

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

The Regular 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 March 15, 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

- Alternate #1: Jason Warzala (term expiring December 31, 2024)
- Alternate #2: Gregg Butler (term expiring December 31, 2023)

III. ROLL CALL

IV. APPROVAL OF MINUTES

February 15, 2023 Land Use Board Regular Meeting

V. RESOLUTION:

Application File No: LUB 2023-03

Resolution No.: 23-14

Applicant: Craig & Courtney Cagney

Address: 320 Park Avenue, Allendale, NJ 07401

Block: 2206 Lot: 1

Proposed: Construction of a new covered front porch, 2nd floor addition and addition of dormer to existing detached garage. Pursuant to 270-54(B), 270-14(A), 270-14(B)(3)

VI. PUBLIC HEARINGS:

Application File No: LUB 2023-04

Applicant: 115 West Crescent, LLC

Address: 115 West Crescent Avenue, Allendale, NJ 07401

Block: 910 Lots: 5 & 6

Proposed: Minor Subdivision Approval

Resolution of Approval 22-13
Applicant: Charles and Pamela Stock
Address: 47 Homewood Avenue, Allendale, NJ 07401
Block 507 Lot: 4
Application: Extension of Time Approval

VII OPEN TO THE PUBLIC FOR COMMENT

VIII OTHER

IX. ADJOURNMENT

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

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*Please Reply to
Paramus, New Jersey Office*

*1986-2023
Celebrating 37 Years of Service!*

February 17, 2023

VIA HAND DELIVERY

Allendale Land Use Board
Attn: Linda Garofalo, Land Use Administrator
500 West Crescent Avenue
Allendale, New Jersey 07401

**Re: 115 West Crescent LLC
115 West Crescent Avenue
Block 910, Lots 5 & 6
Allendale, New Jersey**

Dear Ms. Garofalo:

Please be advised this firm represents Applicant, 115 West Crescent LLC, in connection with its application for subdivision approval at the referenced property. In this regard, enclosed please find fifteen (15) collated sets of the following:

1. Executed Application with exhibits, addendum and certification of taxes;
2. Application Checklists;
3. Absence of Wetlands Map;

WELLS, JAWORSKI & LIEBMAN, LLP
ATTORNEYS AT LAW

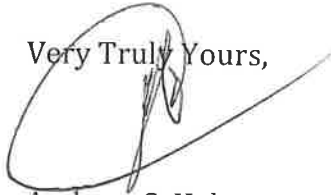
4. Aerial Photograph of the Site;
5. Originally signed and sealed copies of the Boundary and Topographic Survey, last revised February 10, 2023, prepared by Stonefield Engineering & Design (1 sheet);
6. Originally signed and sealed copies of the Site Plans, last revised February 10, 2023, prepared by Stonefield Engineering & Design (1 sheet).

Additionally, please see our client's executed W9 and the following checks made payable to the Borough of Tenaflly as follows:

- a. Check No. 12 in the amount of \$800.00 representing the application fee;
- b. Check No. 13 in the amount of \$600.00 representing the initial escrow fee;

Kindly process the enclosed documents and distribute to Board Members and/or department heads. Thank you for your courtesies in this matter. Should you have any questions or concerns please feel free to contact us at any time.

Very Truly Yours,



Andrew S. Kohut

ASKp/lvg
Encl.

115 West Crescent LLC
18 Elmbrook Pl
Bloomfield NJ 07003

Date 02/15/2023

13
55-7193/2212

Pay to the order of Borough of Allendale \$ 600.00

Six hundred and 00/100 Dollars



MEMO escrow fee

SIGNED

⑆221271935⑆ 8003037799⑈ 0013

115 West Crescent LLC
18 Elmbrook Pl
Bloomfield NJ 07003

Date 02/15/2023

12
55-7193/2212

Pay to the order of Borough of Allendale \$ 800.00

eight hundred and 00/100 Dollars



MEMO Application Fee

SIGNED

⑆221271935⑆ 8003037799⑈ 0012

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. 115 West Crescent LLC		
2 Business name/disregarded entity name, if different from above		
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► P Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ►	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
5 Address (number, street, and apt. or suite no.) See instructions. 18 Elmbrook Place	Requester's name and address (optional)	
6 City, state, and ZIP code Bloomfield, NJ 07003		
7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number								
			-					
or								
Employer identification number								
9	2		-	0	6	3	6	9 1 8

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ► 

Date ► 02/17/2023

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

ALLENDALE LAND USE BOARD
APPLICATION CHECK LIST

NAME 115 West Crescent LLC BLOCK 910 LOT 5 & 6

ADDRESS 115 West Crescent Avenue, Allendale

ZONE A TYPE OF VARIANCE NJSA 40:55D-70 (c)

BRIEF DESCRIPTION OF APPLICATION Applicant seeks to subdivide the two existing lots,

Block 910 Lots 5 & 6 into three buildable lots. See attached project description rider.

SPECIFIC VARIANCE(S) REQUIRED Minimum lot width pursuant to section 270-57(F)

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

02/16/2023

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.
- X 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.

- 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.)

N/A 5. Front, rear and side elevations of the proposed structure.

IV. FLOOR PLANS. Minor Subdivision Application

N/A 1. Floor plans of the existing interior of the building containing all relevant dimensions.

N/A 2. Floor plans of the interior of the proposed construction containing all relevant dimensions.

X 3. Precise square footage of the existing building.

N/A 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.

X 1. Photographs of the property in question and existing improvements may be helpful to the Board in presenting your information.

X 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.

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

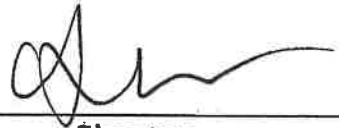
VIII. Any additional information which may be deemed necessary by the Land Use Board, its Consultants or Borough departments and agencies.

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.

02/16/2023

Date

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the end, positioned above a horizontal line.

Signature

DESCRIPTION OF PROPOSED STRUCTURE OR USE

PREMISES AFFECTED known as Lot(s) 5 & 6 Block(s) 910
Street Address 115 West Crescent Avenue
Applicant 115 West Crescent LLC Address c/o Cindy Schottanes 18 Elmbrook Place, Bloomfield NJ 07003
Owner 115 West Crescent LLC Address c/o Cindy Schottanes 18 Elmbrook Place, Bloomfield NJ 07003
Lessee N/A Address N/A
Last Previous Occupancy Single Family Residential
Size of Lot Existing: (Lot 5) 31,911 SF (Lot 6) 33,114 SF Proposed: (Lot 5) 20,094 SF (Lot 6) 20,177 SF (Lot 6.01) 24,754 SF
Floor area ratio calculation Existing: (Lot 5) 1,175 SF (Lot 6) 3,306 SF Max Permitted: (Lot 5) 4,618 SF (Lot 6) 4,634 SF (Lot 6.01) 5,458 SF
Percentage of lot occupied by building(s) Existing: (Lot 5) 4.4% (Lot 6) 18% Max Permitted: (Lot 5) 38.8% (Lot 6) 38.7% (Lot 6.01) 35.0%
Height of building(s) 2.5 stories 35 feet
Set back from front property line 35' ft. From side (if corner lot) N/A ft.
Zoning requirements – Frontage 115', side yards 15', set-back _____, rear yard 50'
“Prevailing set-back” of adjoining buildings within one block N/A
Has there been any previous appeal involving these premises? No
If so, state character of appeal and date of disposition _____

Proposed use: No Change of Use/ Lot Subdivision with Single Family on Each Lot

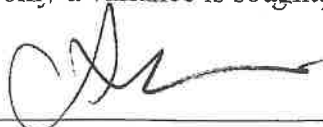
This application for a ~~use~~ variance includes an application for subdivision X, site plan _____, conditional use _____ approval.

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: 02/16/2023



Signature of Applicant or Agent

Project Description

The Applicant is the current owner of a single-family dwelling located at 115 West Crescent Avenue, Block 910 Lots 5 and 6 in One Family Residential Zone A. The existing dilapidated dwelling is situated on a total of 65,052 SF over two adjoining lots (Lot 5: 31,911 SF and Lot 6: 33,114 SF), with the home straddling the interior lot line creating a non-confirming condition with 0' side yard setbacks. The lots are oversized and exceptionally deep at 321.90 FT and 352.94 FT. Furthermore, the two tax lots have existing non-confirming lot widths at 100 FT and 101.56 FT whereas 115 FT is required.

The Applicant is proposing to subdivide the two existing lots into three buildable lots to better utilize the entire property and bring the lot sizes into conformance with the surrounding neighborhood. The proposal consists of three single family lots with conforming lot sizes of 20,094 SF, 20,177 SF, and 24,754 SF whereby 20,000 SF is required. The requested variances in conjunction with this application are for the reduction of lot widths from 100 FT and 101.56 FT to 93.28 FT for the two lots (Lot 5 and 6) and 15 FT over an existing rear access driveway. Testimony will be provided that the proposed lot widths of 93.28 FT are consistent with the adjacent lots (Block 910, Lots 7 & 8) and overall neighborhood. The 15' frontage width is located over an existing curb cut and rear driveway, with the buildable lot exceeding all minimum zoning requirements and is adequately sized at 175.84' in width and 122.0' in depth. It should be noted that multiple flag lot layouts exist in the vicinity of the property, including in the immediate adjacent lot and new lot lines are in context to the surrounding neighborhood. The granting of variance relief will not be a substantial detriment to the public welfare as the proposed three lots allow for lot and buildable areas that are adequately sized and shaped for dwellings to adhere to all zoning setbacks.

Schedule A

CHECKLIST FOR SUBMISSIONS OF DEVELOPMENT APPLICATIONS

LAND USE BOARD OF THE BOROUGH OF ALLENDALE

NAME OF APPLICANT: 115 West Crescent LLC
NAME OF OWNER OR DEVELOPMENT NAME: 115 West Crescent LLC
LOT 5 & 6, BLOCK 910
DATE OF APPLICATION 02/16/2023

An application for development shall not be considered complete until all the material and information specified below has been submitted unless, upon receipt of written request from the applicant, a specific requirement is waived by the municipal agency, or the agency otherwise deems a requirement inapplicable to the application. Certification of completeness or a Notice of Deficiencies shall be made, and any request for waiver shall be granted or denied, within 45 days of the filing of the application with the municipal agency.

No public hearing shall be scheduled for an application until the same has been deemed complete by the appropriate administrative officer or otherwise as permitted by the law.

Schedule "A" – General Requirements.

(Applicable to all applications)

1. Fifteen (15) copies of the appropriate application form(s), completely filled in and filed with the appropriate administrative officer. If any item is not applicable to the Applicant, it should so be indicated on the application form(s).
2. Certificate of Borough Tax Collector that all taxes and assessments on the property are paid.
3. Receipt indicating that fees and escrow deposits are paid pursuant to schedule.
4. Fifteen (15) copies of any required plot plan, site plan, or subdivision plan, clearly and legibly drawn at a scale of not smaller than 1 inch = 100 feet. Said plans to be prepared by a licensed engineer or land surveyor of the State of New Jersey as applicable with name address and seal of preparer on plat. Entire tract to be shown on one sheet.

Complies	Deficient	Waiver Request
X		
X		
X		
X		

5. Affidavit of ownership. If Applicant is not the owner, Applicant's interest in land; e.g, tenant, contract/purchaser, lienholder, etc.
6. One of the following:
 - a) A letter of interpretation from the N.J.D.E.P. indicating the absence of freshwater wetlands, or indicating the presence and verifying delineation of the boundaries of freshwater wetlands, or ,
 - b) A letter of exemption from the N.J.D.E.P. certifying that the proposed activity is exempt from the Freshwater Wetlands
 - c) A copy of any application made to the N.J.D.E.P for any permit concerning a proposed regulated activity in or around freshwater wetlands.
 The Land Use Board may waive the above requirements where it can be established by the applicant and verified by the board and its professionals that no wetlands exist on site or no contiguous property owned by the applicant.
7. If Applicant is a corporation or partnership, list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class as required by N.J.S. 40:55D-48.1 et seq.
8. Number and name(s) of witnesses and their expertise, if any.
9. Statement as to any requirements for which waiver is sought together with statement of reasons why waivers should be granted.
10. In subdivision and site plan applications for residential construction, a certification of the applicant or the applicant's engineer that the application complies with all requirements of the Residential Site Improvement Standards or other applicable regulations adopted by the Department of Community Affairs. If exceptions or waivers from such standards are sought, a statement of the hardship claimed, the reasons and conditions justifying the same and identification of any danger to health, safety or welfare resulting from adherence to said standards.

X		
		N/A Can be established that no wetlands exist on property
X		
X		
X		
X		

Schedule "B" – Plat Specifications for Site Plans and Subdivisions

General Information on Plat

1. Metes and bounds description of parcel in question based upon current land survey information.
2. Property line shown in degree, minutes and seconds.
3. Key map showing location of tract to be considered in relation to surrounding area, within 500 feet
4. Title block containing name of applicant, preparer, lot and block number, date prepared, date of last amendment and zoning district.
5. Each block and lot numbered in conformity with the municipal tax map as determined by the municipal tax assessor.
6. Scale of map, both written and graphic.
7. North arrow giving reference meridian.
8. Space for signature of Chairman and Secretary of the Municipal Agency.
9. Names of owner and all property owners within 200 feet of subject property.
10. Location of existing and proposed property and structures with dimensions in feet up to the nearest two decimal places, with setback, side yard and rear yard distances for existing structures and with building envelope of each proposed lot formed by minimum front, rear and side yard distances.
11. Schedule of Zone Requirements for zoning district in which parcel is located, indicating all setbacks, lot coverage, height, floor area ratio, and density, both as to required and proposed.
12. Acreage of affected parcel to the nearest hundredth of an acre.
13. Delineation of proposed lots, specifying areas of lots in acres, if on acre or over, and in square feet.
14. Provide a Polaroid or other similar photograph of the premises in question taken from the opposite side of the street.
- Natural Features and Topography
Topography of the site and within 200 feet thereof.
15. Contours to determine the natural drainage of the land. Intervals shall be: up to 10% grade-2 feet; over `10% grade- 5 feet.

Complies	Deficient	Waiver Request
X		
X		
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X		
X		

16. Cliffs and rock outcroppings.(Preliminary Site Plans and major subdivision only.)

17. Location of flood plains or flood hazard areas.
18. Natural and artificial watercourses, streams, shorelines and water boundaries and encroachment lines.
19. Aquifer recharge areas, including safe sustained ground water yield.
20. Wooded areas indicating predominant species and size.
21. Location of trees 6 inches or more in diameter, as measured one foot above ground level, outside of wooded area, designating species of each. (Preliminary Site Plans and major subdivision only.)
22. Areas in which construction is precluded due to presence of stream corridors and/or steep slopes.
23. All areas to be disturbed by grading or construction.
Man-made Features On Site And Within 200 Feet Thereof
24. Location of existing structures and their setbacks from existing and proposed property lines.
25. Location of existing easements or rights of way including power lines.
26. Location of existing railroads, bridges, culverts, drain pipes, water and sewer mains and other man-made installations affecting the tract.
27. Location of existing wells and septic systems on the property and within 100 feet.
28. Plans and profiles of proposed utility layouts such as sewers, storm drains, water, gas and electric, showing feasible connections to existing or proposed utility systems. (Major site plans and subdivisions only.)
29. Location and description of monuments, whether set or to be set. (Preliminary Site Plans and major subdivision only.)
30. Plans, profiles and cross-sections of all proposed streets and private roadways on the property and within 200 feet of the tract.
31. Indication of required road dedication.
32. Road orientation (as it relates to energy conservation)
33. Sketch of prospective future street system of the entire tract where a preliminary plat covers only a portion thereof.
34. Proposed sign easements where required.
35. Proposed drainage easements where required.
36. Natural resource inventory information including:
 - a) Soil types as shown by the current Soil Conservation and Survey Maps.

- b) Soil depth to restrictive layers of soil.
 - c) Soil depth to bedrock
 - d) Permeability of the soil by layers.
 - e) Height of soil water table and type of water table
 - f) Flood plain soil (status).
 - g) Limitation for foundation
 - h) Limitation for septic tank absorption field (only where septic tank is proposed to be used.)
 - i) Limitation for local road and streets
 - j) Agricultural capacity classifications
 - k) Erosion hazard.
37. Landscaping plan including the types, quantity, size and location of all proposed vegetation. The scientific and common names of all vegetation shall be included.
(Preliminary Site Plans and major subdivision only.)
 38. Soil Erosion and Sediment Control Plan consistent with the requirements of the local soil conservation district.
 39. Design calculations showing proposed drainage facilities to be in accordance with the appropriate drainage run-off requirements.
 40. The purpose of any proposed easement of land reserved or dedicated to public or common use shall be designated and the proposed use of sites other than residential shall be noted.
 41. Any sections for which a waiver is specifically being requested and a narrative paragraph explaining why the Applicant is entitled to such waiver.
 42. Proof that application has been made to the Bergen County Planning Board.
 43. Proof that a Soil Erosion and Sediment Control Plan has been submitted to the B.C.S.C.D. if more than 5,000 square feet of ground is to be disturbed.
 44. An environmental impact statement if required.

X			
		N/A	Minor Subdivision Only
		N/A	Minor Subdivision Only
		N/A	Minor Subdivision Only
X			Proposed County ROW Shown
X			
X			
		N/A	Minor Subdivision Only
		N/A	Minor Subdivision Only

Borough of Allendale Land Use Board

Disclosure Statement – Appendix A

Name of Applicant: 115 West Crescent LLC

Address: c/o Cindy Schottanes, 18 Elmbrook Place City: Bloomfield

State: NJ Zip: 07003 Phone: (908) 210-8620

Applicant is a Corporation Partnership Individual

Pursuant to N.J.S.A. 40-55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. List names, addresses and partnership interest here.

Name: Martin Schottanes Interest % 50

Address: 60 Cherokee Avenue City: Allendale State: NJ

Name: Cindy Schottanes Interest % 50

Address: 18 Elmbrook Place City: Bloomfield State: NJ

Name: _____ Interest % _____

Address: _____ City: _____ State: _____

Name: _____ Interest % _____

Address: _____ City: _____ State: _____

Name: _____ Interest % _____

Address: _____ City: _____ State: _____

INTEREST OF APPLICANT (Owner, Lessee, Etc.) Owner

NAME OF OWNER: (If Different from Applicant) _____

Name of Applicant's ATTORNEY: Wells, Jaworski & Liebman LLP, Andrew Kohut, Esq.

Address: 12 Route 17 North, PO Box 1827 City: Paramus

State: New Jersey Zip: 07653 Phone: (201) 587-0888

Name of Applicant's ARCHITECT: _____

Address: _____ City: _____

State: _____ Zip: _____ Phone: () _____

Name of Applicant's SURVEYOR: Stonefield Engineering & Design, Thomas Miller No. 24GS03626400

Address: 92 Park Avenue City: Rutherford

State : New Jersey Zip: 07070 Phone: (201) 340-4468

Name of Applicant's ENGINEER: _____

Address: _____ City: _____

State: _____ Zip: _____ Phone: () _____

Name of Applicant's PLANNING CONSULTANT: Phillips Preiss, Paul Grygiel AICP, PP

Address: 70 Hudson Street, Suite 5B City: Hoboken

State: New Jersey Zip: 07030 Phone: (201) 420-6262

Name of Applicant's TRAFFIC ENGINEER: _____

Address: _____ City: _____

State: _____ Zip: _____ Phone: () _____



THE BOROUGH OF ALLENDALE

Block/Lot/Qual:	910. 5.	Tax Account Id:	824
Property Location:	115 W CRESCENT AVE	Property Class:	2 - Residential
Owner Name/Address:	115 WEST CRESCENT LLC	Land Value:	616,700
	115 W CRESCENT AVE	Improvement Value:	142,300
	ALLENDALE, NJ 07401	Exempt Value:	0
		Total Assessed Value:	759,000
		Additional Lots:	6
Special Taxing Districts:		Deductions:	

Taxes

Make a Payment View Tax Rates View Current Bill Project Interest							
Year	Due Date	Type	Billed	Balance	Interest	Total Due	Status
2023	02/01/2023	Tax	4,320.61	0.00	0.00	0.00	PAID
2023	05/01/2023	Tax	4,320.61	4,320.61	0.00	4,320.61	OPEN
	Total 2023		8,641.22	4,320.61	0.00	4,320.61	
2022	02/01/2022	Tax	2,850.52	0.00	0.00	0.00	PAID
2022	05/01/2022	Tax	2,850.51	0.00	0.00	0.00	PAID
2022	08/01/2022	Tax	5,859.01	0.00	0.00	0.00	PAID
2022	11/01/2022	Tax	5,722.39	0.00	0.00	0.00	PAID
	Total 2022		17,282.43	0.00	0.00	0.00	
2021	02/01/2021	Tax	3,078.39	0.00	0.00	0.00	PAID
2021	05/01/2021	Tax	3,078.38	0.00	0.00	0.00	PAID
2021	08/01/2021	Tax	2,673.61	0.00	0.00	0.00	PAID
2021	11/01/2021	Tax	2,571.67	0.00	0.00	0.00	PAID
	Total 2021		11,402.05	0.00	0.00	0.00	
Last Payment: 02/02/23							

[Return to Home](#)

Borough of Allendale Land Use Board
Variance or Waiver Relief – Appendix B

Section 1 – APPLICATION FOR VARIANCE RELIEF

In connection with your application for variance relief, please set forth:

1. The section(s) of the ordinance regulations of the Borough of Allendale from which variance relief is requested: Section 270-57 (F)

2. The nature of the variance relief requested: Applicant proposes lot widths of 93.28 FT and 15 FT where 115 FT is required.

3. In what manner, in this particular case, the strict application of the foregoing ordinance regulations will result on practical difficulties or undue hardship upon you inconsistent with the general purpose and intent of said regulations: The existing two lots are existing non-conforming lot widths at 100 FT and 101.56 FT. The lot widths are slightly reduced to accommodate the lot frontage for an existing rear driveway to the proposed third lot. This 15' lot frontage is technical in nature for the driveway width, the true lot width for the proposed third lot where a dwelling would be is 175.84 FT. These variances will allow for the proper development of the entire property.
4. In what manner, in this particular case, there exist exceptional circumstances or conditions applicable to the premises which are the subject of this application, which do not apply generally to other premises located in the same zone district or neighborhood: In this particular situation, there are two existing oversized and exceptionally deep lots of 321.90 FT and 352.94 FT that are underutilized. The proposed subdivision allows for the appropriate development with conforming lot areas as evident by the minimal variance relief required.

5. In what manner, in this particular case, the granting of the variance relief requested will not be substantially detrimental to the public welfare or injurious to the premises in the area in which the premises which are the subject of this application are located:
The proposal requires minimal variance relief. The adjusted lot frontages of 93.28 FT are consistent with the adjacent properties along Crescent Avenue. A similar lot layout for the proposed 6.01 exists in the adjacent property of Block 910, Lot 4 and broader neighborhood. This lot also better aligns with the neighboring Block 910, Lot 9.03. The new proposed lots will conform with all zoning setbacks for residential single family development.

Section 2 – APPLICATION FOR SUBDIVISION OR SITE PLAN RELIEF FROM DESIGN STANDARDS

In connection with your application for preliminary subdivision deviation relief or preliminary site plan deviation relief, please set forth:

1. The section(s) of the Residential Site Improvement Standards (RSIS) of the Borough of Allendale Land Subdivision or Site Plan Ordinances from which deviation relief is requested:
N/A

2. In what manner, in this particular case, this literal enforcement of the provisions of said sections is impracticable and will exact undue hardship because of peculiar conditions pertaining to the premises which are the subject of this application: N/A

Section 3 – APPLICATION FOR MODIFICATION OR WAIVER OR SITE PLAN AND/OR SUBDIVISION DETAILS.

In connection with your application for modification or waiver of site plan and/or subdivision details, please set forth:

- 1. The Borough Ordinances or RSIS provision of requiring site plan and/or subdivision details which are purposely omitted from your development plan and the reasons for such omission:

N/A

- 2. The peculiar conditions applicable to the premises which are the subject of this application or applicable to the proposed construction thereon, which render the omitted site plan and/or subdivision details unnecessary to properly evaluate your site plan and/or subdivision:

N/A

Borough of Allendale Land Use Board

Variance or Waiver Relief – Appendix C

Schedule	Existing	Required	Provided / Permitted
Lot Area (Sq. Ft.)	(Lot 5) 31,911 SF (Lot 6) 33,114 SF	20,000 SF	(Lot 5) 20,094 SF (Lot 6.01) 24,754 SF (Lot 6) 20,177 SF
Lot Width (Sq. Ft.)	(Lot 5) 100.00 FT (EN) (Lot 6) 101.56 FT (EN)	115 FT	(Lot 5) 93.28 FT (V) (Lot 6.01) 15 FT (V) (Lot 6) 93.28 FT (V)
Lot Depth (Sq. Ft.)	(Lot 5) 352.94 FT (Lot 6) 321.90 FT	26.25 FT	(Lot 5) 233.08 FT (Lot 6.01) 122.00 FT (Lot 6) 204.03 FT
Max. Coverage (%)	(Lot 5) 4.4% 1,392 SF (Lot 6) 18.0% 5,950 SF	*(Lot 5) 38.8% (7,796 SF) *(Lot 6) 38.7% (7,813 SF) *(Lot 6.01) 35.0% (8,653 SF)	*(Lot 5) 38.8% (7,796 SF) *(Lot 6) 38.7% (7,813 SF) *(Lot 6.01) 35.0% (8,653 SF)
Improved Lot Coverage (%)	1.5 Stories/ 16 FT	2.5 Stories/ 35 FT	*2.5 Stories/ 35 FT
Max. Bldg. Height (Stories/Feet)	(Lot 5) 49.5 FT (Lot 6) 63.2 FT	35 FT	*(Lot 5) 35 FT *(Lot 6.01) 35 FT *(Lot 6) 35 FT
Min. Front Depth (Ft.)	(Lot 5) 245.9 FT (Lot 6) 224.1 FT	50 FT	*(Lot 5) 50 FT *(Lot 6.01) 50 FT *(Lot 6) 50 FT
Min. Rear Depth (Ft.)	(Lot 5) 0 FT (EN) (Lot 6) 0 FT (EN)	15 FT	*(Lot 5) 15 FT *(Lot 6.01) 15 FT *(Lot 6) 15 FT
Min. Side (Sum Both Each-Min) (Ft.)	(Lot 5) .037/ 1,175 SF (Lot 6) .204/ 6,748 SF		*Max: (Lot 5) .230/ 4,618 SF *Max: (Lot 6) .230/ 4,634 SF *Max: (Lot 6.01) .220/ 5,458 SF
Parking Stalls			
Handicapped stalls			
Loading Spaces			
Garage(s)/Stalls			
Distance of the nearest part of the lot(s) to the nearest residential zone			

3.15.2018

* To demonstrate permitted values can be achieved per Zoning. Application is for Minor Subdivision only.

BOROUGH OF ALLENDALE LAND USE BOARD
APPLICATION FOR DEVELOPMENT

Application No. _____ Application Perfected _____
Filing Date _____ Nature of Disposition _____
Time Limitation Date _____ Date of Disposition _____
Notice of Incomplete Application _____

SECTION I. APPLICANT HEREBY APPLIES FOR:

_____ Concept Review	Fee Paid <u> X </u>
_____ Preliminary Site Plan Approval	Legal & Engrg. Escrow Paid <u> X </u>
_____ Final Site Plan Approval	Taxes Paid <u> X </u>
_____ Sketch Plan Review and Classification	
<u> X </u> Minor Subdivision Approval	
_____ Major Preliminary Subdivision	
_____ Final Subdivision	
<u> X </u> Variance Relief Pursuant to 40:55D- 60 (c)	
_____ Subdivision or Site Plan Deviation relief	
<u> X </u> Modification or Waiver of Subdivision or Site Plan details	
_____ Conditional Use Approval	
_____ Other (Please Specify) _____	

SECTION II.

A. APPLICANT INFORMATION:

1. Name of Applicant: 115 West Crescent LLC Phone: 908-210-8620
Address of Applicant: 18 Elmbrook Place, Bloomfield NJ 07003
(If Applicant is other than an individual, complete Appendix A – Disclosure Statement)
2. Name and Address of Applicants Attorney, If Any: Andrew Kohut, Esq.
Wells, Jaworski & Liebman, LLP
12 Route 17 North, PO Box 1827
Paramus, NJ 07653
3. Name and Address of owner of premises : 115 West Crescent LLC
4. Correspondence is to be Addressed and Mailed as Follows :
c/o Cindy Schottanes 18 Elmbrook Place, Bloomfield NJ 07003
5. The Premises Which Are the Subject of this Application Are Known as :
115 West Crescent Avenue and
are shown as Lot 5 & 6 in Block 910 on Sheet # 9 of
_____ Tax Map.
6. The size of the premise is Lot 5: 31,911 square feet; Lot 5: 0.733 acres.
Lot 6: 33,114 square feet; Lot 6: 0.760 acres.
Frontage: Lot 5: 100 FT ; Depth: Lot 5: 352.94 FT ,
Lot 6: 101.56 FT Lot 6: 321.90 FT

7. The zone district in which premise are located is Zone A
8. Now located on premise is a Single Family Residential
9. The date of the last deed of record is 10/27/2022, _____, which deed was recorded in the Deed Book 4847 at page 678.
10. The grantee(s) named in said deed were 115 West Crescent LLC.
11. The interest of the applicant in premise, if other than the owner, is:
- _____

B. SUBJECT PROPERTY SITE DATA

Location: 115 West Crescent Avenue

(Street Address, Cross Streets or Other Identifications)

Tax Map: Page(s): Sheet 9 Block(s): 910 Lot(s): 5 & 6

Dimensions:

Frontage: Lot 5: 100 feet Depth: Lot 5: 352.94 feet Total Area: Lot 5: 31,911 FT/ 0.733 AC
Lot 6: 101.56 Lot 6: 321.90 Lot 6: 33,114 FT/ 0.760 AC

Present Zoning District: Zone A

Present Use of Subject Property: Single Family Residential

Is the property located on a Municipal _____ County X or Private _____ Road?

Proposed Use/Change No Change of Use/ Single Family Residential

Describe in detail the exact nature of the application and to the changes to be made to the subject property, including proposed use of premise.

Applicant is proposing a minor subdivision of two existing lots into three buildable lots for a single family dwelling on each

lot. See attached Project Description.

Proposed Number of Buildings: N/A

Proposed Gross Floor Area of all structures: N/A Sq. Ft.

Percentage of coverage by buildings: N/A

Percentage by impervious cover: N/A

Number of existing lots: 2 Proposed number of lots: 3

Proposed No. of dwelling units: N/A

Proposed area to be disturbed : N/A Sq. Ft.

Existing Building Height: N/A

Proposed Building Height: N/A

Anticipated Number of Employees per Shift: N/A Hours of Operation: N/A

Restrictions, covenants, easements, association by-laws, existing or proposed on property:

Existing: Yes ☒ No ☐ Proposed:

Attach legible copies of deed restrictions.

Does the within proposal affect a Municipal or State designated historic site and/or building? Yes ☐ No ☒

C - ZONING DATA: SEE ZONING SCHEDULE ANNEXED AS APPENDIX C

(State current zone in which lot(s) is located)

D - EXISTING CONDITIONS: (Attach additional sheets containing responses to the following);

1. Are there any buildings or signs now on the site? ☒ Yes ☐ No If yes, which if any, is the applicant proposing to remove.
The existing dwelling on Lot 5 & 6 will be demolished.
2. Is the applicant proposing to erect new signs on the site? Yes ☐ No ☒ If yes, describe proposed sign locations, sign design, dimensions as depicted on plans and state whether the proposed sign(s) comply with Borough sign ordinance.
3. Is the applicant proposing the removal of any existing fences? Yes ☐ No ☒ Describe and state whether proposed fence(s) comply with the Borough Fence Ordinance.
4. Is the site in conformance with the Zoning Ordinance of the Borough?
The site has existing nonconformities of minimum lot width and minimum side yard setbacks.
5. Identify the soils at the site, using the U.S. SCS descriptions. What percentage of the site is covered by each soil type.

Soil Map Unit	Percentage Cover	Acidity	Erodibility	Drainage
---------------	------------------	---------	-------------	----------
6. Describe dominant flora and fauna at the site.
7. Are there threatened or endangered wildlife and/or vegetative species at the site? Yes _____ No ☒
8. What is the source of information leading to your conclusions about threatened or endangered wildlife or species?
Absence.

9. If endangered or threatened species are associated with the site, list them below.

10. Percentage of site with

0 to 10% slopes: 100%

10 to 15% slopes:

15 to 20% slopes:

20% slopes:

E. REVISIONS TO APPROVED PLANS: Please indicate prior Allendale LUB application numbers, the original requirements of the approved plan and the requested change or revision (attach separate sheet if necessary).

Section III. APPLICATION INFORMATION

A. Does the current owner or the applicant now own or have any interest in any other property which adjoins the premises which are the subject of this application? _____ Yes X No
(If yes, describe the contiguous property by reference to the current tax map of Borough of _____)

B. Have the premises which are the subject of this application been the subject of Land Use Board action?
_____ Yes X No
(If yes, please attach a copy of the Land Use Board resolution to this application)

C. Are the premises which are the subject of this application located within 100 feet of a brook or located on a county road? X Yes _____ No. Do the said premises consist of more than one acre in area?
_____ X Yes _____ No – Does the proposed improvement on said premises involve the installation of more than five parking spaces? _____ Yes X No

D. Is any portion of the premises which are the subject of this application intended to be dedicated or reserved for the public use? _____ Yes X No

E. If this application is for final subdivision approval, does the final plat follow exactly the preliminary plat in regard to details and area covered? X Yes _____ No If not, indicate material changes

F. If this application is for variance relief, has a decision been rendered or an order issued by the Borough Director of Buildings and Inspections? _____ Yes X No

- I. The details of the within application are shown on a certain plan entitled
Minor Subdivision Plan
-

Said plan is comprised of 1 sheets.

Section IV. INFORMATION TO BE SET FORTH IN APPENDIX B.

- i. If this application is for various relief, pursuant to 40:55D-60 (c), please set forth in Appendix B, Section 1, hereof, all of the information requested.
- ii. If this application is for subdivision or site plan standards relief, please set forth in Appendix B, Section 2 hereof, all of the information requested.
- iii. If this application is for modification or waiver of site plan or subdivision details, please set forth in Appendix B, Section 3 hereof, all of the information requested.

Section V. AUTHORIZATION BY OWNER

115 West Crescent LLC is hereby authorized to file the within application with
the Borough Clerk of the Borough of Allendale.

Dated: 02/16/2023

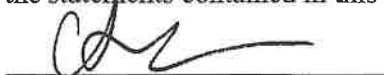


OWNER

Section VI. CERTIFICATION BY APPLICANT

The undersigned applicant does hereby certify that all of the statements contained in this application are true.

Dated: 02/16/2023



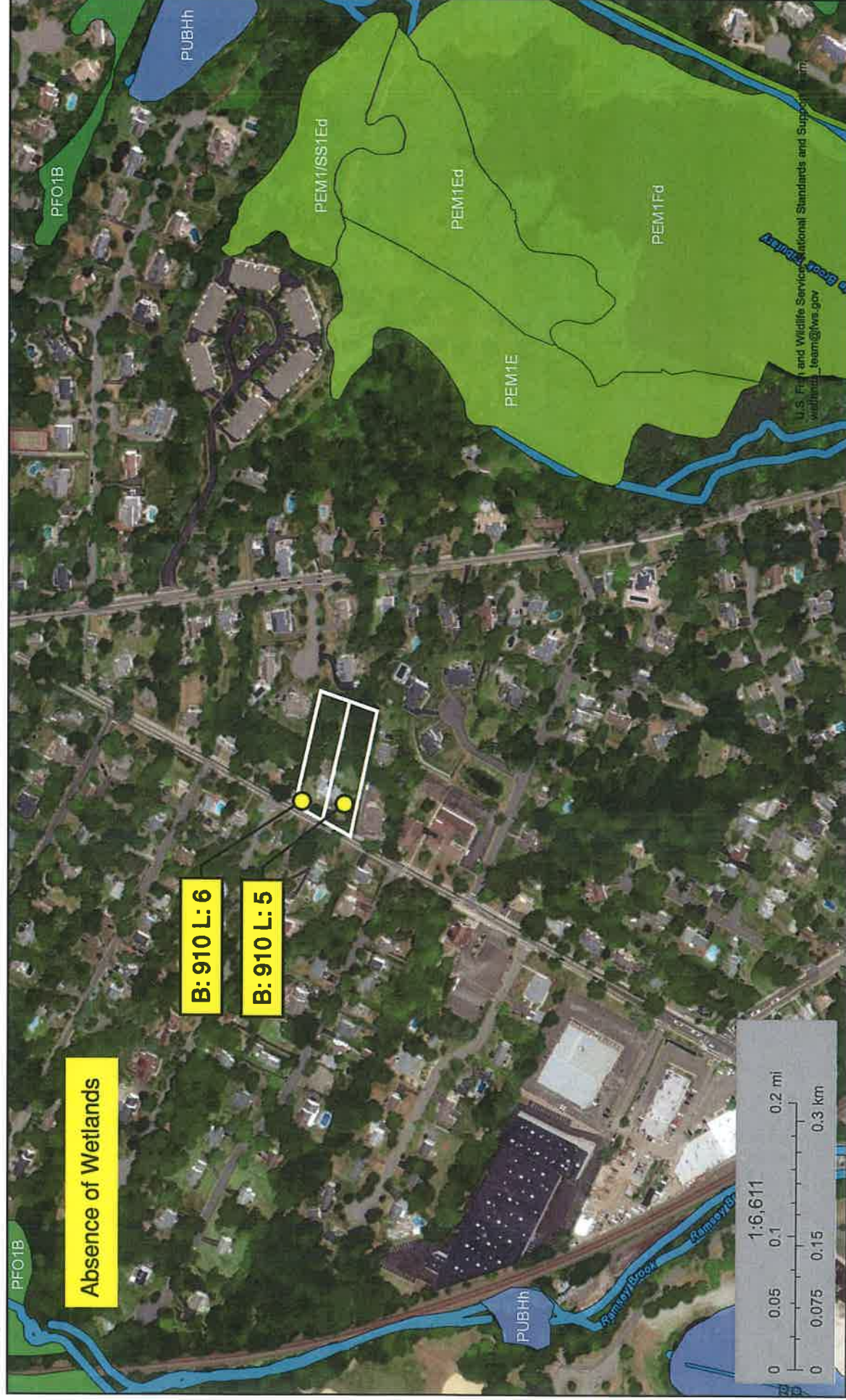
APPLICANT



U.S. Fish and Wildlife Service

National Wetlands Inventory

Wetlands

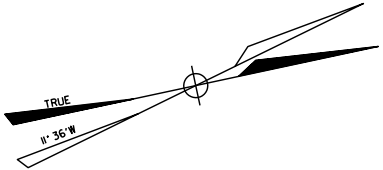
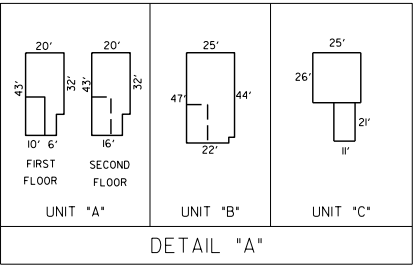


January 26, 2023

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The U.S. Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



SHEET 16

B: 910 L: 6

B: 910 L: 5

SHEET 4

THIS SHEET IS A DIGITIZED COPY OF THE MAP PREPARED BY GERARD SCOTT, P.L.S. OF AZZOLINA & FUREY ENG. AND DATED 1/20/94. THE APPROVED ORIGINAL IS ON FILE IN THE ENGINEERS OFFICE

SHEET 18

SHEET 8

TAX ASSESSMENT MAP
BOROUGH OF
ALLENDALE

BERGEN COUNTY, N.J.
SCALE: 1" = 100' MARCH 1969

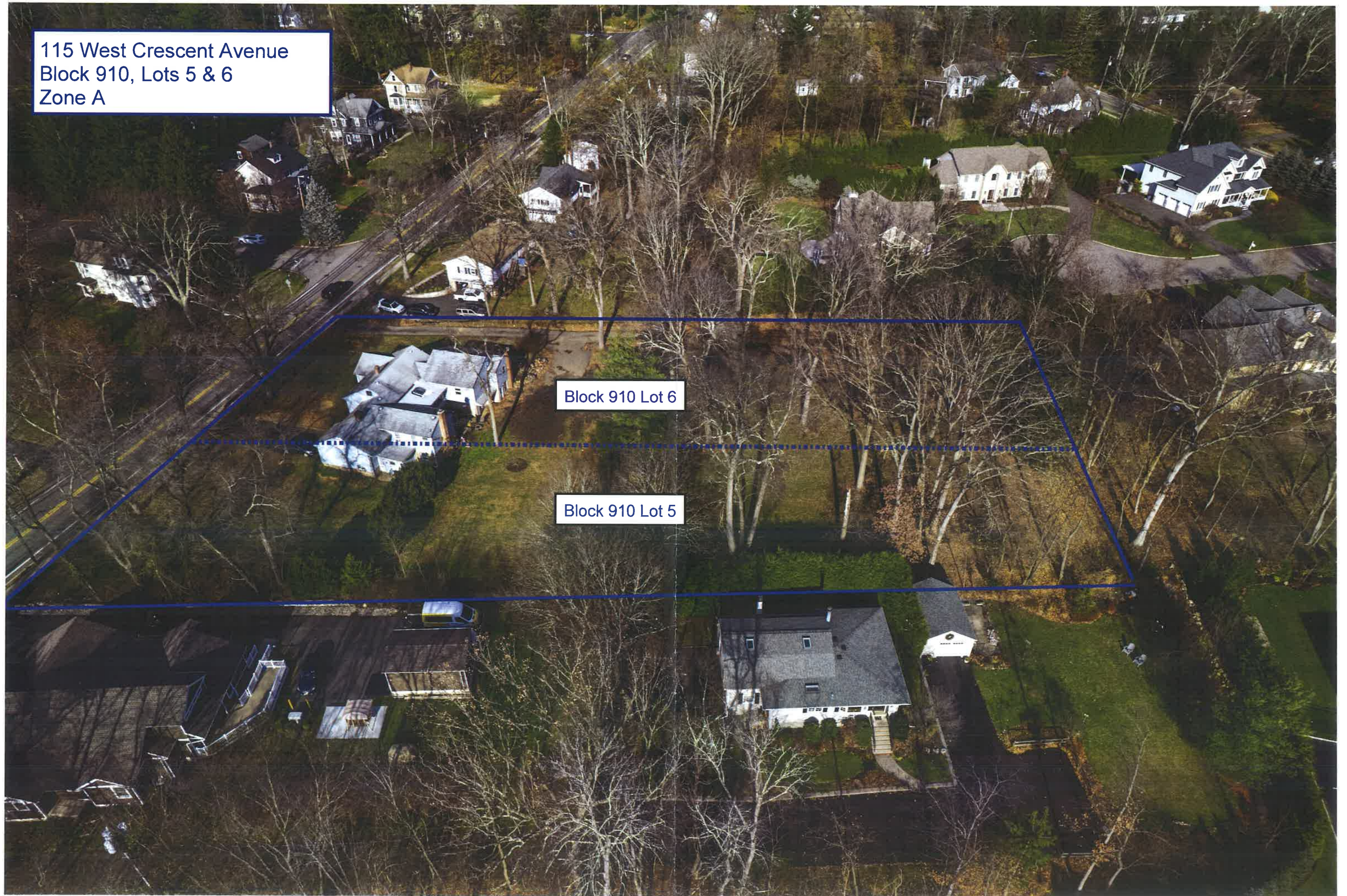
AZZOLINA ENGINEERING COMPANY
PROFESSIONAL ENGINEERS & LAND SURVEYORS
PARAMUS N.J.

REVISIONS
REV. A.E.C. SEPT. 9, 1975
REV. A.E.C. JAN. 17, 1977
REV. A.E.C. MAY 3, 1978
REV. A.E.C. NOV. 19, 1980
REV. A.E.C. OCT. 8, 1981
REV. A.E.C. APRIL 28, 1983
REV. A & F JUNE 6, 1993
REV. A & F AUG. 2, 1994
REV. A & F OCT. 6, 1994
REV. A & F JAN. 16, 1997
REV. G&O. ENG. FEB. 2001
REV. D.G.J. ENG. OCT. 2007
REV. D.G.J. ENG. JAN. 2010
REV. D.G.J. ENG. FEB. 2011
REV. D.G.J. ENG. APRIL 2012

115 West Crescent Avenue
Block 910, Lots 5 & 6
Zone A

Block 910 Lot 6

Block 910 Lot 5



MAP NOTES

- BEARINGS ARE REFERENCED TO THE NEW JERSEY STATE PLANE COORDINATE SYSTEM - (NAD83). ESTABLISHED VIA RTK GPS OBSERVATIONS.
- THE ADDRESS FOR THIS PROPERTY IS 115 WEST CRESCENT AVENUE.
- THE BOUNDARIES SHOWN HEREON ARE BASED ON MAP REFERENCE #6.

SURVEYOR'S DESCRIPTION - (PROPOSED LOT 5)

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS HEREON ERECTED, IN THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, BEING WITNESSED BY A CROSSCUT SET, ON THE SOUTHEASTERLY LINE OF WEST CRESCENT AVENUE (AKA BERGEN COUNTY ROUTE 81, VARIABLE WIDTH PER TAX MAP), WHERE THE SAME IS INTERSECTED BY THE DIVISION LINE BETWEEN PROPOSED LOT 6 AND PROPOSED LOT 5, BLOCK 910, SAID BEGINNING POINT HAVING COORDINATES N803.400.81, E593.827.55 IN THE NEW JERSEY STATE PLANE COORDINATE SYSTEM - NAD 83 AND RUNNING, THENCE:

- ALONG SAID LINE OF WEST CRESCENT AVENUE, N 28°23'57" E, A DISTANCE OF 93.28 FEET TO A POINT, THENCE;
- ALONG THE DIVISION LINE BETWEEN PROPOSED LOTS 5 AND 6, BLOCK 910, S 75°30'33" E, A DISTANCE OF 233.08 FEET TO A POINT, THENCE;
- ALONG THE DIVISION LINE BETWEEN PROPOSED LOTS 5 AND 6.01, BLOCK 910, S 10°37'27" W, A DISTANCE OF 73.11 FEET TO A POINT, THENCE;
- ALONG A COMMON LINE BETWEEN PROPOSED LOT 5 AND TAX MAP LOTS 3 & 4, BLOCK 910, N 79°22'33" W, A DISTANCE OF 261.03 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 20.094 S.F. OR 0.462 AC.

SURVEYOR'S DESCRIPTION - (PROPOSED LOT 6.01)

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS HEREON ERECTED, IN THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, BEING WITNESSED BY A MAG NAIL SET, ON THE SOUTHEASTERLY LINE OF WEST CRESCENT AVENUE (AKA BERGEN COUNTY ROUTE 81, VARIABLE WIDTH PER TAX MAP), SAID POINT BEING DISTANT 10.35 FEET NORTHWESTERLY FROM THE DIVISION LINE BETWEEN PROPOSED LOT 6.01 AND TAX MAP LOT 7, BLOCK 910, SAID BEGINNING POINT HAVING COORDINATES N803.578.12, E593.923.42 IN THE NEW JERSEY STATE PLANE COORDINATE SYSTEM - NAD 83 AND RUNNING, THENCE:

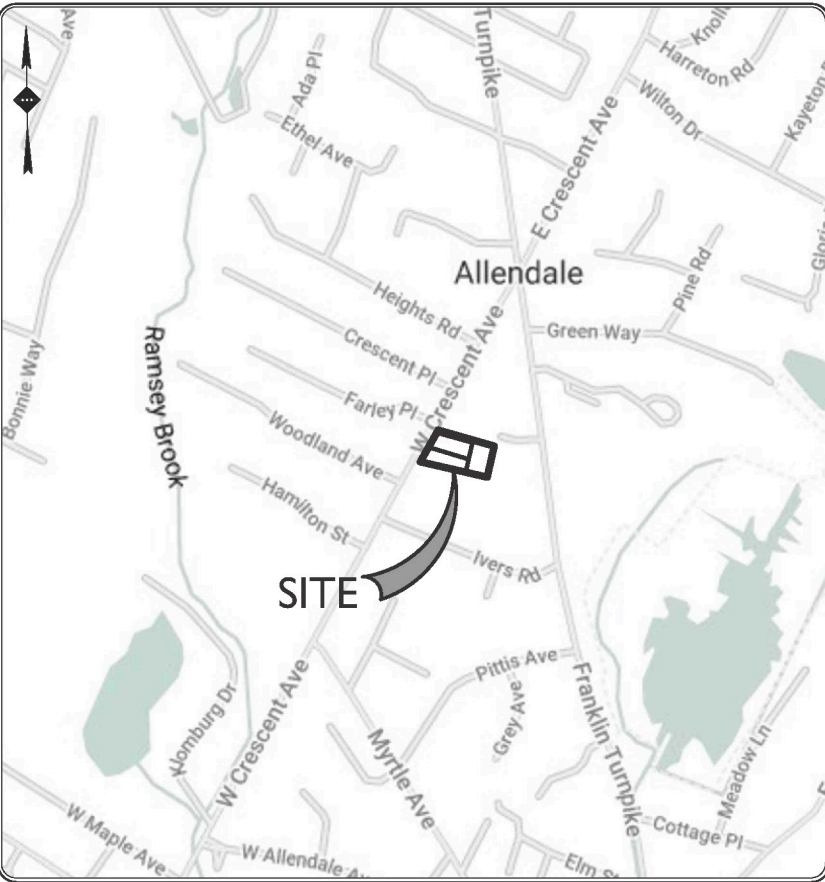
- ALONG A COMMON LINE BETWEEN PROPOSED LOT 6.01 AND TAX MAP LOTS 7 AND 9.03, BLOCK 910, S 76°30'33" E, A DISTANCE OF 321.90 FEET TO A POINT, BEING WITNESSED BY A REBAR SET, THENCE;
- ALONG THE DIVISION LINE BETWEEN PROPOSED LOT 6.01 AND TAX MAP LOT 10.02, BLOCK 910, S 10°37'27" W, A DISTANCE OF 175.84 FEET TO A POINT, BEING WITNESSED BY AN IRON PIN FOUND, THENCE;
- ALONG THE DIVISION LINE BETWEEN PROPOSED LOT 6.01 AND TAX MAP LOT 4, BLOCK 910, N 79°22'33" W, A DISTANCE OF 122.00 FEET TO A POINT, THENCE;
- ALONG A COMMON LINE BETWEEN PROPOSED LOT 6.01 AND PROPOSED LOTS 5 & 6, BLOCK 910, N 10°37'27" E, A DISTANCE OF 167.44 FEET TO A POINT, THENCE;
- ALONG THE DIVISION LINE BETWEEN PROPOSED LOTS 6.01 AND 6, BLOCK 910, N 76°30'33" W, A DISTANCE OF 204.33 FEET TO A POINT ON THE AFORESAID SOUTHEASTERLY LINE OF WEST CRESCENT AVENUE, THENCE;
- ALONG SAID LINE, N 28°23'57" E, A DISTANCE OF 15.00 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 24.754 S.F. OR 0.568 AC.

LOT AREA SUMMARY CHART

EXISTING LOTS	AREA
BLOCK 910, LOT 5	31,911 SF (0.733 AC)
BLOCK 910, LOT 6	33,114 SF (0.760 AC)
TOTAL	65,025 SF (1.493 AC)
PROPOSED LOTS	AREA
BLOCK 910, LOT 5	20,094 SF (0.462 AC)
BLOCK 910, LOT 6	20,177 SF (0.463 AC)
BLOCK 910, LOT 6.01	24,754 SF (0.568 AC)
TOTAL	65,025 SF (1.493 AC)

SYMBOL	DESCRIPTION
	EXISTING PROPERTY LINE
	PROPOSED PROPERTY LINE
	ADJACENT PROPERTY LINE
	EASEMENT
	CENTERLINE



SOURCE: GOOGLE MAPS
VICINITY MAP
NOT TO SCALE

BERGEN COUNTY SIGNATURE BLOCK

APPROVED BY THE COUNTY PLANNING BOARD
COUNTY OF BERGEN, NEW JERSEY

ATTESTED TO BY:

SURVEYOR'S DESCRIPTION - (PROPOSED LOT 6)

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS HEREON ERECTED, IN THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF WEST CRESCENT AVENUE (AKA BERGEN COUNTY ROUTE 81, VARIABLE WIDTH PER TAX MAP), WHERE THE SAME IS INTERSECTED BY THE DIVISION LINE BETWEEN PROPOSED LOT 6 AND PROPOSED LOT 5, BLOCK 910, SAID BEGINNING POINT HAVING COORDINATES N803.482.87, E593.871.92 IN THE NEW JERSEY STATE PLANE COORDINATE SYSTEM - NAD 83 AND RUNNING, THENCE:

- ALONG SAID LINE OF WEST CRESCENT AVENUE, N 28°23'57" E, A DISTANCE OF 93.28 FEET TO A POINT, THENCE;
- ALONG THE DIVISION LINE BETWEEN PROPOSED LOTS 6 AND 6.01, BLOCK 910, S 76°30'33" E, A DISTANCE OF 204.33 FEET TO A POINT, THENCE;
- ALONG THE SAME, S 10°37'27" W, A DISTANCE OF 94.33 FEET TO A POINT, THENCE;
- ALONG THE AFORESAID DIVISION LINE BETWEEN PROPOSED LOTS 6 AND 5, BLOCK 910, N 75°30'33" W, A DISTANCE OF 233.08 FEET TO THE POINT AND PLACE OF BEGINNING.

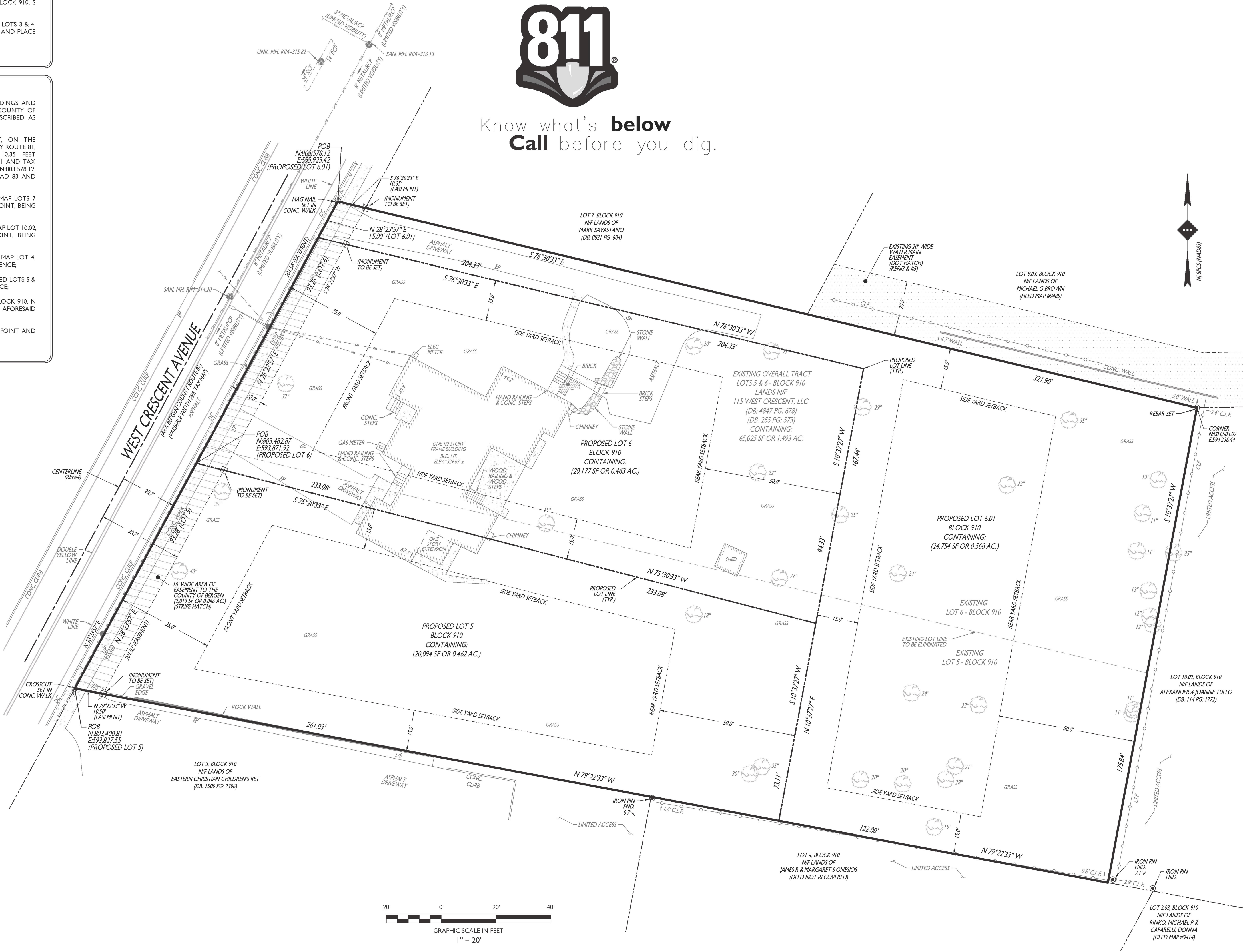
CONTAINING 20.177 S.F. OR 0.463 AC.

MAP REFERENCES

- A DEED BETWEEN THOMAS W. SCOTT (GRANTOR) AND 115 WEST CRESCENT LLC (GRANTEE), DATED: OCTOBER 18, 2022 AND RECORDED IN THE BERGEN COUNTY CLERK'S OFFICE ON OCTOBER 27, 2022 AS BOOK 4947 AT PAGE 678.
- A DEED BETWEEN THE ESTATE OF CHARLES W. SCOTT (AKA ESTATE OF CHARLES WILSON SCOTT), THOMAS W. SCOTT, EXECUTOR (GRANTOR) AND THE CHARLES W. SCOTT SPOUSAL INCOME TRUST FOR THE BENEFIT OF GRACE W. SCOTT (GRANTEE), DATED: SEPTEMBER 22, 2009 AND RECORDED IN THE BERGEN COUNTY CLERK'S OFFICE ON SEPTEMBER 29, 2009 AS BOOK 255 AT PAGE 573.
- A MAP ENTITLED "FINAL PLAT PROPERTY OF GIANCARLO ENTERPRISES, INC. LOT 9, BLOCK 910, BOROUGH OF ALLENDALE, BERGEN COUNTY, N.J.", PREPARED BY: RIGG ASSOCIATES, P.A. AND DATED: JANUARY 04, 2005, REVISED THROUGH NOVEMBER 28, 2007, AND FILED IN THE BERGEN COUNTY CLERK'S OFFICE ON FEBRUARY 5, 2008 AS MAP # 9485.
- A MAP ENTITLED "FINAL SUBDIVISION MAP, LOTS 2, 17.01 & 17.02 - BLOCK 910, BOROUGH OF ALLENDALE, BERGEN COUNTY, NEW JERSEY", PREPARED BY: CONKLIN ASSOCIATES, DATED: JUNE 24, 2011, REVISED THROUGH NOVEMBER 26, 2014, AND FILED IN THE BERGEN COUNTY CLERK'S OFFICE ON JANUARY 28, 2016 AS MAP # 9614.
- TAX MAP, BOROUGH OF ALLENDALE, BERGEN COUNTY, SHEET 9, DATED: MARCH, 1969.
- A MAP ENTITLED "BOUNDARY & TOPOGRAPHIC SURVEY, TAX MAP LOTS 5 & 6, BLOCK 910, 115 WEST CRESCENT AVENUE, BOROUGH OF ALLENDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY" PREPARED BY: STONEFIELD ENGINEERING & DESIGN, DATED: DECEMBER 09, 2022 AND LAST REVISED: FEBRUARY 10, 2023.



Know what's below
Call before you dig.



EXISTING 20' WIDE WATER MAIN EASEMENT (DOT PATCH) (REF#3 & #5)

LOT 8.03, BLOCK 910
NF LANDS OF
MICHAEL G. BROWN
(FILED MAP #9485)

EXISTING OVERALL TRACT
LOTS 5 & 6 - BLOCK 910
LANDS NIF
115 WEST CRESCENT, LLC
(DB: 4847 PG: 678)
(DB: 255 PG: 573)
CONTAINING:
65,025 SF OR 1.493 AC.

PROPOSED LOT 6.01
BLOCK 910
CONTAINING:
(24,754 SF OR 0.568 AC.)

PROPOSED LOT 5
BLOCK 910
CONTAINING:
(20,094 SF OR 0.462 AC.)

EXISTING LOT 6 - BLOCK 910

EXISTING LOT 5 - BLOCK 910

LOT 10.02, BLOCK 910
NF LANDS OF
ALEXANDER & JOANNE TULLO
(DB: 114 PG: 177)

LOT 2.03, BLOCK 910
NF LANDS OF
RINO, MICHAEL & P
CAFARELLI DONNA
(FILED MAP #9414)

LOT 4, BLOCK 910
NF LANDS OF
JAMES & MARGARET S. ONESIOS
(DEED NOT RECOVERED)

LOT 2.03, BLOCK 910
NF LANDS OF
RINO, MICHAEL & P
CAFARELLI DONNA
(FILED MAP #9414)

APPLICANT/OWNER

115 WEST CRESCENT, LLC

ATTORNEY
ANDREW S. KOHUT
WELLS, JAWORSKI & LIEBMAN, LLP
12 NORTH ROUTE 17
PARAMUS, NEW JERSEY 07653-1827
PHONE: (201) 587-0888
FAX: (201) 587-8845
AKOHUT@WELLSLAW.COM

MUNICIPAL ENGINEER DATE

MUNICIPAL CLERK DATE

BOROUGH OF ALLENDALE PLANNING BOARD

BOARD SECRETARY DATE

BOARD ENGINEER DATE

CHAIRPERSON DATE

I HEREBY CERTIFY THAT WE ARE THE RECORD HOLDERS OF TITLE TO THE LANDS DELINEATED ON THIS MAP AND APPROVE THE FILING THEREOF.

APPLICANT DATE

NOTARY PUBLIC DATE

OWNER DATE

NOTARY PUBLIC DATE



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Princeton, NJ • Tampa, FL • Detroit, MI
www.stonefieldeng.com

Headquarters: 92 Park Avenue, Rutherford, NJ 07070
Phone 201.340.4468 • Fax 201.340.4472

MINOR SUBDIVISION PLAN

MAP OF:

TAX MAP LOTS 5 & 6, BLOCK 910
115 WEST CRESCENT AVENUE
BOROUGH OF ALLENDALE
COUNTY OF BERGEN, STATE OF NEW JERSEY

ISSUE	DATE	DRAFT BY	CHECK BY	FIELD DATE	FIELD CREW	DESCRIPTION
3	02/16/2023	TR	TM	-	-	FOR SUBMISSION
2	02/14/2023	TR	TM	-	-	REV. PER COMMENTS
1	02/10/2023	TR	TM	-	-	FOR ISSUE

SURVEY CERTIFICATION

I CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP AND LAND SURVEY DATED DECEMBER 09, 2022 MEETS THE MINIMUM SURVEY DETAIL REQUIREMENTS OF THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE MAP COMPLIES WITH "THE MAP FILING LAW".

Thomas F. Miller
Date: 2023.02.16
15:10:44 -05'00'

STATE OF NEW JERSEY
THOMAS F. MILLER
LAND SURVEYOR
NEW JERSEY LAND SURVEYOR No. 24G503626400
LICENSED PROFESSIONAL LAND SURVEYOR
NEW JERSEY CERTIFICATE OF AUTHORIZATION No. 24GA28184500

SCALE: 1"=20' PROJECT ID: RUT-220463 SHEET: 1 OF 1

Z:\RUTHERFORD\WORKING\SURVEY\PLAT\THEBERGONUT2022\UT-220463.CADD\115 WEST CRESCENT AVENUE, ALLENDALE, NJ\BARGE\BARGE\BARGE\BARGE.DWG

SURVEY NOTES

- THIS SURVEY AND THE BOUNDARIES SHOWN HEREON ARE THE RESULT OF AN ACTUAL FIELD SURVEY PERFORMED DURING NOVEMBER OF 2022 AND SUPPLEMENTED DURING JANUARY OF 2023, BASED ON AVAILABLE MAPS AND DEEDS OF RECORD, AND PHYSICAL EVIDENCE. THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAYS AND AGREEMENTS OF RECORD THAT A TITLE SEARCH MAY DISCLOSE.
- THIS SURVEY IS VALID ONLY WHEN A DIGITAL OR EMBOSSED SEAL IS AFFIXED HERETO.
- THE CERTIFICATION SHOWN HEREON IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- ANY SUBSURFACE UTILITIES SHOWN HAVE BEEN LOCATED FROM MARKOUTS OBSERVED ON SITE DURING THE FIELD SURVEY, AND SURFACE FEATURES SUCH AS VALVES, MANHOLES AND GRATES, STORM DRAINAGE AND OR SANITARY INVERTS ARE DEPICTED BASED ON OBSERVATIONS MADE IN THE FIELD. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION USED. THE SURVEY HAS NOT PHYSICALLY LOCATED THE UTILITIES BEFORE ANY EXCAVATIONS ARE BEGUN, THE PROPER UTILITY AGENCIES MUST BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
- BEARINGS ARE REFERENCED TO THE NEW JERSEY STATE PLANE COORDINATE SYSTEM (NAD83). ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), ESTABLISHED VIA RTK GPS OBSERVATIONS.
- BENCHMARK = MAG NAIL = 314.66' (NAVD88).
BENCHMARK = MAG NAIL = 310.34' (NAVD88).
- BASEMENT OR BELOW GRADE STRUCTURES (IF ANY) UNKNOWN.

SURVEYOR'S DESCRIPTION

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS HEREON ERECTED, IN THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, BEING WITNESSED BY A MAG NAIL SET, ON THE SOUTHEASTERLY LINE OF WEST CRESCENT AVENUE (AKA BERGEN COUNTY ROUTE 81, VARIABLE WIDTH PER TAX MAP), SAID POINT BEING DISTANT 10.35 FEET NORTHWESTERLY FROM THE DIVISION LINE BETWEEN LOTS 6 AND 7, BLOCK 910, SAID BEGINNING POINT HAVING COORDINATES N803.578.12, E593.923.42 IN THE NEW JERSEY STATE PLANE COORDINATE SYSTEM - NAD 83; THENCE

- ALONG A COMMON LINE BETWEEN LOTS 6, 7 AND 903, BLOCK 910, S 76°30'33" E, A DISTANCE OF 321.90 FEET TO A POINT, BEING WITNESSED BY A REBAR SET, THENCE;
- ALONG A COMMON LINE BETWEEN LOTS 5, 6 AND 1002, BLOCK 910, S 10°37'27" W, A DISTANCE OF 175.84 FEET TO A POINT, BEING WITNESSED BY AN IRON PIN FOUND, THENCE;
- ALONG A COMMON LINE BETWEEN LOTS 5, 4 AND 3, BLOCK 910, N 79°22'33" W, A DISTANCE OF 383.03 FEET TO A POINT, BEING WITNESSED BY A CROSSCUT SET, ON THE AFORESAID SOUTHEASTERLY LINE OF WEST CRESCENT AVENUE, THENCE;
- ALONG SAID LINE OF WEST CRESCENT AVENUE, N 28°23'57" E, A DISTANCE OF 201.56 FEET TO THE POINT AND PLACE OF BEGINNING.

BEING KNOWN AS THE OVERALL TRACT OF TAX MAP LOTS 5 & 6, BLOCK 910.

CONTAINING 65,025 S.F. OR 1.493 AC.

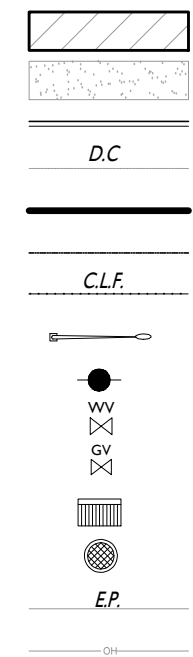
SURVEY REFERENCES

- A DEED BETWEEN THOMAS W. SCOTT (GRANTOR) AND 115 WEST CRESCENT LLC (GRANTEE), DATED: OCTOBER 18, 2022 AND RECORDED IN THE BERGEN COUNTY CLERK'S OFFICE ON OCTOBER 27, 2022 AS BOOK 4847 AT PAGE 678.
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- TAX MAP, BOROUGH OF ALLENDALE, BERGEN COUNTY, SHEET 9, DATED: MARCH, 1969.

FLOOD NOTE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X (UNSHADED) (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), OF THE FLOOD INSURANCE RATE MAP, COMMUNITY NO. 340019, MAP NUMBER: 34003C0067H WHICH BEARS AN EFFECTIVE DATE OF: SEPTEMBER 20, 1995 AND A REVISED DATE OF: AUGUST 28, 2019.

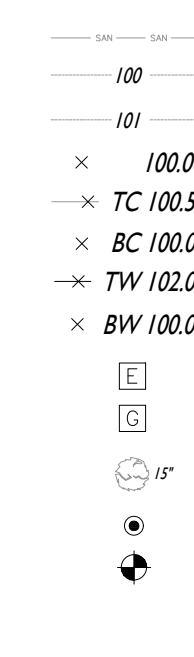
SYMBOL



DESCRIPTION

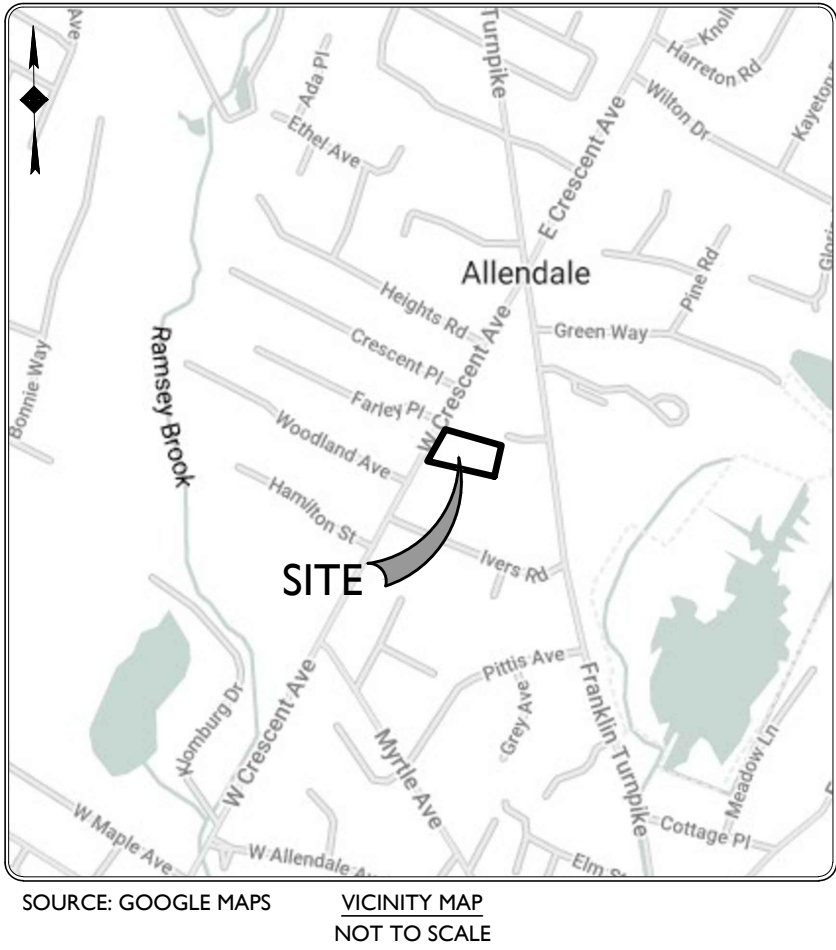
BUILDING
CONCRETE SIDEWALK / MAT
ASPHALT / CONCRETE CURB
DEPRESSED CURB
PROPERTY LINE
ADJACENT PROPERTY LINE
CHAIN LINK FENCE
MAST ARM LIGHT POLE
POLE
WATER VALVE
GAS VALVE
INLET
MAN HOLE
EDGE OF PAVEMENT
OVERHEAD WIRE

SYMBOL



DESCRIPTION

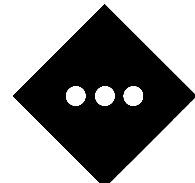
SANITATION PIPE
MAJOR CONTOUR
MINOR CONTOUR
GRADE SPOT SHOT
TOP OF CURB SHOT
BOTTOM OF CURB SHOT
TOP OF WALL SHOT
BOTTOM OF WALL SHOT
ELEC METER
GAS METER
DECIDUOUS TREE - DIAMETER NOTED
IRON PIN
BENCH MARK



SOURCE: GOOGLE MAPS
VICINITY MAP
NOT TO SCALE



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BOUNDARY & TOPOGRAPHIC SURVEY

SURVEY OF:

TAX MAP LOTS 5 & 6, BLOCK 910
115 WEST CRESCENT AVENUE
BOROUGH OF ALLENDALE
COUNTY OF BERGEN, STATE OF NEW JERSEY

ISSUE	DATE	DRAFT BY	CHECK BY	FIELD DATE	FIELD CREW	DESCRIPTION
2	02/10/2023	TR	TM	01/06/2023	JD	REV. CORNERS SET AND UTILITY INFO
1	12/09/2022	TD/MZ	TR	11/22/2022	JD/JN	FOR ISSUE

SUBJECT TO RESTRICTIONS, EASEMENTS OF RECORD AND OTHER FACTS WHICH A CURRENT TITLE SEARCH MIGHT DISCLOSE.

THOMAS F. MILLER
NEW JERSEY LAND SURVEYOR No. 24GS0362400
LICENSED PROFESSIONAL LAND SURVEYOR
NEW JERSEY CERTIFICATE OF AUTHORIZATION No. 24GA28184500

SCALE: 1"=20' PROJECT ID: RUT-220463 SHEET: 1 OF 1

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: March 15, 2023

RESOLUTION: 23-14

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

Carried ☐ Defeated ☐ Tabled ☐

RESOLUTION 23-14

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
APPLICATION FOR VARIANCE FOR
CRAIG & COURTNEY CAGNEY
BLOCK 2206, LOT 1
(a/k/a 320 Park Avenue)

WHEREAS, the applicants, CRAIG & COURTNEY CAGNEY, the owners of the property located at 320 Park Avenue, known as Block 2206, Lot 1, 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 January 31, 2023 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

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

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: March 15, 2023

RESOLUTION: 23-14

WHEREAS, the application and plans specifically seek approval to construct an addition and renovations to the existing dwelling, including a new covered front porch, a second floor addition to the existing home, and an addition and dormer to the existing detached garage; and

WHEREAS, the application seeks specific variance relief for two front yard setbacks, accessory building height, and accessory building encroachment on a corner lot; and

WHEREAS, the Land Use Board considered the matter at the February 15, 2023 regular meeting of the Land Use Board at which time the applicants and their retained professionals 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 320 Park Avenue, known as Block 2206, Lot 1, on the Tax Map of the Borough of Allendale. The property is located in the AA residential zone. The application was in evidence. The application and plans propose additions and renovations to the dwelling (including footprint expansions and multiple-story additions) as well as garage (including dormers and plumbing). The application and plans request relief for conflicts with: §270-14A (accessory building height); §270-14B (accessory building location); §270-37A (alterations to nonconforming structures); and §270-54B (front yard) of the Code.
3. As part of the application, the applicant submitted a Land Use Application and associated documents, and an architectural plan set entitled, "Craig & Courtney, Cagney, Residence, 320 Park Ave, Allendale, NJ 07401" consisting of 4 sheets. The plans prepared by Peter B. Cooper & Associates (Peter B. Cooper, RA) were dated November 17, 2022. A Landscape Plan identified as Exhibit L-1 was also presented to the Board, as were various photographs of the subject site (Exhibit A-1).
4. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated February 12, 2023. The Memorandum was in evidence and reviewed and examined by the members of the Land Use Board.

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: March 15, 2023

RESOLUTION: 23-14

5. Variance relief is required because this property located in the AA residential zone has pre-existing, non-conforming conditions, and includes new and additional encroachments as well as vertical expansions above existing nonconformities (conflicting with §270-37A). Specific relief is request as set forth below:

§270-14A – Accessory Building Height. The noted 28.9 ft existing height ± 7.9 ft more than the required 21 ft. The proposal includes dormers. The application does not appear to alter this condition.

§270-14B – Accessory Building Location. The location of the existing accessory building does not conform to the street setback requirements. The proposal includes alteration to the accessory building. The application does not appear to alter this condition.

§270-17B – Minimum Building Envelope. The existing building envelope does not conform to the required minimum 50 ft x 50 ft area. The application does not appear to alter this condition.

§270-54B – Front Setback. The noted 14.1 ft (Park Ave) and 23.1 ft (West Crescent Ave) existing front setbacks are ± 25.9 ft less and ± 16.9 ft less than the required 40 ft. The application does not appear to alter these conditions.

6. The property is located on the north side of Park Avenue (at the intersection of West Crescent Avenue). The Property is a corner lot facing on both West Crescent Avenue and Park Avenue. The property is located within the Borough's AA Residence Zone District. The Hohokus Creek crosses the northern end of the property. The property is developed with a single-family dwelling, detached garage and associated amenities. The application and plans propose additions and renovations to the main dwelling and accessory structure.

7. The applicant and their architect, Peter Cooper, AIA, were sworn and testified as to the existing conditions of the property. Mr. Cooper was accepted as an expert in the field of architecture by the Board. Mr. Cooper testified that the lot was unique due to its situation on the corner of Park Avenue and West Crescent Avenue, and that the main house dated from the 1870's. It is a pie-shaped lot, and the main structure is in the small corner of the pie. There is considerable slope change on the lot, which restricts development and takes up nearly 1/3 of the lot. There is very little flat area on the lot. The setback on West Crescent Avenue and Park Avenue, deemed two front lots under the Code, are pre-existing non-conforming. The proposed addition to the main structure seeks to upgrade the property by adding new bedrooms on a second story, a new family room and a new covered porch under proposed master suite. There will be considerable aesthetic improvements, including gables, a steep pitched roof, boxed bay windows, and roof returns, which will give the structure a classic farmhouse look to match the neighborhood. There will be new siding. There will also be landscaping improvements and the existing buffer landscaping on West Crescent Avenue will remain. The hardship is the shape of the lot, location of the house on the lot, the lot slope and pre-existing, non-conformities. Any improvements on

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: March 15, 2023

RESOLUTION: 23-14

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. There would be no negative impact on surrounding properties or the neighborhood, and visible impact would be minimal. The applicants testified that they considered other options, but that the proposed addition was the least intrusive and minimal option that was suitable for their needs.

In connection with the accessory structure, it was testified that it presently exists in the setback zone. It is a one and a half story structure out of grade on the Park Avenue side. Since there is currently no garage on site, conversion of this accessory structure to a working garage would be an improvement to the site. The structure is presently failing and in disrepair, and the improvements planned include a dormer, new stone veneer and new siding in order to bring the structure up to acceptable standards and code compliance. The proposed use is as an office/family recreation space. In order to make the structure code compliant by adding stairs (to replace a ladder), the roof needs to be raised. The second story is proposed for storage, and a powder room will be added to the first story.

8. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated February 12, 2023. 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 and would be an aesthetic improvement, especially to the barn/garage. The applicant specifically agreed to incorporate the recommendations of the Borough Engineer's review letter and testimony into the renovation plans.

9. Three members of the public appeared in connection with the application and expressed their support for the proposed improvements.

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 applicant's 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 applicants and their retained professionals, and the Borough Engineer, in connection with the testimony that the applicant is entitled to variance relief, due to the unique nature of

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: March 15, 2023

RESOLUTION: 23-14

the property, namely the shape of the lot and placement of the structures on the lot, and the pre-existing non-conforming conditions, namely the front yard setback encroachments and accessory structure encroachments, which are all deemed hardships by the Board. Further, there is a lawful, pre-zoning structure on the lot, and there is a steep slope on the lot which contributes to the unique orientation and topography. Notably, both the home and accessory structure have historical character, and the proposed addition/improvements will preserve and enhance this unique historical design through the planned aesthetic improvements. 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 existing encroachments which will not be expanded, and the maintenance of the existing buffer vegetation; 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 improvements, 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 February 12, 2023 review letter.
- C. Applicant shall submit revised plans and landscape plans consistent with the testimony and to correct any deficiencies/errors in the submitted plans

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: March 15, 2023

RESOLUTION: 23-14

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.

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: March 15, 2023

February 23, 2023

Ms. Linda Garofalo
Land Use Administrator
Borough of Allendale
500 West Crescent Avenue
Allendale, NJ 07401
(201) 818-4400 X212



Dear Ms. Garofalo,

This letter is to request a one (1) year extension for the variance we received to attached our garage to the house and expand above the garage at our Allendale residence:

210 East Crescent Ave
Block: 507
Lot 4

While our intention was to start construction in 2022, we have postponed this until 2023 due to economic conditions. We appreciation your consideration for this extension.

Sincerely,

Charles & Pamela Stock

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 3/14/22

RESOLUTION: 22-13

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen			✓			
Daloisio			✓			
Davis	✓		✓			
Kistner		✓	✓			
Lovisollo			✓			✓
Yaccarino			✓			
Sirico			✓			
Bernstein			✓			✓
Quinn			✓			
Forbes - Alt. #1			✓			
Putrino - Alt. #2					✓	

Carried ☒ Defeated ☐ Tabled ☐

RESOLUTION 22-13

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
APPLICATION FOR VARIANCE FOR
CHARLES & PAMELA STOCK
BLOCK 507, LOT 4
(a/k/a 210 EAST CRESCENT AVENUE)

WHEREAS, the applicants, CHARLES & PAMELA STOCK, the owners of the property located at 210 East Crescent Avenue, known as Block 507, Lot 4 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 December 23, 2021 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: 3/14/22

RESOLUTION: 22-13

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 second story addition above the existing structure in the rear of the house; and

WHEREAS, the application seeks specific variance relief for front yard and side yard encroachments, height, and for addition to the non-conforming structure; and

WHEREAS, the Land Use Board considered the matter at the February 16, 2022 regular meeting of the Land Use Board at which time the applicants 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 210 East Crescent Avenue, known as Block 507, Lot 4, 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 Plans entitled, "Residence, Stock Residence, Charles & Pamela Stock, 210 East Crescent Avenue, Allendale, NJ 07401". The plans prepared by GL Architecture + Interior Design consist of seven (7) sheets and are dated December 8, 2021 and various photographs and correspondence. These plans and exhibits were in evidence and reviewed and examined by the members of the Land Use Board.

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4. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated February 11, 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 and has pre-existing, non-conforming conditions, due to the undersized lot condition and undersized lot width, structure in place, and proposed addition, as follows:

§270-54E – Area

The existing lot area is $\pm 7,000$ sf less than the required 26,000 sf lot area. The proposal does not appear to alter this condition.

§270-54F – Width

The existing lot width is ± 35 ft less than the required 130 ft lot width. The proposal does not appear to alter this condition

§270-64B(2) – Side Yard Setbacks

The proposal will expand the dwelling footprint by connecting the detached garage (previously an accessory structure) to the house and also increase the enhanced side yard setback requirement. The dwelling will encroach ± 22 ft (L) and ± 1.1 ft (R) into the 29.5 ft enhanced setback requirement.

6. The subject property is currently developed with a single family dwelling, detached garage and associated amenities. The application and plans propose to construct additions and renovations to the existing dwelling (including connecting and expanding the garage, front porch, and 2nd story addition over connected garage with rear stairs). The subject property is located within Allendale's AA (Residential) Zone.

7. The applicants and their professional architect, Vincent Laino, were sworn and testified as to the existing conditions of the property. Mr. Laino testified that the lot was undersized, the lot width was undersized and that the property was depressed in grade from the roadway. The addition/renovation would consist of connecting the existing stand-alone accessory structure/garage to the house, enlarging the garage to better accommodate a car and storage, to add a mudroom and living space above the new mudroom and garage. The addition/renovation was contemplated to upgrade the home and better accommodate their family. Any improvements on the property would require variance relief, due to the pre-existing non-conforming conditions. It was noted that the property is in an older section of the Borough, with an oddly shaped and undersized lot which is depressed from the roadway. The house structure is also located off-center on the lot, with a grade differential from the front to the rear. The addition is within FAR requirements and coverage requirements of the Code. Mr. Laino testified that there was adequate screening on the side of the property with existing landscaping, and that the application did not

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call for the removal of any existing buffer screening or trees on the property. The addition would be aesthetically pleasing to the property, in that new siding, roofing and architectural details would be added throughout, and consistent with the existing style and design of the premises, functional for the family and shielded from neighbors by existing vegetation and open space which would remain.

Mr. Laino also testified that there would be no impact on any surrounding properties or the zone, since there would be no expansion of the presently existing non-conforming condition in connection with the side encroachment, and that the benefits of the variance relief would outweigh any detriments. Additionally, as viewed from the street, the house is below street grade, which minimizes the impact of the development. Various alternatives were reviewed, and the application as presented was deemed the best alternative for development.

8. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated February 11, 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. 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 applicant's 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, the applicant's professional architect and the Borough Engineer, in connection with the testimony that the applicant is entitled to a variance, due to the

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unique nature of the property, namely the odd shape of the property, the extreme natural grading of the property, the placement of the home on the lot, and the undersized condition and undersized width of the lot relative to the Code and the AA Zone (N.J.S.A. 40:55 D-70C.(1)), 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. In addition, the variance requested will not be obtrusive due to the placement and configuration of the primary structure on the lot, the location of the proposed improvements and 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 their 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 comply with points 4.1 through 4.4 of Mr. Vreeland's February 11, 2022 review letter.
- C. 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.

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BERGEN COUNTY, NJ

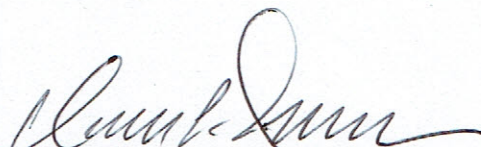
DATE: 3/14/22

RESOLUTION: 22-13

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.

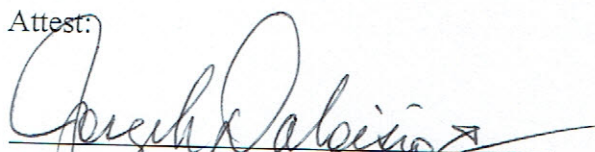
Approved:

ALLENDALE LAND USE BOARD



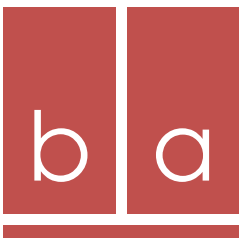
KEVIN QUINN, Chairman

Attest:



JOSEPH DALOISIO, SECRETARY

Adopted: March 14, 2022



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

B U R G I S
A S S O C I A T E S , I N C .

PRINCIPALS:
Joseph H. Burgis PP, AICP
Edward Snieckus Jr., PP, LLA, ASLA
Dave Novak, PP, AICP

MEMORANDUM

To: Allendale Land Use Board
From: Edward Snieckus, Jr, PP, LLA, ASLA
Subject: 115 West Crecent, LLC
Minor Subdivision and 'c' Variance Application
Block 910, Lot 5 & 6
115 West Crescent Avenue
Date: March 8, 2023
BA#: 3987.01

INTRODUCTION

The applicant, 115 West Crescent Avenue, LLC, is seeking minor subdivision plan as well as "c" variance approval to subdivide two existing lots into a total of 3 lots. The subject site, identified by Borough tax records as Block 910, Lots 5 and 6 located at 115 West Crescent Avenue. The site is located in the A-Residence Zone District. The subdivision application requires variance approval for undersized lot width for each of the 3 lots proposed as noted herein which is required to be 115 feet in the A-Zone District.

SUBMISSION INFORMATION

Our office is in receipt of the application items:

1. Application for forms and related checklist and associated project description dated 2/16/23.
2. Boundary and Topographic Survey (1 sheet), prepared by Stonefield Engineering and Design, latest date of 2/10/23.
3. Minor Subdivision Plan (1 sheet), prepared by Stonefield Engineering and Design, latest date of 2/16/23.
4. Aerial Photograph 11"x17" titled 115 West Crescent Avenue Block 910, Lots 5 & 6, Zone A, not dated.
5. Aerial of a map under the heading of National Wetlands Inventory-NWI Mapper, dated January 26, 2023.
6. Copy of Tax Assessment Map with existing lots 5 and 6 identified.

PLANNING REVIEW

- A. Property Description.** The subject tract is identified as Block 910, Lots 5 and 6, located at 115 West Crescent Avenue. The two existing lots comprise a total of 65,025 square feet or 1.49-acres. The two lots are occupied by a 1 ½ story single family home which overlaps the common lot lines. The tract is accessed by a driveway located along the northerly property line serving the rear of the property where there exists a driveway turn around area. The property also has an existing shed in the rear of the lot.

The property slopes from a high point at elevation 314.9 at the northwestern corner of the property adjacent the frontage of West Crescent Avenue, to a low point of 304.9 along the southerly property line for a change of elevation of approximately 10 feet. The application notes there are no wetlands on the tract and submitted regional mapping from the National Wetlands Inventory to confirm same. The applicant should indicate if there are any further on site investigations performed to confirm there are no additional wetlands on site particularly at the low point area of the subject property.

Surrounding uses include single family residential development to the north, south, east and west. The Calvary Lutheran Church is located two lots to the south at the corner of Ivers Road and West Crescent Avenue. The following figures provide an overview of the subject site.

Figure 1 – Aerial and Parcel Map



Source: NJGeoWeb, 2020, Lot lines are approximate.

B. Minor Subdivision Plan Review. The following is our planning review of the proposal:

1. Lot 5 will have a lot area of 20,094 square feet, Lot 6 will have an area of 20,177 square feet and Lot 6.01 will have a lot area of 24,754 square feet whereas 20,000 square feet is required.
2. The proposed application, while not specifically stated on the plans, seems to imply the existing residence will be demolished and the lot is to be subdivided into three lots. The status of the existing home will need to be confirmed during testimony. All lots will comply with the minimum area and have frontage on West Crescent Avenue although they will not have the required 115 feet in width.
3. The two existing parcels will be modified by the proposal to a total of three lots. The lots are identified as lots 5, 6 and 6.01. The lots will be arranged such that Lots 5 and 6 will have a 93.28 foot lot width whereas 115 feet is required and proposed Lot 6.01 will have a lot width at the front lot line of 15 feet. Lot 6.01 lot frontage will coincide with the existing driveway to the current residence. The applicant should indicate the intentions to keep this current driveway connection to West Crescent Avenue.

Lot 6.01 will be arranged with most of the lot area behind Lots 5 and 6 in a configuration referred to as a flag lot arrangement. Flag lot arrangements are a lot configuration often discouraged since they can represent an inconsistent arrangement or development pattern in an established neighborhood. They also can result in a developments buildable area and corresponding residence constructed to the rear of a lot which coincides with a rear yard area of neighboring lots. This can also present an inconsistent arrangement of a front of a home placed behind or to the side of an adjacent home. In addition, such arrangements present difficulties for emergency services identification of a home when the driveway is the only feature visible along a roadway leading to potential confusion and delay during times of an emergency.

The applicant will need to present testimony of why this arrangement is proposed instead of two lots that would be more in conformance with a common pattern of development. In addition, since no proposed building footprints are provided at this time, in consideration of the relief sought, the Board may wish to request sample building arrangements on the proposed lots to evaluate their potential impacts to adjacent homes. This is offered so the intended building relationships between lots can be evaluated and if there should be planted buffers required to address and ensure privacy is maintained in consideration of the relief being sought.

4. The three parcels are noted for the development of a single family home which will be compliant with the permitted uses in the A-Residence Zone. The subdivision map depicts the minimum setback criteria for each lot.
5. The existing site contains several existing trees on the property of significant size. Since there is no site grading proposed at this time, it is unclear what tree removal will be required to construct the home on

the three lots. It is offered the proposed building arrangements and grading be configured to preserve the existing trees to the greatest extent practical to assist in mitigating the impact of the variance as designated by the Board.

- C. **Zoning Compliance.** The proposed application is for a minor subdivision approval to subdivide the two lots into a total of 3-lots. The following table shows how the proposed subdivision compares with the bulk standards of the A-Zone.

Table 1: A Zone Bulk Standards

Area & Bulk Regulations	A Zone	Ex. Lot 5	Ex. Lot 6	Prop. Lot 5	Prop. Lot 6	Prop. Lot 6.01
Minimum Lot Area (sf)	20,000	31,911	33,114	20,094	20,177	24,754
Minimum Lot Width (ft)	115	100 (E)	101.56 (E)	93.28 (V)	93.28 (V)	15.0 (V)
Minimum Lot Depth (ft) ¹	26.25	352.94	321.90	233.08	204.03	122.0
Max. Impervious Coverage (%)	Per formula ²	Ex: 4.4 Perm: 30.8	Ex: 18.0 Perm: 30.2	Prop: ? Perm: 38.8	Prop: ? Perm: 38.7	Prop: ? Perm: 35.0
Max. Building Height stories/ft	2 ½ /35	1 ½ /16+/-	1 ½ /16+/-	2 ½ /35	2 ½ /35	2 ½ /35
Min. Front Yard (ft)	35	49.5	63.2	35	35	35
Min. Rear Yard (ft)	50	245.9	224.1	50	50	50
Min. Side Yard (ft)	15	0.0(E)	0.0(E)	15	15	15

(V) Variance Required, (W) Waiver Required, (E) Existing non-conforming, (n/a) Not applicable.

- Any lot, or part of a lot, which separates a street from an adjacent lot shall be of a minimum depth between the street and the adjacent lot of not less than 3/4 of the minimum front yard required for lots in the zone district in which the lot is located, plus such additional depth as may be required for streets of a width less than that required by the Land Subdivision and Site Plan Ordinances.
- For lots with areas between 10,000 square feet and 40,000 square feet, the maximum percentage of allowable impervious coverage shall be equal to 55 divided by the square root of the lot area.

Variances Required.

- Minimum Lot Width.** The applicant is proposing a non-conforming lot width for all three lots as noted. Lots 5 and 6 are both proposed at 93.28 feet whereas 115 feet is required for a deviation of 21.72 feet or 18.9% less than required. Proposed Lot 6.01 will have 15 feet whereas 115 is required or a deviation of 100 feet or 86.9% less than required. The applicant will need to address the applicable variance criteria for relief for these proposed lot configurations.

- D. **Master Plan Review.** The following is our analysis of the application as to its consistency with the Borough's Master Planning efforts as they relate to the impacts to the intent and purpose of the plan for residential zoning districts.

The Borough adopted its most recent comprehensive master plan in 2005. The 2005 master plan goals provide the basis for the land use plan recommendations, which are intended to guide the Borough's future development. The Borough adopted Periodic Reexamination Reports of the Master Plan in February 2011 and again in December 2017. The following goals from the 2005 master plan are offered in review of this application:

"Goal 1: To preserve and enhance the suburban character of the existing one and two family residential neighborhoods through:

a) establishing and maintaining zone districts and use, lot, bulk and intensity of use regulations based on existing neighborhood development patterns and good design practices.

The 2017 Master Plan Reexamination Report remained supportive of this goal and objective in the 2011 Report and did not recommend any changes.

STATUTORY CRITERIA

The Municipal Land Use Law (MLUL) sets forth the statutory positive and negative criteria for a 'c' variance relief. It permits a Land Use Board to grant a 'c' variance, "in particular cases and for special reasons." The courts have determined that special reasons include a showing by the applicant that the granting of the variance will effectuate the intent and purpose of the MLUL and advance the goals and objectives of the local master plan. This is the "positive criteria" of the statute.

The statute provides two approaches to 'c' variance relief, commonly referred to as the 'physical features' test and the 'public benefits' test. These are identified as follows:

1. Physical Features Test: An applicant may be granted 'c'(1) variance relief when it is demonstrated that the noncompliant condition is caused by 1) an exceptional narrowness, shallowness, or shape of the property, 2) exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or 3) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.
2. Public Benefits Test: An applicant may be granted 'c'(2) variance relief where it can prove the following: 1) that the granting of the variance will advance the intents and purposes of the MLUL; 2) that the benefits of granting the variance substantially outweigh any potential detriments. The benefits are required to be public benefits rather than a benefit that simply accrues to the property owner.

In addition, the applicant must address the Negative Criteria of the statute. Here an applicant must demonstrate that the variance can be granted without substantial detriment to the public good and that it will not substantially impair the intent and purpose of the master plan and zoning ordinance. The applicant shall provide testimony regarding how or if this proposed deviation will impact the public good or the intent of the zone plan for this area.



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

B U R G I S
A S S O C I A T E S , I N C .

PRINCIPALS:
Joseph H. Burgis PP, AICP
Edward Snieckus Jr., PP, LLA, ASLA
Dave Novak, PP, AICP

MEMORANDUM

To: Allendale Land Use Board
From: Edward Snieckus, Jr, PP, LLA, ASLA
Subject: 115 West Crecent, LLC
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Block 910, Lot 5 & 6
115 West Crescent Avenue
Date: March 8, 2023
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The applicant will need to present testimony of why this arrangement is proposed instead of two lots that would be more in conformance with a common pattern of development. In addition, since no proposed building footprints are provided at this time, in consideration of the relief sought, the Board may wish to request sample building arrangements on the proposed lots to evaluate their potential impacts to adjacent homes. This is offered so the intended building relationships between lots can be evaluated and if there should be planted buffers required to address and ensure privacy is maintained in consideration of the relief being sought.

4. The three parcels are noted for the development of a single family home which will be compliant with the permitted uses in the A-Residence Zone. The subdivision map depicts the minimum setback criteria for each lot.
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Min. Side Yard (ft)	15	0.0(E)	0.0(E)	15	15	15

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- For lots with areas between 10,000 square feet and 40,000 square feet, the maximum percentage of allowable impervious coverage shall be equal to 55 divided by the square root of the lot area.

Variances Required.

- Minimum Lot Width.** The applicant is proposing a non-conforming lot width for all three lots as noted. Lots 5 and 6 are both proposed at 93.28 feet whereas 115 feet is required for a deviation of 21.72 feet or 18.9% less than required. Proposed Lot 6.01 will have 15 feet whereas 115 is required or a deviation of 100 feet or 86.9% less than required. The applicant will need to address the applicable variance criteria for relief for these proposed lot configurations.

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a) establishing and maintaining zone districts and use, lot, bulk and intensity of use regulations based on existing neighborhood development patterns and good design practices.

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STATUTORY CRITERIA

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The statute provides two approaches to 'c' variance relief, commonly referred to as the 'physical features' test and the 'public benefits' test. These are identified as follows:

1. Physical Features Test: An applicant may be granted 'c'(1) variance relief when it is demonstrated that the noncompliant condition is caused by 1) an exceptional narrowness, shallowness, or shape of the property, 2) exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or 3) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.
2. Public Benefits Test: An applicant may be granted 'c'(2) variance relief where it can prove the following: 1) that the granting of the variance will advance the intents and purposes of the MLUL; 2) that the benefits of granting the variance substantially outweigh any potential detriments. The benefits are required to be public benefits rather than a benefit that simply accrues to the property owner.

In addition, the applicant must address the Negative Criteria of the statute. Here an applicant must demonstrate that the variance can be granted without substantial detriment to the public good and that it will not substantially impair the intent and purpose of the master plan and zoning ordinance. The applicant shall provide testimony regarding how or if this proposed deviation will impact the public good or the intent of the zone plan for this area.

MEMORANDUM

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

FROM: Joseph Vuich *Joseph R. V.K.*

CC: M. & C. Shottanes, Applicants / Kohut, Applicant's Attorney /
T. Miller, Applicant's Surveyor

RE: LUB 2023-04 – 115 West Crescent LLC
Minor Subdivision w/ 'C' Variances
Block 910 Lot 5 & 6
VCEA Project No. ALN-1001.058

DATE: March 13, 2023



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

- A. Land Use Application and associated documents.
- B. Survey consisting of 1 sheet entitled, "Boundary & Topographic Survey, Tax Map Lots 5 & 6, Block 910, 115 West Crescent Avenue, Borough of Allendale, County of Bergen, State of New Jersey," prepared by Thomas F. Miller, PLS of Stonefield Engineering & Design, last revised February 10, 2023; and
- C. Subdivision Plat consisting of 1 sheet entitled, "Minor Subdivision Plan, Tax Map Lots 5 & 6, Block 910, 115 West Crescent Avenue, Borough of Allendale, County of Bergen, State of New Jersey," prepared by Thomas F. Miller, PLS of Stonefield Engineering & Design, last revised February 16, 2023.

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 subject property is commonly known as 115 West Crescent Avenue. It is a ± 1.493 acre parcel, comprised of Block 910, Lot 5 containing ± 0.733 acres and Lot 6 containing ± 0.760 acres. The property is located within the Borough's A Residence Zone District. It has frontage on West Crescent Avenue (CR 81) to the west and is surrounded by single-family residential uses on all sides. The property is developed with a 1 ½ story single-family dwelling, which straddles the common lot line. The dwelling has two existing driveways, one to an attached garage in the center

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of the West Crescent Avenue frontage, the other along the northern lot line to a rear parking area. An existing shed is located in the rear yard, also straddling the common lot line. Additionally, we understand both lots have been taxed by the Borough as a single tract.

The Applicant proposes to consolidate two lots and subdivide into three lots, requiring variance relief for lot widths of 93.28 feet, 93.28 feet, and 15 feet whereas minimum 115 feet is required.

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. Subdivision:

When adjacent lots are owned by the same person or entity the following issues arise: Do they merge into one lot and is a subdivision needed.

Generally, contiguous undersized lots fronting on the same street are subject to the Merger Doctrine. In addition to meeting these requirements, both of the subject lots have been developed and utilized as a single tract and the municipality has taxed the subject lots as a single tract. We therefore believe the Applicant must obtain subdivision approval.

3.2. Non-Conforming Conditions:

3.2.1. §270-57F – Minimum Lot Width

Comment: The application proposes lot width of 93.28 feet, 93.28 feet, and 15 feet whereas minimum 115 feet is required. Testimony shall be provided in support of required variance relief for each of the three (3) proposed lots.

3.3. 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

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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. The subject property has frontage on West Crescent Avenue (CR 81), therefore requiring Bergen County Planning Board approval.
- 4.2. The Borough Tax Assessor shall review and approve the proposed lot numbering designations before any documents are recorded and new addresses are assigned.
- 4.3. The Minor Subdivision Plat shall be in conformance with the State of New Jersey Recordation Act, N.J.S.A. 46:26B-2(a3).
- 4.4. A note should be added to the plans indicating whether the Minor Subdivision will be filed by deed or plat. Our office has reviewed the metes and bounds descriptions provided on the Minor Subdivision Plat and has verified boundary closure of each newly created lot within an acceptable error tolerance. If filed by deed, the Applicant shall prepare stand alone descriptions for the purpose of filing.
- 4.5. In accordance with N.J.A.C. 13:40-5.1(m)1, *“The licensee shall provide appropriate survey information, including monumentation, as set forth above, to permit a subsequent licensed professional land surveyor to accurately lay out newly described lots.”* The Applicant shall provide sufficient monumentation so that each lot can be field located.
- 4.6. The Applicant’s Land Surveyor has submitted the Boundary and Topographic Survey of the subject property with the application. In doing so, they have satisfied the requirements of N.J.A.C. 13:40-5.1(m)3 to certify that the boundary survey is accurate and was prepared under their supervision.

- 4.7. Testimony shall be provided to confirm the existing home, which straddles both the existing and proposed common lot line, is intended to be demolished.
- 4.8. Testimony shall be provided with respect to the Proposed Lot 6.01 flag lot configuration, its viability for a single-family dwelling characteristic to the A Residence Zone District, and the extent of mature tree clearing necessary to develop the lot.
- 4.9. Electronic (CAD & PDF) files of the Minor Subdivision Plat shall be provided to the Borough Engineer to facilitate Tax Map updates.

Please contact me should you have any questions.