

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 October 18, 2023 at 7:30 p.m. Formal action will be taken.

- I. CALL TO ORDER
  - A. Open Public Meetings Act Announcement
  - B. Salute to Flag
- II. ROLL CALL
- III. APPROVAL OF MINUTES
  - [September 18, 2023 Land Use Board Regular Meeting](#)
  - [September 20, 2023 Land Use Board Regular Meeting](#)
- IV. RESOLUTIONS

[Application File No.: LUB 2023-08](#)

[Resolution No.: 23-18](#)

Applicant: Allendale Senior Housing Corp.

Address: Cebak Court, Allendale, NJ 07401

Block: 1708 Lot: 1&9

Proposal: Preliminary & Final Site Plan approval

[Application File No.: LUB 2023-06](#)

[Resolution No.: 23-19](#)

Applicant: Barry Poskanzer

Address: 40 & 42 Carteret Road, Allendale, NJ 07401

Block 1503.01 Lots: 15 & 14

Proposal: Minor Subdivision – realignment of lot line.

[Application File No.: LUB 2023-09](#)

[Resolution No.: 23-20](#)

Applicant: Giuseppe & Alexandra DePinto

Address: 20 Stone Fence Rd., Allendale, NJ 07401

Block 1503 Lot: 16

Proposal: Single story rear addition to the kitchen & dining area. Pursuant to Code 270-37(A) 2

Application File No.: LUB 2023-07

Resolution No.: 23-21

Applicant: Russell & Lisa Young

Address: 101 E. Orchard Street, Allendale, NJ 07401

Block: 1901 Lot: 11

Proposal: Addition and renovation. Pursuant to Section 37(A)2 and 270-64B(2)

V. PUBLIC HEARINGS:

Application File No.: LUB 2023-05

Applicant: Michael Zeoli & Samantha Danubio

Address: 41 Elmwood Avenue, Allendale, NJ 07401

Block 2009 Lot: 4

Application: Two story addition in rear and side yards. Pursuant to Section 270-37A

**(continued from the public hearing of September 20, 2023)**

Application File No.: LUB 2023-10

Applicant: Allendale Steak House/READ Properties, LLC

Address: 95 West Allendale Avenue, Allendale, NJ 07401

Block 1809 Lots: 3 & 4

Application: Converting a former bank into a restaurant. Pursuant to 147-7A change of use.

VI. OPEN TO THE PUBLIC FOR COMMENT

VII. OTHER

VIII. ADJOURNMENT

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

DESCRIPTION OF PROPOSED STRUCTURE OR USE

PREMISES AFFECTED known as Lot(s) 324 Block(s) 1809  
Street Address 90 West Allensale Ave  
Applicant Allensale Steak House / REPA Partners LLC  
Owner ABC Vault Partners LLC Address 95 W Allensale Ave Allensale  
Lessee \_\_\_\_\_ Address \_\_\_\_\_  
Last Previous Occupancy Bank  
Size of Lot 35 x 150  
Floor area ratio calculation \_\_\_\_\_  
Percentage of lot occupied by building(s) \_\_\_\_\_  
Height of building(s) 21' 9" stories 2 feet \_\_\_\_\_  
Set back from front property line 0 ft. From side (if corner lot) 0 ft.  
Zoning requirements – Frontage \_\_\_\_\_, side yards \_\_\_\_\_, set-back \_\_\_\_\_, rear yard \_\_\_\_\_  
"Prevailing set-back" of adjoining buildings within one block \_\_\_\_\_  
Has there been any previous appeal involving these premises? NO  
If so, state character of appeal and date of disposition \_\_\_\_\_  
\_\_\_\_\_  
Proposed use: Steakhouse restaurant


This application for a use variance includes an application for subdivision \_\_\_\_\_, 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: 10/01/2023

  
\_\_\_\_\_  
Signature of Applicant or Agent

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

TO THE APPLICANT: COMPLETE SECTIONS IN FULL FOR RELIEF REQUESTED

NOTICE OF APPEAL OF  
ZONING ENFORCEMENT OFFICER'S DECISION

TO THE ZONING ENFORCEMENT OFFICER:

The petition of Alendale Steakhouse / READ Properties LLC  
shows that on or about the 19<sup>th</sup> day of June, 2022  
an application to the Zoning Official for the purpose of (describe intended  
action) Restaurant - Alendale Steakhouse

on the premises located at (street address) 90 West Alendale Ave  
Block 1809 Lot 3  
as shown on the Municipal Tax Maps and owned, or optioned, by the applicant was made; that  
after due consideration the Zoning Enforcement Officer did on the 19 day of June, 2022  
decline to issue said permit for the reasons stated in the attached copy of the Zoning Enforcement  
Officer's Refusal of Permit Form.


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

APPLICATION FOR VARIANCE

TO THE LAND USE BOARD:

An application is hereby made for a (Hardship) (Floor Area Ratio) (Use) variance from the terms  
of Article(s) and Section(s) 270

\_\_\_\_\_ of the Zoning Ordinance so as to  
permit the property to be used as a restaurant  
which was previously used as a bank

  
Signature of Applicant



**NOTICE TO BE PUBLISHED IN THE OFFICIAL NEWSPAPER**

Borough of Allendale  
Planning/Zoning Board of Adjustment

**Please Take Notice** that a public hearing before the Allendale Planning/ Zoning Board of Adjustment has been ordered for October 18, 2023, at 7:30 p.m. in the Council Chamber, Borough of Allendale, 500 West Crescent Avenue, Allendale, New Jersey, on the appeal or application for development of the undersigned for a variation from the requirements of the Zoning Ordinance so as to permit: The Applicant, Allendale Steak House and READ Properties LLC, to convert the existing the existing bank building previous used as a bank into a steakhouse restaurant . The applicant will be seeking the following variances: variances from Section 270 and any other variances the Board deems necessary on the premises known as 95 WEST ALLENDALE AVE, Block: 1809 Lot: 3&4 on the Borough's tax map. The applicant will not make any alterations to the exterior of the building.

A copy of the application and all documents relating to this application are on file in the office of the Zoning Officer, Borough of Allendale, 500 West Crescent Avenue, Allendale, New Jersey and available for inspection at least (10) ten days prior to the meeting between the hours of 9 a.m. and 4:00 p.m. Monday through Friday.

Any interested party may appear at said hearing and participate therein in accordance with the rules of the Borough of Allendale Planning/Zoning Board of Adjustment.

  
GIUSEPPE C. RANDAZZO, ESQ.  
Attorney for Applicants

**NOTICE TO BE SERVED ON OWNERS OF PROPERTY AFFECTED**  
**N.J.S.A. 40:55D-12 et seq.**

Please Take Notice:

That an application has been filed by Giuseppe C. Randazzo, Esq. on behalf of Allendale Steak House and READ Properties LLC on the appeal or application for development of the undersigned for a variation from the requirements of the Zoning Ordinance so as to permit: The Applicant to convert the existing bank building previous used as a bank into a steakhouse restaurant. The applicant will be seeking the following variances: variances from Section 270 and any other variances the Board deems necessary on the premises known as 95 WEST ALLENDALE AVE, Block: 1809 Lot: 3&4 on the Borough's tax map. The applicant will not make any alterations to the exterior of the building.

This notice is sent to you as owner of property in the immediate vicinity.

A public hearing has been ordered for October 18, 2023 at 7:30 p.m in the Council Chamber, Borough of Allendale, 500 West Crescent Avenue, Allendale, New Jersey and when the case is called you may appear either in person, or with an attorney and present any objections which you may have to the granting of this application.

This notice is sent to you by the applicant by order of the Planning/Zoning Board of Adjustment.

A copy of the application and all documents relating to this application are on file in the office of the Zoning Officer Borough of Allendale, 500 West Crescent Avenue, Allendale, New Jersey and available for inspection at least (10) ten days prior to the meeting between the hours of 9 a.m. and 4:00 p.m. Monday through Friday.

Very truly yours,  
LAW OFFICES OF GIUSEPPE C. RANDAZZO, LLC



GIUSEPPE C. RANDAZZO, ESQ.  
Attorney for Applicants

## BOROUGH OF ALLENDALE

500 West Crescent Avenue  
Allendale, NJ 07401

Angela M. Mattiace, CTA  
Tax Assessor

(201) 818-4419  
[angelamattiace@allendalenj.gov](mailto:angelamattiace@allendalenj.gov)

June 27, 2023

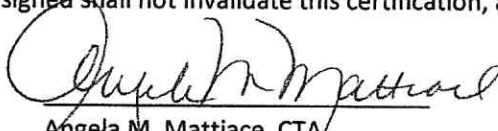
Re: 200 Ft List- 90 W Allendale

Dear Sir/Madam:

As per your recent request, attached please find the listing of property owners within 200 feet of the above mentioned, as well as the list of public utilities, which must also be noticed.

If your property falls within 200 feet of an adjacent municipality, you must obtain a certified list from that municipality and serve notices on all persons on that list. Additionally, you must also serve notice upon the Municipal Clerk of that municipality.

This is to certify to the Allendale Land use Board and to all interested parties, that the attached names and addresses commonly referred to as a "Property Listing" have been prepared in conformance with the requirements of the Municipal Land Use Law. All lists are prepared within (7) days after receipt. Any omission and/or failure on the part of the undersigned shall not invalidate this certification, any hearing meeting or proceeding. (C40:55D12-C).

  
Angela M. Mattiace, CTA  
Tax Assessor

## **UTILITIES LISTING**

**BOROUGH OF ALLENDALE  
500 W CRESCENT AVENUE  
ALLENDALE, NJ 07401**

**Rockland Electric – 1 Blue Hill Plaza, Pearl River, NY 10965**

**New Jersey Department of Transportation - POB 600, Trenton, NJ 08625**

**PSE&G - 20 Van Vooreen Drive, Oakland, NJ 07436**

**Cablevision of New Jersey - 40 Potash Rd, Oakland, NJ 07436**

**Verizon New Jersey - 114 Paterson Street, Paterson, NJ 07501**

**Bergen County Planning Board - 1 Bergen County Plaza, Hackensack, NJ 07601**

**Veolia Water – 461 From Road #400, Paramus, NJ 07652**



# OWNER & ADDRESS REPORT

ALLENDALE

200 FOOT LIST 1809/3 - 90 W ALLENDALE

06/27/23 Page 1 of 2

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
901	2		2	RIZK, RAMI & BANQUB, RANIA 24 MYRTLE AVENUE ALLENDALE, NJ 07401	24 MYRTLE AVE	LOT 1
1712	1		1	ROCKLAND ELECTRIC ONE BLUE HILL PLAZA PEARL RIVER, NY 10965	DE MERCURIO DR	
1713	2		4A	THOMAS, STILES & LILLIAN POB 75 ALLENDALE, NJ 07401	111 W ALLENDALE AVE	
1807	6		4A	83-89 W ALLENDALE LLC 83 W ALLENDALE ALLENDALE, NJ 07401	83-89 W ALLENDALE AVE	
1807	8		4A	99 WEST ALLENDALE AVE LLC 5 CANTERBURY WAY SUFFERN, NY 10901	99 W ALLENDALE AVE	
1807	4		4A	PLEASANT BROOK INV GP-ALLENDALE LLC 300 G LAKE RAMSEY, NJ 07446	75-77 W ALLENDALE AVE	
1807	3		4A	M C K INC 67 W ALLENDALE AVE ALLENDALE N J 07401	67 W ALLENDALE AVE	
1807	5		4A	ROCK EM LLC 81 W ALLENDALE AVE ALLENDALE, NJ 07401	81 W ALLENDALE AVE	
1807	7		4A	TOMMASO ENTERPRISES LLC 2416 COVENT GARDEN ROAD VIRGINIA BEACH, VA 23456	91-97 W. ALLENDALE AVE.	
1807	9		4A	WERMUTH, RONALD 3 HUNTINGDON LANE ROSELAND, NJ 07068	101 W ALLENDALE AVE	
1808	2		4A	ABC VAULT PARTNERS LLC 152 JOHN ST RIDGEWOOD, NJ 07450	22 MAPLE ST	
1808	3		2	BONACORTE, MICHELE 30 MAPLE ST ALLENDALE, NJ 07401	30 MAPLE ST	
1808	19		4A	72 W ALLENDALE AVENUE LLC NJ 43 DAIRY ST MIDLAND PARK, NJ 07432	72 W ALLENDALE AVE	
1808	18.01		4A	LK01, LLC 558 CAMPGAW ROAD MAHWAH, NJ 07430	70 W ALLENDALE AVE	
1808	7		2	ROCCO, MATTHEW A 37 ELM ST ALLENDALE, NJ 07401	37 ELM ST	
1808	1		4A	SAFIL CORPORATION 175 COLUMBIA AVENUE HARTSDALE, NY 10530	74-86 W ALLENDALE AV	
1809	5		2	GROSMAN JACK R & GALE M 126 HILLSIDE AVE. ALLENDALE NJ 07401	23 MAPLE ST	
1809	6		2	DAVIS, RICHARD J. 14 BROOK CT MAHWAH, NJ 07430	33 MAPLE ST	
1809	1		4A	ALLENDALE, L.L.C. 8 FORESTER AVE PO BOX 600 WARWICK, NY 10990	2 MYRTLE AVE	

# OWNER & ADDRESS REPORT

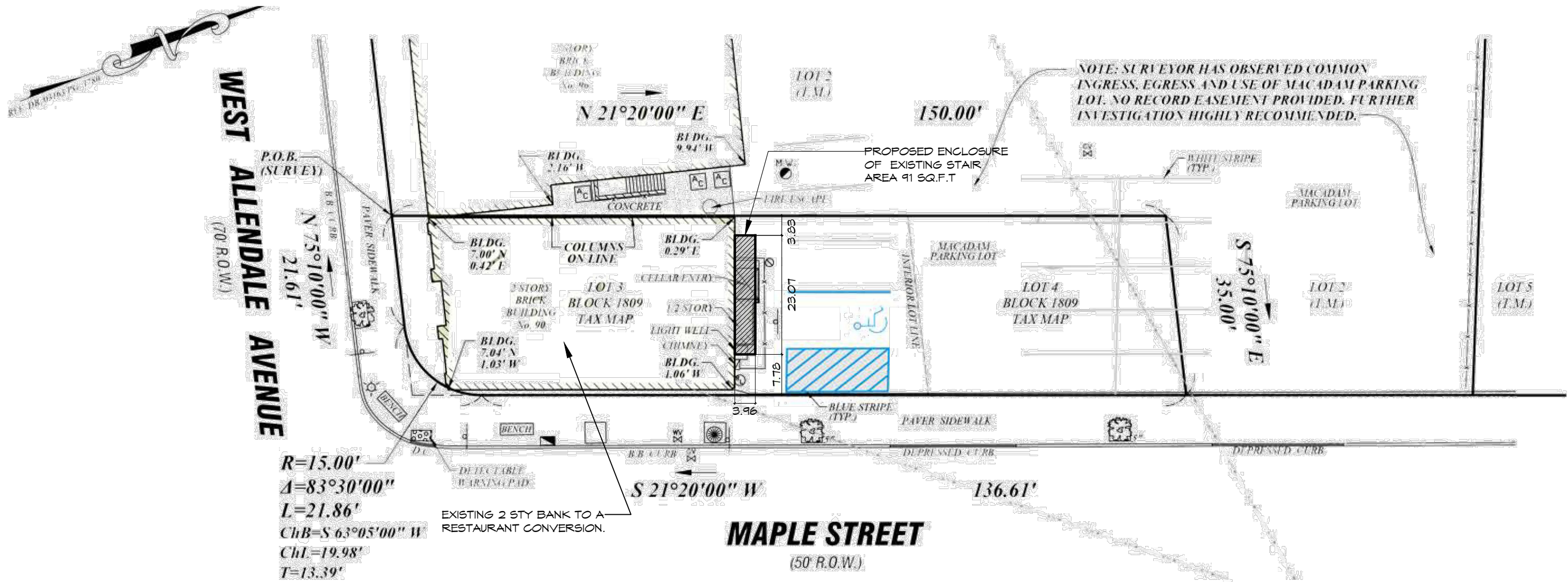
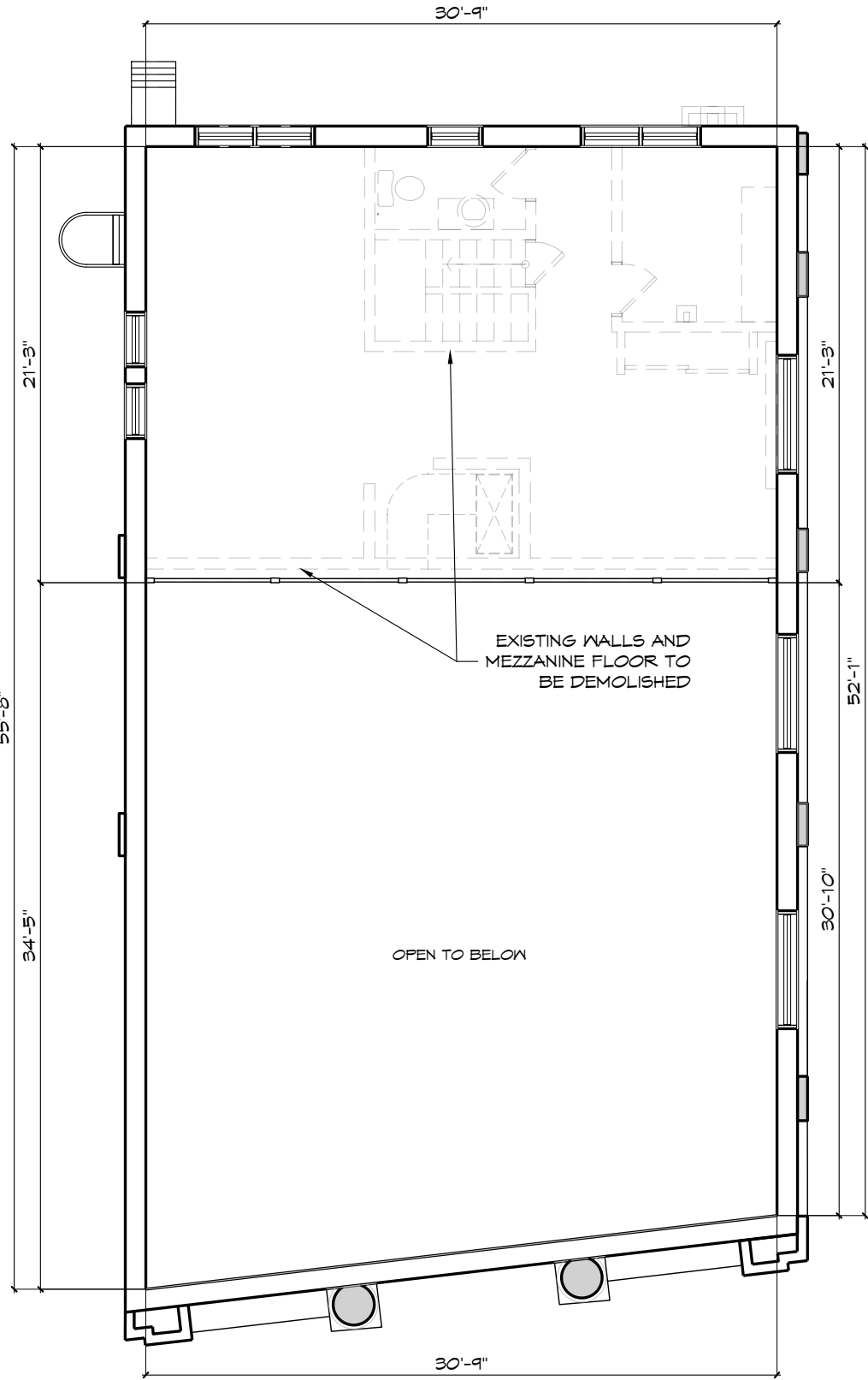
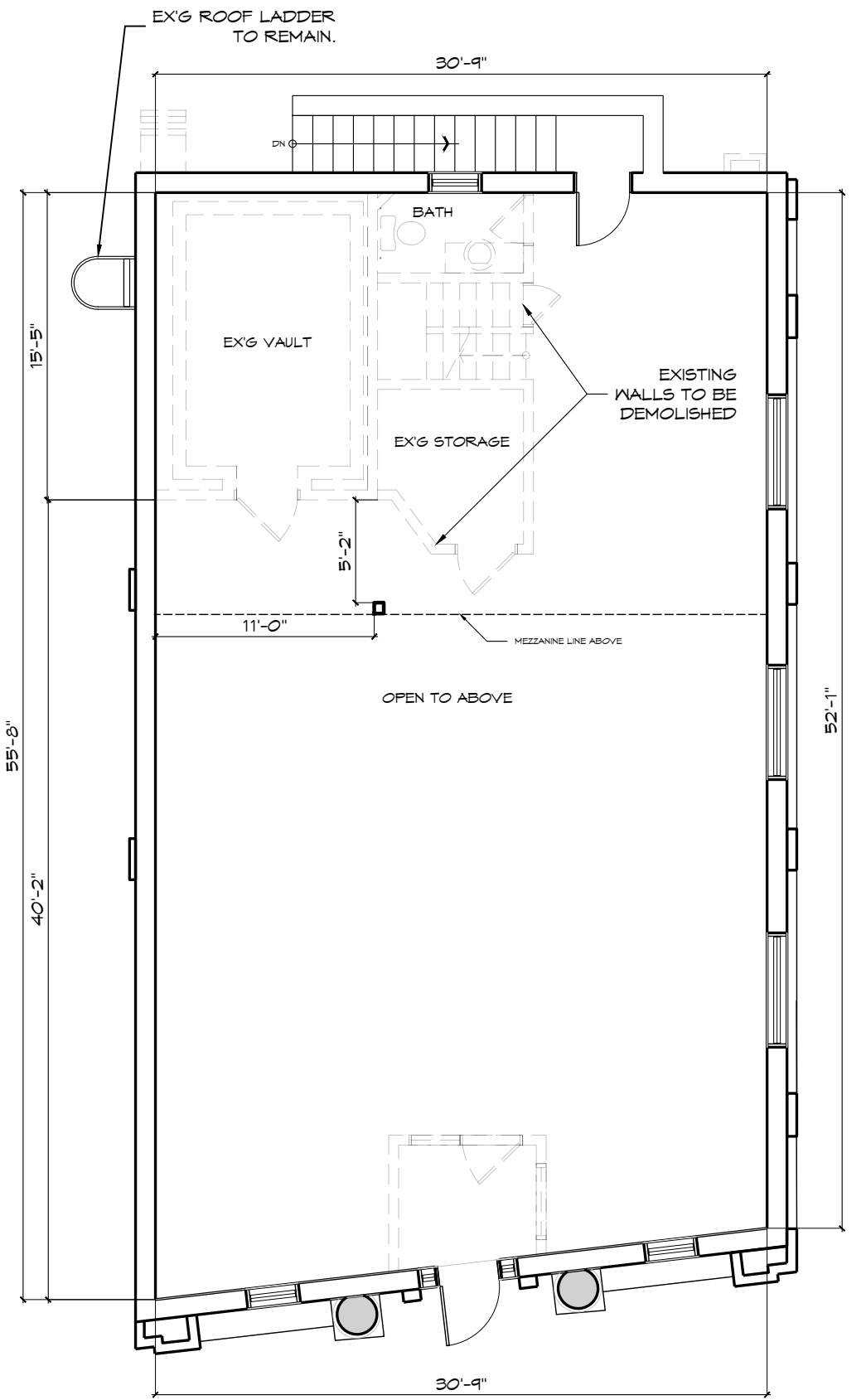
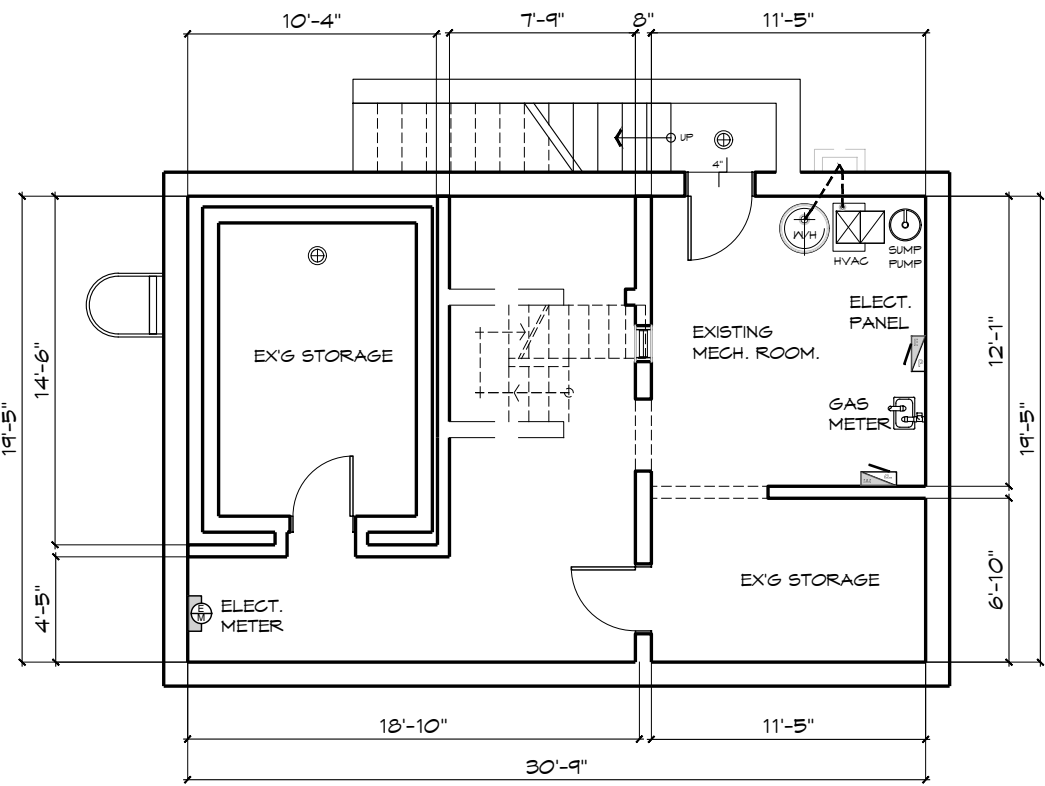
ALLENDALE

200 FOOT LIST 1809/3 - 90 W ALLENDALE

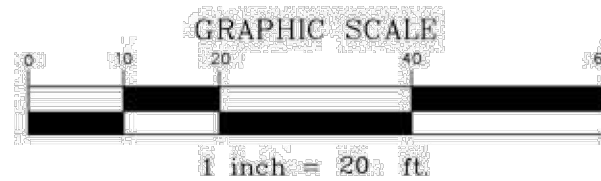
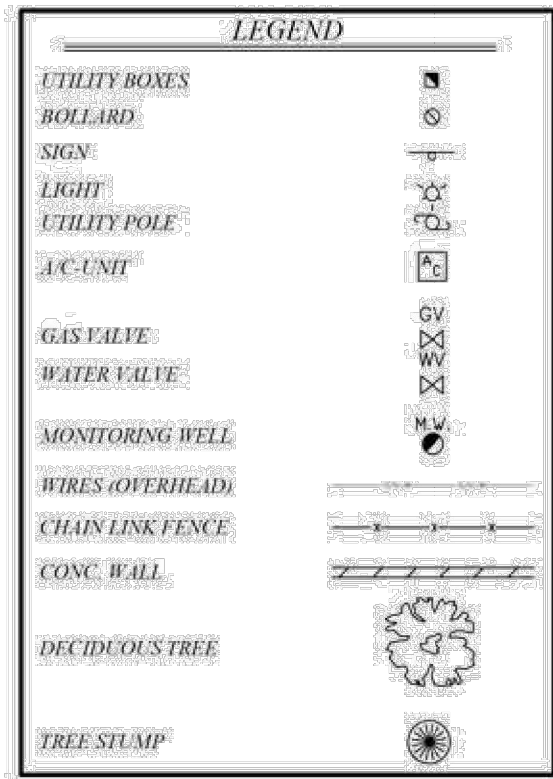
06/27/23 Page 2 of 2

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
1809	2		4A	DEEPER LIFE A N J CORPORATION 80 GREENWOOD AVENUE MIDLAND PARK, NJ 07432	96 W ALLENDALE AVE	

ALLENDALE STEAK HOUSE  
RESTAURANT ALTERATIONS.  
90 WEST ALLENDALE AVENUE  
ALLENDALE, NJ.  
LOTS 3 & 4 BLOCK 1809



NOTE:  
NO CHANGES ON THE EXISTING  
IMPERVIOUS COVERAGE



SURVEY INFORMATION FROM :  
DMC ASSOCIATES INC.  
PROFESSIONAL LAND SURVEYORS  
6 CAREY AVE. BUTLER , NJ 07405  
TEL: (973) 838 9187  
Robert I. Cigol,  
N.J.P.L.S No: 24GS04026100  
DATED: 06/28/2023

EVANS ARCHITECTS AIA

MATTHEW G. EVANS  
ARCHITECT - PROFESSIONAL PLANNER

470 CHAMBERLAIN AVENUE  
PATERSON NEW JERSEY 07522  
973 942-9020  
MATT@EVANSARCHITECTS.COM  
WWW.EVANSARCHITECTS.COM

PROPOSED  
RESTAURANT ALTERATIONS  
FOR  
ALLENDALE STEAK HOUSE  
90 WEST ALLENDALE AVENUE  
ALLENDALE, NJ

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DRW BY	DATE	REV	COMMENT
JQ	04-05-23		
JQ	05-19-23	1	UPDATED HVAC UNITS
JQ	06-19-23	2	UPDATED AS PER PLAN REVIEW LETTERS June 7 & June 16, 2023
JQ	08-02-23	3	PRELIMINARY / SITE PLAN

SITE PLAN / EXISTING PLAN

MATTHEW G. EVANS  
ARCHITECT - PLANNER

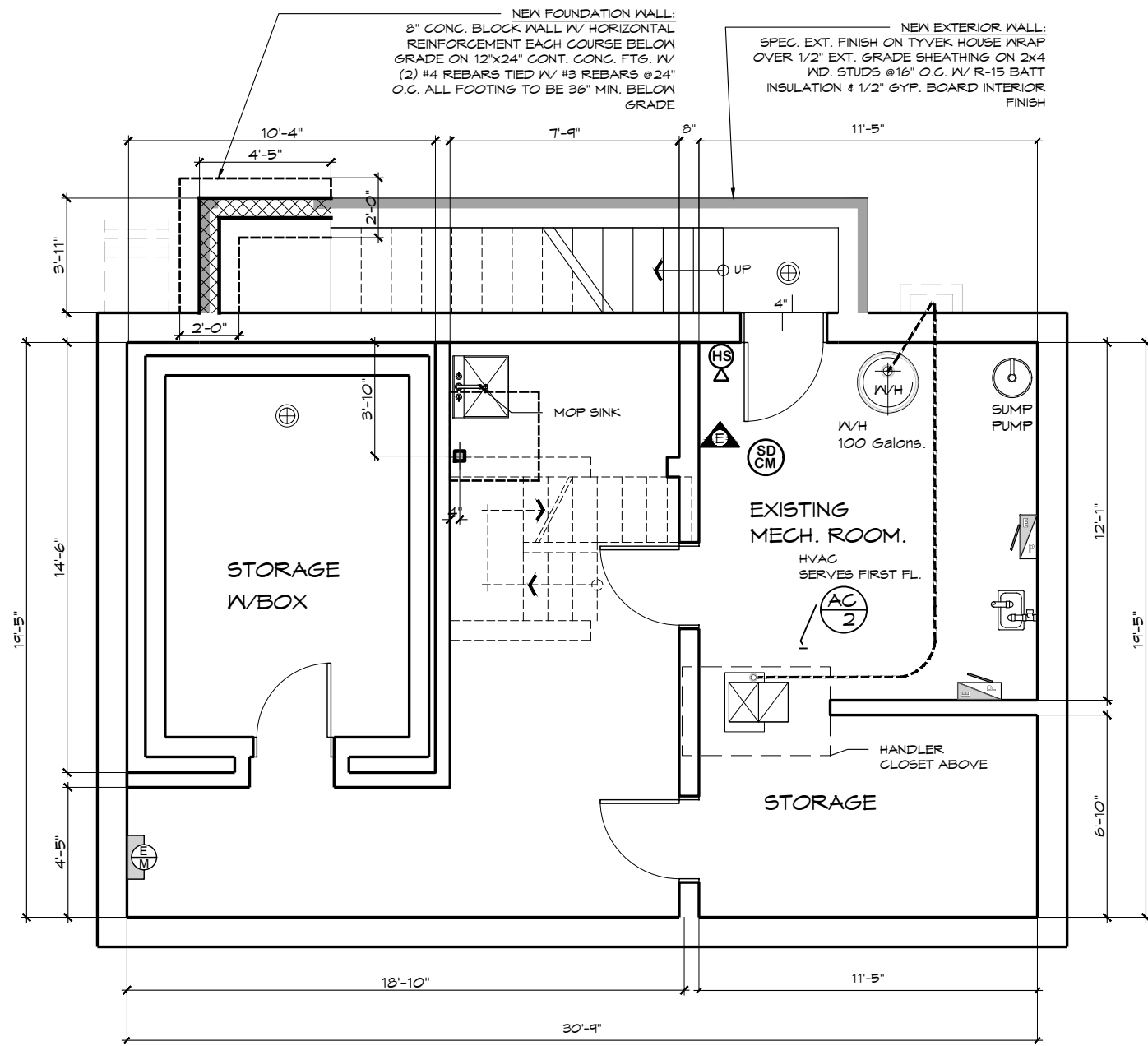
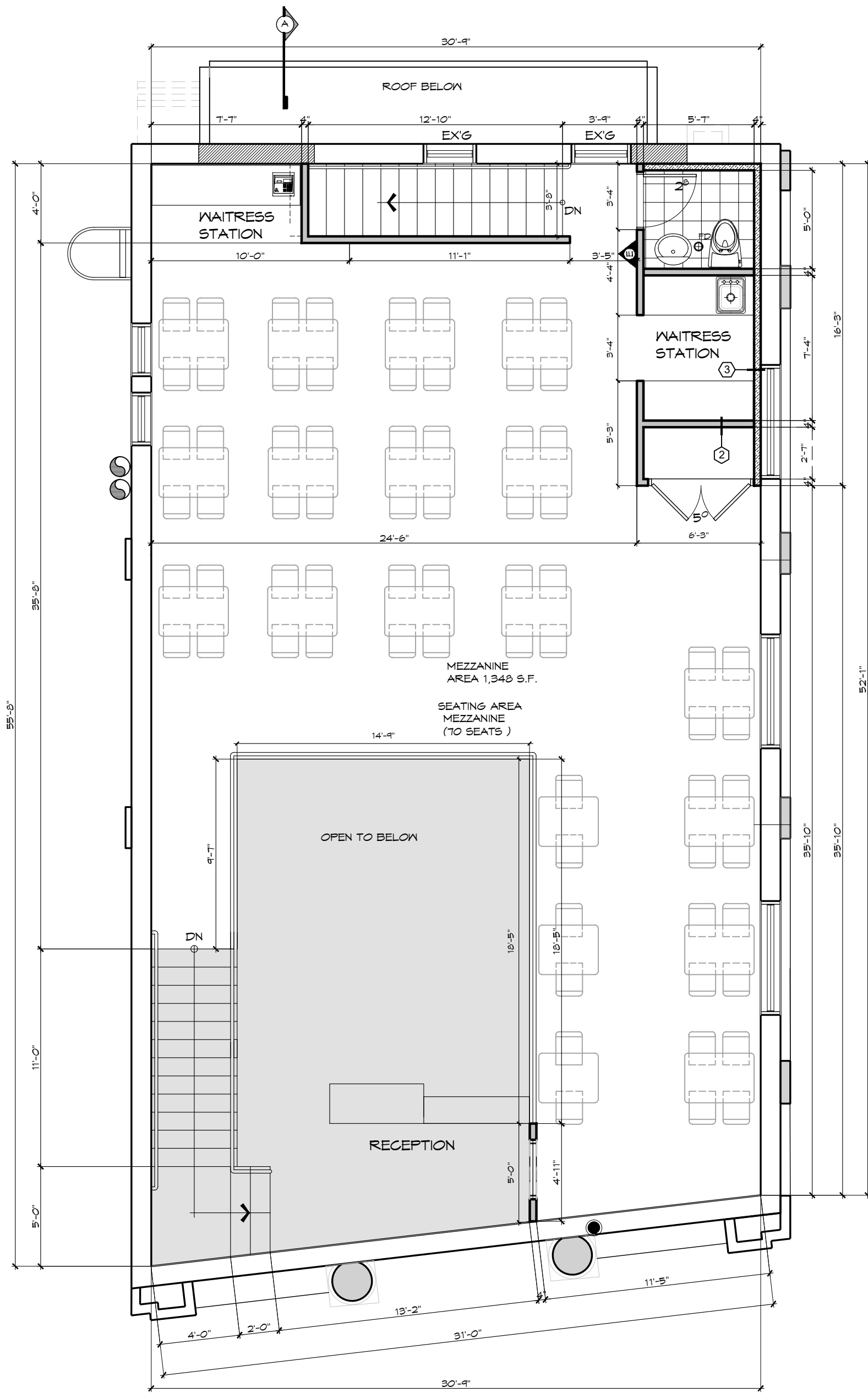
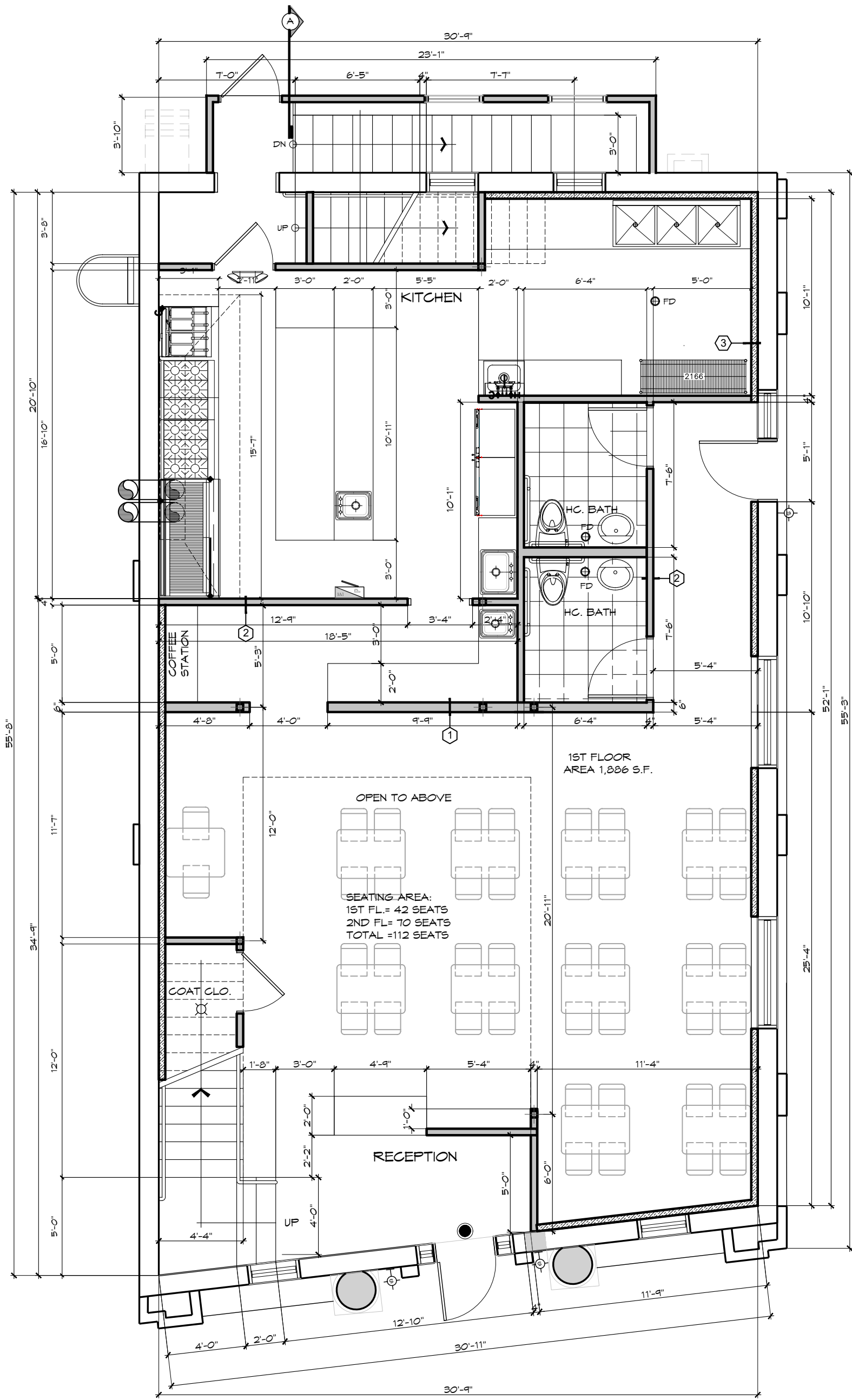
ll

R.A. NJ. 13803 R.A. NY. 28125  
P.P. NJ. 5862

SHEET  
NUMBER

SK-1





LEGEND	
	EXISTING PARTITIONS SPEC. STUDS @ 16" O.C.
	NEW PARTITIONS SPEC. STUDS @ 16" O.C.
	1-HOUR FIRE RATED PARTITION SPEC. STUDS @ 16" O.C. W/ 5/8" TYPE X GYPSUM BOARD EACH SIDE (SEE DETAIL)
	NEW CH. WALL
	NEW DOOR (TYPICAL) 3'0" x 3'0" (36") 2'0" x 2'0" (24") NOTE: ALL WINDOWS AND SLIDING DOOR REEF ARE ANDERSEN OR EQ. 304B ENCEED EGRESS DM- 5.1 SQ. INCH

## EVANS ARCHITECTS AIA

MATTHEW G. EVANS  
ARCHITECT - PROFESSIONAL PLANNER

470 CHAMBERLAIN AVENUE  
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MATT@EVANSARCHITECTS.COM  
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RESTAURANT ALTERATIONS  
FOR  
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90 WEST ALLENDALE AVENUE  
ALLENDALE, NJ

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## FLOOR PLANS

MATTHEW G. EVANS  
ARCHITECT - PLANNER

SK-2

SHEET  
NUMBER

SK-2

R.A. NJ 13803 R.A. NY 26125  
P.P. NJ 5662



EXISTING FRONT ELEVATION  
SCALE:3/16" = 1'-0"



EXISTING RIGHT ELEVATION  
SCALE:3/16" = 1'-0"



EXISTING REAR ELEVATION  
SCALE:3/16" = 1'-0"



EXISTING LEFT ELEVATION  
SCALE:3/16" = 1'-0"

LEGEND			
DEMOLITION WALL (TYPICAL)			
1 HR. FR. (TYPICAL)			
EXG. WALL (TYPICAL)			
MASONRY WALL / INFILL			
NEW WALL			
DOOR (TYPICAL) 3'0\"/>			
EXG = EXISTING TO REMAIN			

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MATTHEW G. EVANS  
ARCHITECT - PROFESSIONAL PLANNER

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PROPOSED  
RESTAURANT ALTERATIONS  
FOR  
ALLENDALE STEAK HOUSE  
90 WEST ALLENDALE AVENUE  
ALLENDALE, NJ

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ELEVATIONS

MATTHEW G. EVANS  
ARCHITECT - PLANNER

SK-3

R.A. NJ. 13803 R.A. NY. 28125  
P.P. NJ. 5862



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

**DATE: October 18, 2023**

**RESOLUTION# LUB 23-18**

Carried ☐ Defeated ☐ Tabled

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
<b>Bergen</b>						
<b>Putrino</b>						
<b>Kistner</b>						
<b>Daloisio</b>						
<b>Dalo</b>						
<b>Sirico</b>						
<b>Wilczynski</b>						
<b>Warzala, Alt. 1</b>						
<b>Butler, Alt. 2</b>						

**RESOLUTION 23-18**

**LAND USE BOARD OF THE BOROUGH OF ALLENDALE**

**RESOLUTION APPROVING  
PRELIMINARY AND FINAL SITE PLAN FOR  
ALLENDALE SENIOR HOUSING CORP.  
BLOCK 1708, LOT 1 & 9  
(a/k/a CEBAK COURT)**

**WHEREAS**, the applicant, ALLENDALE SENIOR HOUSING CORP., has applied for preliminary and final site plan to extend a private roadway known as Cebak Court in order to construct an additional two buildings to house four new units of age-restricted senior housing, and to add parking spaces and an asphalt walkway to connect with Mallinson Street, on Block 1708, Lot 1 & 9, as well as other associated site improvements to its premises; and

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

**DATE: October 18, 2023**

**RESOLUTION# LUB 23-18**

**WHEREAS**, the Allendale Urban Renewal, LP, of which Allendale Senior Housing Corp is a partner, is the owner of Block 1708, Lot 1 & 9; and

**WHEREAS**, the Land Use Board has reviewed the evidence and testimony of the Applicant and its professionals, including Engineering, Architectural and construction plans, and the testimony of the Borough Engineer, at its public meeting on September 18, 2023; and

**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 in the SC Redevelopment Zone District. This Zone was created for the purposes of the construction of the original eight structures. The Zone provides for a density of 10 units per acre. There currently exists 6.5 units per acre, and the applicant is proposing 8.13 units per acre with this application, which is still below the maximum permitted. No variances are requested as part of the application.

3. As part of the application, the applicant submitted a Land Use Application dated August 16, 2023, which included various correspondence and reports; a Report, entitled, "Drainage Calculations For Allendale Senior Housing Corp., Cebak Court, Block 1708 – Lots 1 & 9, Borough of Allendale, NJ, Bergen County, New Jersey," prepared by Schwanewede Hals & Vince (David A Hals, PE, LS, PP, CME) and dated July 31, 2023; Architectural Plan Set entitled, "Allendale Housing Inc., Block 1708-Lots 1&9, Cebak Ct, Allendale, NJ", prepared by Z+ Architects, LLC (Michael Scro), which consist of 3 sheets and are dated August 2, 2023; and a Site Plan Set (including copy of survey), entitled, "Preliminary & Final Site Plan, Allendale Senior Housing Corp., Block 1708-Lots 1 & 9, Cebak Court, Borough of Allendale, Bergen Co., NJ", prepared by Schwanewede Hals & Vince (David A Hals, PE, LS, PP) which consist of 6 sheets and are dated July 31, 2023. These plans and exhibits were in evidence and reviewed and examined by the members of the Land Use Board.

4. A Board Member of the applicant, Vincent Barra, was sworn and testified as to the nature of the organization, and its goals in connection with the application. Mr. Barra testified as to the need for senior housing in the Borough, and the current operations at the site. He testified that there are 16 units on site at present, and the application seeks to add four units, for a total of 20 units. He testified that there is a waiting list for occupancy of the units of approximately 170

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

**DATE: October 18, 2023**

**RESOLUTION# LUB 23-18**

people. He also testified that the units have existed since 1995. Senior housing is specifically encouraged by the Borough of Allendale and the Borough's Master Plan.

5. The applicant's engineer, David Hals, P.E., was sworn, accepted as an expert and testified as to the existing conditions and proposed improvements to the site. He testified that the site is relatively flat and is located off of First Street. The proposed improvements are directly adjacent to the existing units, at the end of Cebak Court. The applicant is proposing to construct two buildings, which will house a total of four additional units of senior housing. Each unit is a one-bedroom apartment with a kitchen and living area. The proposed units are similar to the existing units but are upgraded to meet current code and will be fully ADA compliant and accessible. The new units will match existing zoning restrictions and appearance on site. It is proposed to add six parking stalls, for a total of ten parking spaces. One handicap parking spot is proposed, and two EV charging spaces are to be provided. All parking spaces will comply with RSIS standards. Mr. Hals also testified as to the landscaping which is to be added, so as to shield the property from neighbors, and which will consist of mature green giant arborvitae. Water and storm run-off is to be piped to seepage pits on site, and the project will meet or exceed all stormwater management regulations. The site plan and application meets all subdivision standards of the Borough, and will have no negative impact on adjoining properties. Exhibit A-1 and A-2 were presented by Mr. Hals and were color depictions of the plans submitted with the application.

6. The applicant's architect, Mary Fitzpatrick Scro, AIA, was sworn, accepted as an expert and testified as to the proposed new buildings to be added to the site. Ms. Scro presented Exhibit A-3, which was a colorized version of the floor plan of the units. The new buildings would generally match the aesthetics and layout of the existing building and units, except the new units would be upgraded to meet current code and be fully accessible and ADA compliant. The units would be built slab on ground without any step up, increasing accessibility. The bathrooms would also be larger to reflect current code requirements. HVAC units would be placed in the rear of the units, as exists at present.

7. No variance relief was requested or required, as the existing development and proposed improvements are fully compliant with the Borough Code and the SC Zone. Nevertheless, testimony was given that the Borough Master Plan specifically encourages development of senior housing in the Borough and in this zone, and that all bulk requirements are compliant with existing standards.

8. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant, and prepared a memo dated September 12, 2023, which was reviewed by the Board. Mr. Vreeland provided testimony relative to the application to the Land Use Board and testified that the proposed site plan improvements would have no detrimental impact and would provide a benefit to the community under the MLUL. The applicant specifically agreed to comply with the requirements set forth in Mr. Vreeland's memo.

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9. Members of the public appeared in connection with the application and asked questions of the witnesses and made comments on the merits of the application.

**BE IT FURTHER RESOLVED**, based upon the factual and legal evidence, and testimony and contentions set forth herein by the applicant's professionals and the Borough Engineer, said testimony and evidence which is specifically adopted by the Land Use Board, that the Allendale Land Use Board hereby grants the applicant's request for a preliminary and final site plan approval to allow the improvements referenced in the application, to wit, construction of two buildings on Cebak Court, which will result in the addition of four age-restricted senior housing units in the SC Zone, as well as other associated site improvements to the premises as proposed in the application; and

**BE IT FURTHER RESOLVED** that the Allendale Land Use Board specially adopts and accepts the testimony of the applicant, its professional engineer, professional architect and the Borough Engineer, in connection with the testimony that the applicant is entitled to preliminary and final site plan approval.

**BE IT FURTHER RESOLVED** that the Allendale Land Use Board hereby grants approval of the preliminary and final site plan, subject to the following conditions:

- 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, if not waived, shall be paid in full to the Borough of Allendale by the applicant.
- B. Landscape improvements on the site shall be addressed in the field in consultation with the Borough Engineer in order to minimize any impact on surrounding properties and provide adequate shielding and buffering of the proposed improvements.

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C. Applicant and its professionals shall work with the Borough Engineer and comply with Mr. Vreeland's September 12, 2023 review letter, inclusive of Sections 4.1 through 4.25.

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

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

\_\_\_\_\_  
MICHAEL SIRICO, Chairman

Attest:

\_\_\_\_\_

Adopted October 18, 2023



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

**DATE: October 18, 2023**

**RESOLUTION# LUB 23-19**

Carried ☐ Defeated ☐ Tabled

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
<b>Bergen</b>						
<b>Putrino</b>						
<b>Kistner</b>						
<b>Daloisio</b>						
<b>Dalo</b>						
<b>Sirico</b>						
<b>Wilczynski</b>						
<b>Warzala, Alt. 1</b>						
<b>Butler, Alt. 2</b>						

**RESOLUTION 23-19**

**LAND USE BOARD OF THE BOROUGH OF ALLENDALE**

**RESOLUTION APPROVING  
APPLICATION FOR MINOR SUBDIVISION OF  
BARRY POSKANZER  
BLOCK 1503, LOT 14 & 15  
(a/k/a 40 & 42 CARTERET ROAD)**

**WHEREAS**, the applicant, Barry Poskanzer, the owner of the property located at 40 and 42 Carteret Road, known as Block 1503, Lot 14 & 15 on the Tax Map, in the Borough of Allendale, has applied for minor subdivision approval, in connection with the property commonly known as 40 and 42 Carteret Road, which is located in the AA residential zone of the Allendale Zoning Code; and

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**WHEREAS**, the applicant, Barry Poskanzer, is the owner of adjoining lots identified as 40 Carteret Road and 42 Carteret Road, which are currently improved with one single family residence and associated amenities. Lot 15 has a single-family dwelling; Lot 15 is vacant land. Both lots are larger than required for the zone and fully conforming; and

**WHEREAS**, the applicant is proposing a subdivision to realign a lot line between the two adjoining lots. The lot line is an internal lot line in which additional property will be added to Lot 15, which contains the single-family home. The frontage of both lots will remain the same.

**WHEREAS**, the Land Use Board considered the matter at the September 18, 2023 regular meeting of the Land Use Board at which the applicant, Barry Poskanzer, through counsel and by the presentation of evidence, personally appeared;

**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 not required under provisions of the Municipal Land Use Law.

2. The property is located at 40 and 42 Carteret Road, known as Block 1503, Lot 14 & 15, on the Tax Map of the Borough of Allendale. The properties are located in the AA residential zone, which permits single family structures and uses. The application was in evidence.

3. As part of the application, the applicant submitted a survey and plot plan entitled, "Proposed Minor Subdivision Of, Tax Lots 15 And 14, Block 1503.01, A.K.A. 40 Carteret Road and 42 Carteret Road, Borough of Allendale, Bergen County, New Jersey". The plan prepared by DMC Associates, Inc. (Robert L. Cigol, PLS) is dated July 20, 2023. The plans include a description of the existing conditions and the proposed preliminary minor subdivision. These plans and exhibits were in evidence and reviewed and examined by the members of the Land Use Board and its professionals.

4. The applicant, Barry Poskanzer, and counsel presented the plans and explained the relief requested in the application. It was explained that the application sought merely the

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realignment of the lot line between the two properties and requested no variance relief. The subdivision would create and maintain two fully conforming lots in the zone. The new lot would also contain a private Deed restriction, to include a non-disturbance area between the lots, and a 100-foot front yard setback. There were no plans presented and there is no present plan to build on the vacant lot, there will be no soil movement, and there will be no removal of trees as a result of the proposed subdivision. The subdivision will be perfected by the filing of Deeds.

5. The application was reviewed by the Engineer for the Land Use Board, and the Land Use Board considered input from its Engineer in reviewing and considering the application. Mr. Vreeland's Memorandum, dated September 1, 2023, 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 subdivision would have no impact on surrounding properties. The applicant specifically agreed to incorporate the recommendations of the Borough Engineer's review letter and testimony into the subdivision plans.

**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 application for minor subdivision plan approval of Block 1503, Lot 14 & 15 to realign the lot line between the two lots; and

**BE IT FURTHER RESOLVED** that the Land Use Board has determined that the proposed subdivision lots, which are fully conforming, will be similar to other lots within the area and not out of character with the neighborhood and that there will be no adverse impact to the overall zone plan or zoning element of the Borough of Allendale and its Master Plan, and such relief is appropriate in this instance; and

**BE IT FURTHER RESOLVED** that the Land Use Board has determined that the proposed subdivision meets all the requirements of the Borough subdivision Ordinance as is applicable to the application; and

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**BE IT FURTHER RESOLVED** that in view of the fact that there are no public improvements required, the Applicant shall not be required to enter into a Developer's Agreement. However, the Applicant shall post all necessary fees, and pay all expenses for the Borough's professionals as it pertains to the review of this application. The Applicant shall perfect this subdivision by deed and the deeds are subject to review and approval by the Land Use Board Attorney and/or Borough Attorney and the Land Use Board Engineer; and

**BE IT FURTHER RESOLVED** that the Allendale Land Use Board hereby grants approval of the requested minor subdivision and site plan, subject to the following conditions:

- 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 and comply with Mr. Vreeland's September 1, 2023 review letter, inclusive of Sections 3.1 through 3.5.

**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.

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**DATE: October 18, 2023**

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Approved:

ALLENDALE LAND USE BOARD

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MICHAEL SIRICO, Chairman

Attest:

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JOSEPH DALOISIO, Secretary

Adopted: October 18, 2023



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

**DATE: October 18, 2023**

**RESOLUTION# LUB 23-20**

Carried ☐ Defeated ☐ Tabled

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
<b>Bergen</b>						
<b>Putrino</b>						
<b>Kistner</b>						
<b>Daloisio</b>						
<b>Dalo</b>						
<b>Sirico</b>						
<b>Wilczynski</b>						
<b>Warzala, Alt. 1</b>						
<b>Butler, Alt. 2</b>						

**RESOLUTION 23-20**

**LAND USE BOARD OF THE BOROUGH OF ALLENDALE  
RESOLUTION APPROVING  
APPLICATION FOR VARIANCE FOR  
GIUSEPPE & ALEXANDRA DEPINTO  
BLOCK 1503, LOT 16  
(a/k/a 20 STONE FENCE ROAD)**

**WHEREAS**, the applicant, GIUSEPPE & ALEXANDRA DEPINTO, the owners of the property located at 20 Stone Fence Road, known as Block 1503, Lot 16 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 August 29, 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

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**DATE: October 18, 2023**

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**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 an addition to the rear of the structure for a new kitchen and dining area, rear deck, and basement; and

**WHEREAS**, the application seeks specific variance relief for side yard setback; and

**WHEREAS**, the Land Use Board considered the matter at the September 18, 2023 regular meeting of the Land Use Board at which time the applicant 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 20 Stone Fence Road, known as Block 1503, Lot 16 on the Tax Map of the Borough of Allendale. The property is located in the AA residential zone. The application was in evidence.
3. As part of the application, the applicant submitted the Land Use Application and associated documents; the June 28, 2023, Allendale Code Enforcement Office correspondence (Anthony Hackett) to applicant deny zoning application; Plans entitled, "Area of Work"; and Architectural Plan Set entitled, "Addition At, 20 Stone Fence Road, 20 Stone Fence Road, Allendale, New Jersey 07401, Block 1503, Lot 16". The plans prepared by Michael A. Bet Architect, PC consist of 4 sheets and are dated with a latest revision date of May 30, 2023.
4. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated September 12, 2023. The Memorandum was in evidence and reviewed and examined by the members of the Land Use Board.

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5. Variance relief is required because this property located in the AA residential zone has pre-existing, non-conforming conditions, due to the rear yard encroachment, as follows:

§270-64B – Side Yard Setbacks. The existing right setback is noted to be  $\pm 0.5$  ft less than the required  $\pm 20$  ft. The proposal increases the GBA and expands the required enhanced side yard to  $\pm 21.78$  ft. The plan proposes to maintain the right setback distance and the renovated dwelling will further encroach into the expanded setback requirement.

6. The subject is currently developed with a single-family dwelling and associated amenities. The property is located within the Borough's AA Residence Zone District and is surrounded by residential uses. The application and plans propose addition and renovations to the dwelling (including rear footprint and first floor expansions). The application and plans request relief for conflicts with §270-37(A) (additions to nonconforming structures) and §270-64B (enhanced side yard setback).

7. The applicant's professional, Michael Bet, AIA, a licensed architect was sworn and accepted as an expert in the field of architecture. He testified as to the existing conditions of the property and the existing structure. The house structure is skewed on the property, and not centered on the lot. The applicant is seeking a one-story addition to the rear of the home to create a larger kitchen and dining area, and a larger back patio, by creating a larger building footprint. No work is being done on the existing pool or pool house. The variance relief requested is solely for a side-yard setback encroachment, which exists presently. Due to the increase in footprint, the side yard setback requirement is expanding from 20 feet to 21.78 feet, where 19.5 feet presently exists. The side yard encroachment is not expanding, it is merely a factor of the enhanced side yard setback requirement due to the increase in building area. No other variance relief is requested. This is a hardship C1 variance request. There will be new siding and design elements associated with the addition which will be an aesthetic improvement to the home. Any improvements on the property would require variance relief, due to the pre-existing non-conforming conditions. The addition would be aesthetically pleasing to the property and consistent with the neighborhood. The vegetation at the rear of the property is to remain, which will lessen any impact of the addition to any surrounding properties. There will be minimal to no visible impact to neighbors, and no additional lighting is proposed. The proposed addition is in the appropriate location in reference to the existing structure on the lot.

8. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated September 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. The applicant specifically agreed to incorporate the recommendations of the Borough Engineer's review letter and testimony into the renovation plans.

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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's professional and the Borough Engineer, in connection with the testimony that the applicant is entitled to variance relief, due to the unique nature of the property, namely the irregular shape, physical placement of the home on the lot, and the pre-existing non-conforming condition, namely the existing side yard setback encroachment, which are all deemed hardships by the Board. In addition, the hardships associated with the present condition of the property and premises outweigh the negative criteria to the Borough zoning ordinances and the zone plan and neighborhood. Further, the addition will be aesthetically pleasing, it will conform with FAR regulations, and will not be obtrusive due to the placement and location of the proposed improvements and relatively minimal increase in encroachment; and

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

A. All fees and assessments required by ordinances, and due and owing to the Borough of Allendale for this site for professional review and approval of the applicant's plans, shall be paid in full to the Borough of Allendale by the applicant.

B. Applicant and professionals shall work with the Borough Engineer in the event that any field adjustments shall be required for the proper construction of the proposed addition, so as not to negatively impact any surrounding properties and to minimize and address any stormwater or drainage issues, and comply with Mr. Vreeland's September 12, 2023 review letter, specifically points 4.1 through 4.7.3.

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.

**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.



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Approved:

ALLENDALE LAND USE BOARD

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MICHAEL SIRICO, Chairman

Attest:

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JOSEPH DALOISIO, Secretary

Adopted: October 18, 2023

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

**DATE: October 18, 2023**

**RESOLUTION# LUB 23-21**

Carried ☐ Defeated ☐ Tabled

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
<b>Bergen</b>						
<b>Putrino</b>						
<b>Kistner</b>						
<b>Daloisio</b>						
<b>Dalo</b>						
<b>Sirico</b>						
<b>Wileczynski</b>						
<b>Warzala, Alt. 1</b>						
<b>Butler, Alt. 2</b>						

**RESOLUTION 23-21**

**LAND USE BOARD OF THE BOROUGH OF ALLENDALE  
RESOLUTION APPROVING  
APPLICATION FOR VARIANCE FOR  
RUSSELL & LISA YOUNG  
BLOCK 1901, LOT 11  
(a/k/a 101 EAST ORCHARD STREET)**

**WHEREAS**, the applicant, RUSSELL & LISA YOUNG, the owners of the property located at 101 East Orchard Street, known as Block 1901, Lot 11 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 August 7, 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

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

**WHEREAS**, the application and plans specifically seek approval to construct renovations to the existing dwelling foundation, including renovations to construct a new center hall colonial style home on the site of the present foundation, and to expand the footprint and raise the height of the structure in place; and

**WHEREAS**, the application seeks specific variance relief for side yard setback; and

**WHEREAS**, the Land Use Board considered the matter at the September 20, 2023 regular meeting of the Land Use Board at which time the applicant and professional architect 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 101 East Orchard Street, known as Block 1901, Lot 11 on the Tax Map of the Borough of Allendale. The property is located in the AA residential zone. The application was in evidence.
3. As part of the application, the applicant submitted the Land Use Application and associated documents; August 7, 2023 Allendale Code Enforcement Office correspondence (Anthony Hackett) to Russel & Lisa Young denying zoning application; and a Plan Set entitled, "Young Residence, 101 E. Orchard Street, Allendale, NJ,". The plans prepared by Z+ Architects, LLC (Mary Fitzpatrick Scro, AIA) consist of 18 sheets and are dated August 2, 2023.

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4. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated September 16, 2023. The Memorandum was in evidence and reviewed and examined by the members of the Land Use Board.

5. Variance relief is required because this property located in the AA residential zone has pre-existing, non-conforming conditions, as follows:

§270-54E – Minimum Lot Area. The zoning table indicates the existing  $\pm 22,044$  sf lot area is less than the required 26,000 sf. The application does not appear to alter this condition.

§270-54F – Minimum Lot Width. The zoning table indicates the existing  $\pm 115$  ft lot width is less than the required 130 ft. The application does not appear to alter this condition.

§270-64B – Side Yard Setbacks. Existing gross building area (GBA) does not trigger the enhanced side yard setback requirements. The existing dwelling's  $\pm 17.3$  ft right setback is less than the required 20 ft (existing left setback exceeds requirement). The proposal increases the GBA and triggers the enhanced side yard setback requirements. The zoning table indicates the required enhanced side yard setback is  $\pm 34.87$  ft. The proposal will encroach  $\pm 17.57$  ft into the enhanced right setback. It also appears that more than  $\pm 30\%$  of the proposed dwelling and deck will encroach into the enhanced right setback.

6. The subject  $\pm 0.506$ -acre property is currently developed with a single-family dwelling and associated amenities. The application and plans propose to remove the existing structure and construct a new dwelling with associated amenities. The application and plans request relief for conflict with §270-64B(2) (side yard setback).

7. The applicant's architect, Mary Fitzpatrick Scro, AIA, was sworn, accepted as an expert in the field of architecture and testified as to the proposed renovation. The property is presently non-conforming due to being undersized for the zone, as well as narrower than required for the zone. She testified as to the existing conditions of the property and the existing structure. The applicant proposes to remove the existing structure, rebuild on and expand the existing foundation, and add additional space to create a new center hall colonial style home. The proposed renovation meets requirements for height, front and rear yard setbacks, left yard setback and FAR. The sole variance sought is for right side yard setback. The side yard encroachment is not expanding, it is merely a factor of the enhanced side yard setback requirement due to the increase in building area. The present and proposed right side yard setback is 17.3 feet. Due to the proposed renovation, the enhanced side yard setback requirement is 34.9 feet. So while the proposed renovation will not further encroach into the side yard, it will be a deviation from the lot requirements and building will take place in the encroachment, due to the enhanced side yard setback requirement in light of the increased building coverage. To alleviate the encroachment, the primary additional bedrooms and construction will be on the left side of the home, where the

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setback is in compliance with the requirements. Also, the encroachment area is adjacent to the driveway area of the adjoining lot. She also testified that the renovation would be an improvement to the aesthetics that presently exist, consistent with the renderings submitted with the application, and in keeping with the aesthetics and style of homes in the neighborhood. Six trees are to be removed as part of the renovation, but landscaping will be added, and trees will be planted by the applicant at the completion of the renovation. Existing trees in the rear of the lot will remain. No other variance relief is requested.

8. Ms. Scro further testified that this is a hardship C1 variance request. Any improvements on the property would require variance relief, due to the pre-existing non-conforming conditions, i.e., lot size and lot width. The addition would be aesthetically pleasing to the property and consistent with the neighborhood. The vegetation at the rear of the property is to remain, which will lessen any impact of the addition to surrounding properties. Neither additional nor obtrusive lighting is proposed.

9. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated September 16, 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. The applicant specifically agreed to incorporate the recommendations of the Borough Engineer's review letter and testimony into the renovation plans.

10. 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 renovation 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's professional and the Borough Engineer, in connection with the testimony that the applicant is entitled to variance relief, due to the unique nature of the

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**DATE: October 18, 2023**

**RESOLUTION# LUB 23-21**

property, namely the pre-existing non-conforming conditions, namely the narrowness of the property and the undersized lot area, which are deemed hardships by the Board. In addition, the hardships associated with the present condition of the property and premises outweigh the negative criteria to the Borough zoning ordinances and the zone plan and neighborhood. Further, the addition will be aesthetically pleasing, it will conform with FAR regulations, and will not be obtrusive due to the placement and location of the proposed improvements; and

**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 renovation within Zone requirements, and 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 September 16, 2023 review letter, specifically points 4.1 through 4.7 and 5.1 through 5.5.

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.

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

**DATE: October 18, 2023**

**RESOLUTION# LUB 23-21**

**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:

ALLENDAL LAND USE BOARD

\_\_\_\_\_  
MICHAEL SIRICO, Chairman

Attest:

\_\_\_\_\_  
JOSEPH DALOISIO, Secretary

Adopted: October 18, 2023

## Memorandum

**To:** Borough of Allendale Land Use Board  
L. Garofalo, Board Secretary / C. Botta, Board Attorney

**Cc:** READ Properties LLC, Applicants / M. Evans, Applicant's Architect

**From:** Michael Vreeland, Board Engineer 

**Date:** October 16, 2023

**Re:** LUB 2023-10 – Allendale Steak House  
Site Plan (Referral)  
90 West Allendale Avenue  
Block 1809, Lot 3  
ALN-1001.067

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

- A. June 22, 2023, Allendale Code Enforcement Office correspondence (Anthony Hackett) to Eddie Veseli, denying zoning application and referring the application to the Board.
- B. Land Use Application and associated documents.
- C. Architectural Plan Set entitled, "Proposed Restaurant Alterations for Allendale Steak House, 90 West Allendale Avenue, Allendale, NJ," prepared by Matthew G. Evans, AIA, PP

We have reviewed the information along with the Borough Code (Code), visited the site and offer the following comments:

### 1. INTRODUCTION

The subject property is located at the corner of West Allendale Avenue and Maple Street. It is located within the Borough's C-1 Central Business Zone District. It is currently developed with a 2 ½ story brick commercial building and off-street parking facilities in the rear. The building was formerly occupied by First National Bank and Bank of America.

The application and plans propose alterations and renovations to convert the building into a restaurant. The application and plans do not include site improvements.

**Although the application and plans note Lot 3 and Lot 4. We do not believe Lot 4 currently exists. This should be reviewed and clarified by the applicant.**

### 2. TECHNICAL COMPLETENESS

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

#### OFFICE LOCATIONS

[www.vancleefengineering.com](http://www.vancleefengineering.com)

Lebanon, NJ  
908-735-9500

Hamilton, NJ  
609-689-1100

Toms River, NJ  
732-573-0490

Freehold, NJ  
732-303-8700

Bethlehem, PA  
610-332-1772

Hillsborough, NJ  
908-359-8291

Mt. Arlington, NJ  
862-284-1100

Phillipsburg, NJ  
908-454-3080

Doylestown, PA  
215-345-1876

Pottstown, PA  
610-323-4040



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

### 3. ZONING

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

3.1. Land Use Board Jurisdiction:

**Comment:** The Zoning Permit Denial Letter referred the applicant to the Land Use Board pursuant to §147-7B(2). We concur with the Zoning Official's determination and believe the proposed change in use would affect circulation, water supply, sewage disposal, off-street parking, and loading.

3.2. §270-38A & §270-40A – Off-Street Parking Requirements

**Comment:** Parking is to be provided in connection with uses that attract people using motor vehicles (specifically including restaurants). However, the Code does not explicitly list a restaurant requirement.

A parking requirement could be interpreted from '*other similar use of public assembly (with seats)*,' for which 1 space per 3 seats, plus 1 space per 2 resident employees and 1 space per 1 non-resident employee is required.

Utilizing this requirement, the proposed 112 seats would correspond to 38 spaces. Testimony should address anticipated resident and non-resident employees to establish the total parking demand.

### 4. TECHNICAL REVIEW COMMENTS

- 4.1. Testimony should address shared parking agreements that exist for the property as well as community parking programs.
- 4.2. An egress door is proposed along Maple Street. Testimony should confirm the door provides an accessible route without the need to construct a ramp in the sidewalk area.
- 4.3. Testimony should address exterior lighting as well as compliance with Code requirements.
- 4.4. Testimony should address management of solid waste and recyclables.
- 4.5. Testimony should address anticipated deliveries and loading operations.
- 4.6. Testimony should address proposed building finishes, colors, and materials.
- 4.7. Testimony should address proposed HVAC units, generators, and other exterior mechanical equipment.
- 4.8. The existing sewer service should be TV inspected prior to continued use. A grease trap should also be provided.
- 4.9. The Applicant shall coordinate any sewer adjustment fees associated with the change in use with Borough.
- 4.10. The Applicant shall coordinate water service required for the change in use with Veolia.

Please contact me should you have any questions.