (h)	11.2	12.1	NO
MIN SIDE YARD SETBACK - RIGHT (FT)	23.5 (i)	57.8	57.8	NO
MIN SIDE YARD SETBACK - LEFT (FT)	23.5 (i)	44.5	44.5	NO
MIN REAR YARD SETBACK (FT)	50	43.1	34.7	YES - PE/NC*
MIN FRONT YARD SETBACK (FT)	40	52.3	52.3	NO
MIN LOT WIDTH (FT)	130	228.8	228.8	NO
MAX STRUCTURE HEIGHT (FT/STY)	30/2.5	22.5/2	22.5/2	NO

*PE/NC = PRE-EXISTING/ NON-CONFORMING

(a) 2,817 SF: EX HOUSE = 2,623 SF + EX COVERED PATIO = 132 SF + EX COVERED PORCH = 62 SF

(b) 3,254 SF: EX HOUSE = 2,623 SF + EX COVERED PATIO = 132 SF + EX COVERED PORCH = 62 SF +

NEW HOUSE = 250 SF + NEW DECK/BASEMENT = 181 SF

(c) 3,043 SF: EX DRIVEWAY = 1,786 SF + EX REAR PATIO = 682 SF + EX FRONT WALK & STEPS =

358 SF + EX REAR WALK & STEPS = 146 SF + EX STEPPING STONES = 65 SF + EX AC UNIT = 6 SF

(d) 3,185 SF: EX DRIVEWAY = 1,786 SF + EX REAR PATIO = 682 SF + EX FRONT WALK & STEPS =

358 SF + EX AC UNIT = 6 SF + NEW REAR WALK & STEPS = 353 SF

(e) 31.8%: 55/50 ROOT OF LOT AREA: 55/50 ROOT OF 29,867

(f) 3,358 SF: EX FIRST FLOOR AREA = 2,623 SF + SF + EX GARAGE AREA = 735 SF

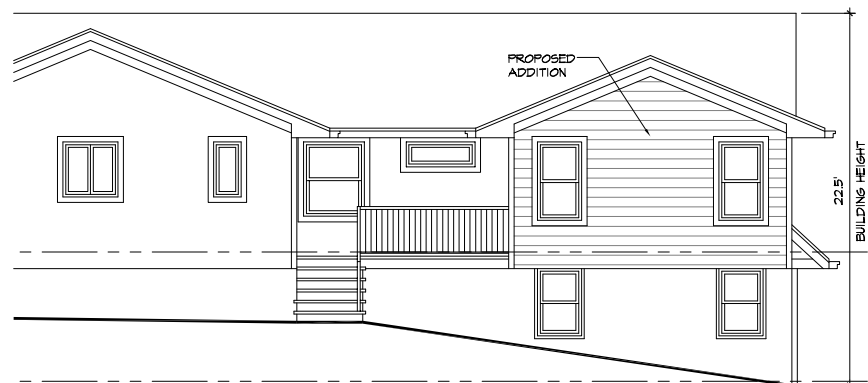
(g) 3,608 SF: EX FIRST FLOOR AREA = 2,623 SF + EX GARAGE AREA = 735 SF + NEW

FIRST FLOOR AREA = 250 SF

(h) 21.0%: 25-0002(LOT AREA-10,000): 25-0002(29,867-10,000)

(i) 23.5 FT: .007x68A: .007x3,358 SF

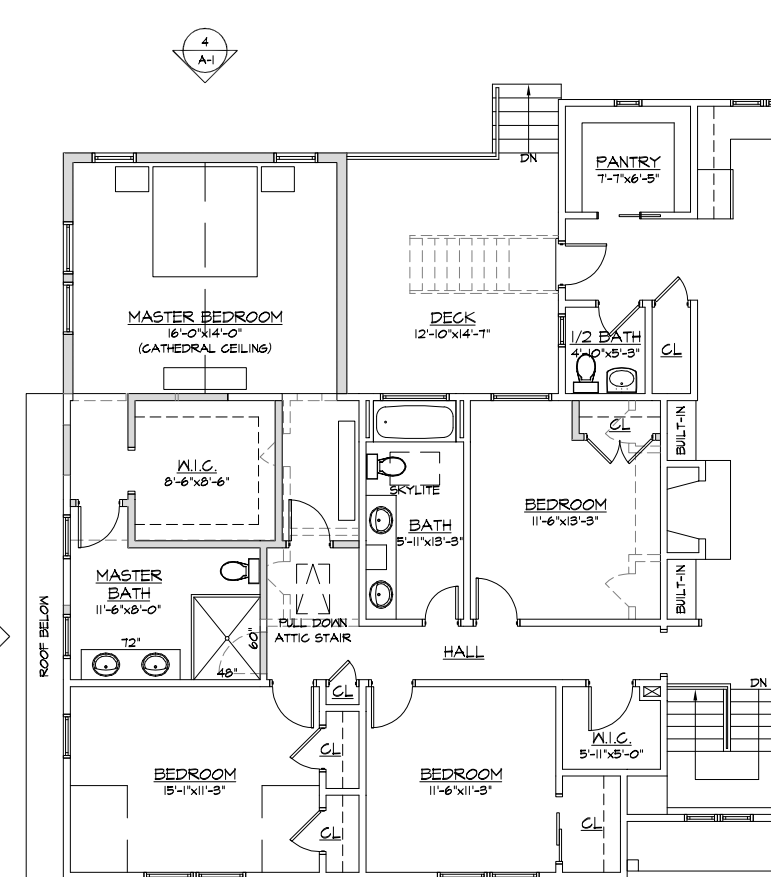
NOTE:
INFORMATION FOR THIS PLOT PLAN TAKEN FROM SURVEY
PREPARED BY PETER C. KIRCH, PROFESSIONAL LAND SURVEYOR
NJPLS #23130, NYPLS #44208, SURTECH, SURVEYING TECHNOLOGIES, INC.,
49 SPRING STREET, RAMSEY, NJ 07446, DATED NOVEMBER 14, 2018



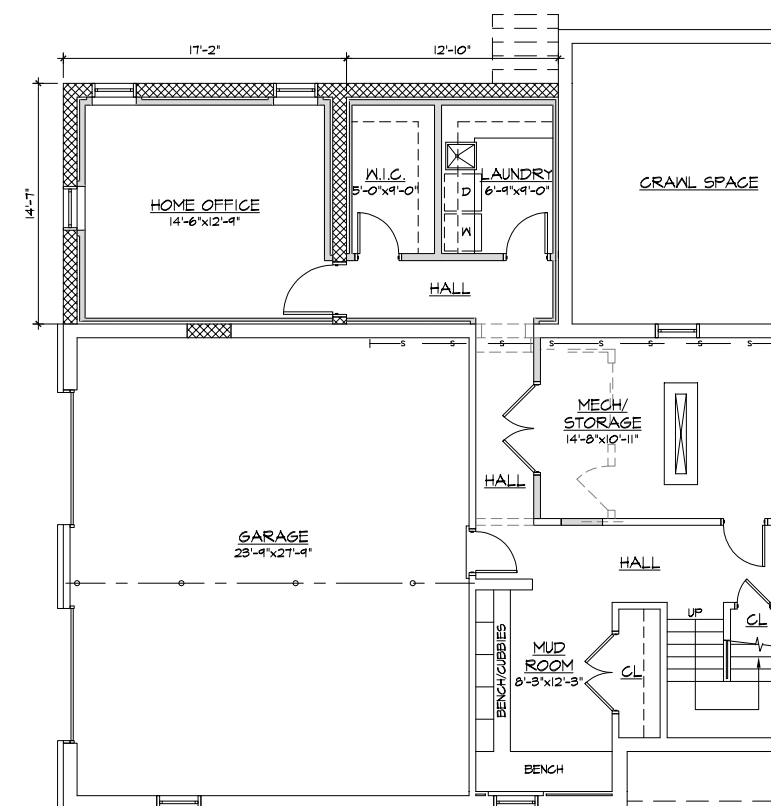
4 EAST ELEVATION
0 4 FT



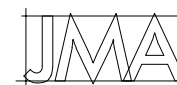
5 NORTH ELEVATION
0 4 FT



6 PROPOSED FIRST FLOOR PLAN
0 4 FT



7 PROPOSED BASEMENT PLAN
0 4 FT



JMA Architects, LLC

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215 MAHWAH ROAD MAHWAH NEW JERSEY 07430
201 529 3524

JOHN F. MUSINSKI AIA NCARB LEED AP
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PROPOSED ADDITION
& RENOVATIONS

Szep Residence

79 Edgewood Road
Allendale, New Jersey

BOROUGH OF ALLENDALE
Tax Map# Block 1403, Lot 2

Z.B.A.
ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11-21-22

PLAN
NORTH



1 ZONING REVIEW 11/21/22
NO ISSUE/REVISION DATE

DRAWING TITLE
PLOT PLAN, ELEVATIONS,
FLOOR PLAN, ZONING
TABLE & NOTES

DATE
11/21/22

SCALE
AS NOTED

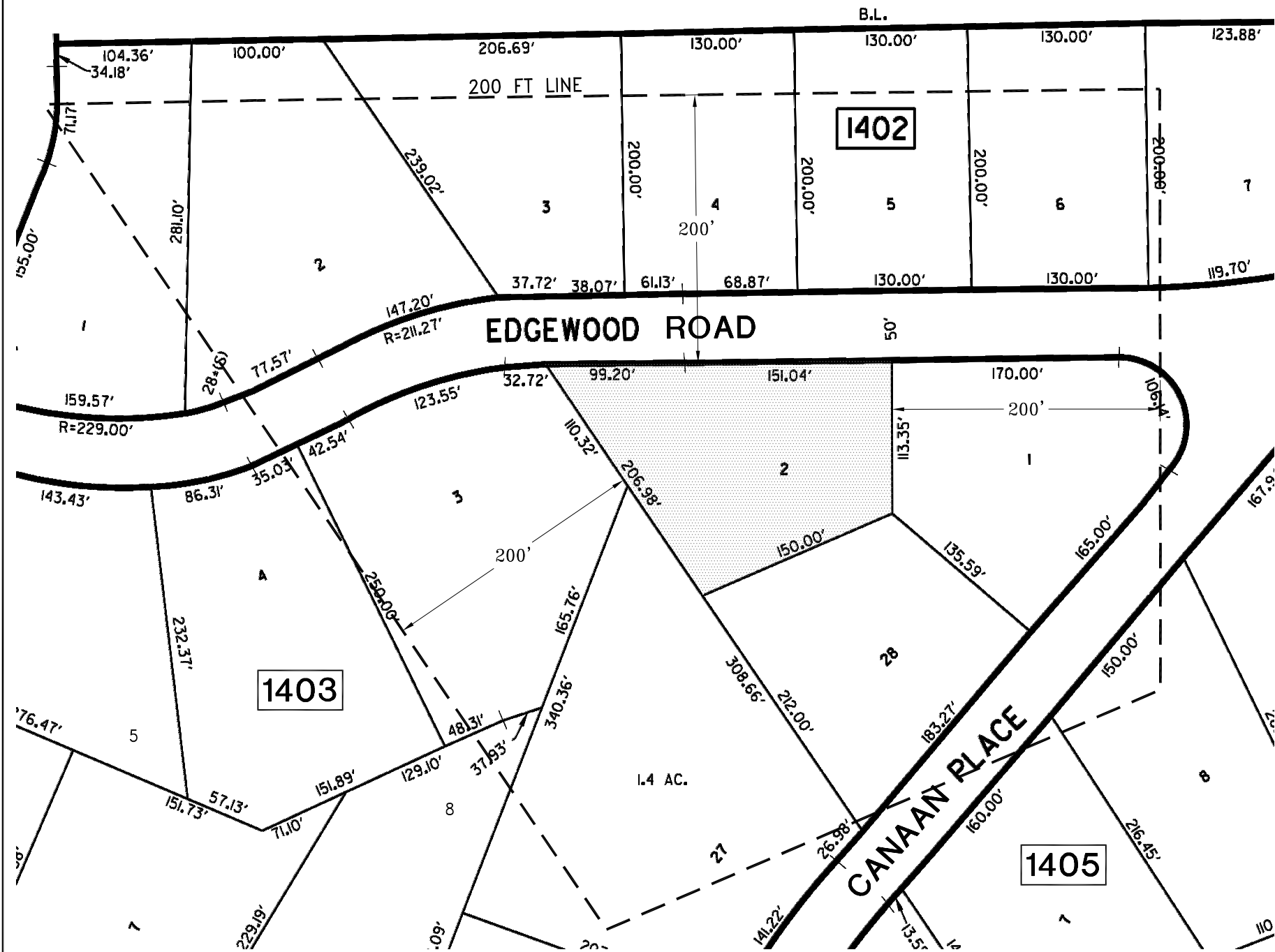
DRAWN
MV

CHECKED
JM

DRAWING NUMBER

Z-1

PROJECT NO: 2245 SHEET 1 OF 2



PARTIAL TAX MAP / 200 FT RADIUS

PORTION OF TAX MAP TAKEN FROM TAX ASSESSMENT MAP, SHEET 14,
PREPARED BY GERARD SCOTT OF AZZOLINA & FUREY DATED
1.20.94, AND MADE AVAILABLE ONLINE AT WWW.ALLENDALENJ.GOV



1"=100'-0"



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79 Edgewood Road
Allendale, New Jersey

BOROUGH OF ALLENDALE
Tax Map # Block 1403, Lot 2

ZONING REVIEW
ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11-21-22

NO	REVISION	DATE
1	ZONING REVIEW	11.21.22

DRAWING TITLE

PARTIAL TAX MAP

DATE

11/21/22

SCALE

AS NOTED

DRAWN

KS

CHECKED

JM


DRAWING NUMBER

Z-2

PROJ. NO: 2245 SHEET 2 OF 2

MEMORANDUM

TO: Borough of Allendale Land Use Board
L. Garofalo, Land Use Administrator / C. Botta, Board Attorney

FROM: Michael Vreeland, Board Engineer 

CC: B. & G. Szep, Applicants /
J. Musinski, Applicant's Architect

RE: 79 Edgewood Road - Variance Application
Block 1403 Lot 2
VCEA Project No. ALN-1001.055

DATE: January 9, 2023

We are in receipt of the following information pertaining to the above-referenced application:

- A. Land Use Application and associated documents.
- B. Architectural plan set entitled, "Proposed Addition, & Renovations, Szep Residence, 79 Edgewood Road, Allendale, New Jersey" consisting of 2 sheets. The plans prepared by JMA Architects (John F. Musinski, AIA) are dated November 29, 2022.
- C. Survey entitled, "Location Survey For, Gregory And Brianne Szep, #79 Edgewood Road, Tax Lot 2, Block 1403, Borough of Allendale Bergen County New Jersey". The survey prepared by SurTech (Peter C. Kirch, PLS) is dated November 19, 2018.

We have reviewed the aforementioned information along with the Borough Code, visited the site and offer the following comments for the Board's consideration:

1. INTRODUCTION

The property is located on the eastern side of Edgewood Road within the Borough's AA Residence Zone District. The property is developed with a single-family dwelling and associated amenities.

The application and plans propose additions and renovations to the dwelling (including rear basement and first floor expansions as well as rear deck, steps and walkway).

The application and plans request relief for conflict with §270-54D (rear yard) of the Code.

2. TECHNICAL COMPLETENESS

We have reviewed the application for technical completeness in accordance with the Application Checklist. Based on the nature of the proposal, we believe the Applicant's submission is sufficient to conduct technical review.

OFFICE LOCATIONS

www.vancleefengineering.com

Lebanon, NJ
908-735-9500

Hamilton, NJ
609-689-1100

Toms River, NJ
732-573-0490

Freehold, NJ
732-303-8700

Bethlehem, PA
610-332-1772

Hillsborough, NJ
908-359-8291

Mt. Arlington, NJ
862-284-1100

Phillipsburg, NJ
908-454-3080

Doylestown, PA
215-345-1876

We defer to the Land Use Administrator and the Board Attorney regarding administrative and legal completeness matters.

3. ZONING

We have reviewed this application in accordance with the requirements of the Borough's Code. Based on this review we find the following:

3.1. Non-Conforming Conditions:

§270-54D – Rear Setback

Comment: The noted ± 43.1 ft existing rear setback is ± 6.9 ft less than the required 50 ft setback. The proposal further reduces the setback to ± 34.7 ft.

3.2. Discussion:

Since this proposal does not meet the requirements noted above, the Applicant must seek relief from the Board pursuant to the Municipal Land Use Law under N.J.S.A. 40-55D-70c.

The Applicant has requested "C" variances in conjunction with this proposal.

"C(1)" or "Hardship" Variances:

In judging an application by the C(1) criteria, the core question presented to the Board is whether there has been a showing of (1) peculiar and exceptional practical difficulties to, or (2) exceptional and undue hardship upon, the Applicant arising out of (a) the exceptional narrowness, shallowness or shape of the subject property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting the subject property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting the subject property or the structures lawfully existing thereon. In all cases, the alleged hardship must relate to a specific piece of property.

"C(2)" or "Benefits v. Detriments" Variances:

In judging an application by the C(2) criteria, the core questions presented to the Board is whether the grant of a variance would promote or advance the purposes of the Municipal Land Use Law and the benefits of such deviation outweigh any detriment.

As in all variance cases, the Applicant bears the burden of proving both the positive and negative criteria. Relief cannot be granted unless it can be granted without substantial detriment to the public good and unless it will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

We specifically note that it is the Applicant's burden to show the special reasons and satisfy the negative criteria. As such, the Applicant will need to present additional information concerning the aforementioned issues as well as the positive and negative elements pertaining to the subject proposal.

4. TECHNICAL REVIEW COMMENTS

- 4.1. We assume the proposal will be finished similar to the existing dwelling. This should be confirmed.
- 4.2. The plans do not include exterior lighting. The Applicant should confirm additional lighting is not proposed.

- 4.3. Testimony should be provided regarding landscaping associated with the project.
- 4.4. We observed existing gutter downspouts leading into underground piping and a pump near the existing driveway inlet. The plans do not include information regarding these features. We recommend the project include provisions addressing stormwater runoff as well as issues that may be occurring with the existing drainage system.
- 4.5. Should the Board approve this application:
 - 4.5.1. Site grading and stormwater management will need to be addressed. The Applicant will need to obtain Soil Movement Permit (§225) and Plot Plan Approval (§196). The Applicant is advised that drainage calculations will be required to demonstrate stormwater management measures have been designed to reduce runoff and sized for tributary areas (§225-5.D).
 - 4.5.2. Soil erosion and sediment control measures will need to be provided. The measures need to be in place prior to initiating soil disturbance and maintained until the area of disturbance has been permanently stabilized.
 - 4.5.3. We recommend an "As-Built Plan" be required prior to requesting a certificate of occupancy.

Please contact me should you have any questions.