

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 September 20, 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. 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 July 19, 2023)

[Revised plans](#)

[Application File No.: LUB 2023-07](#)

[Applicant: Russell & Lisa Young](#)

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

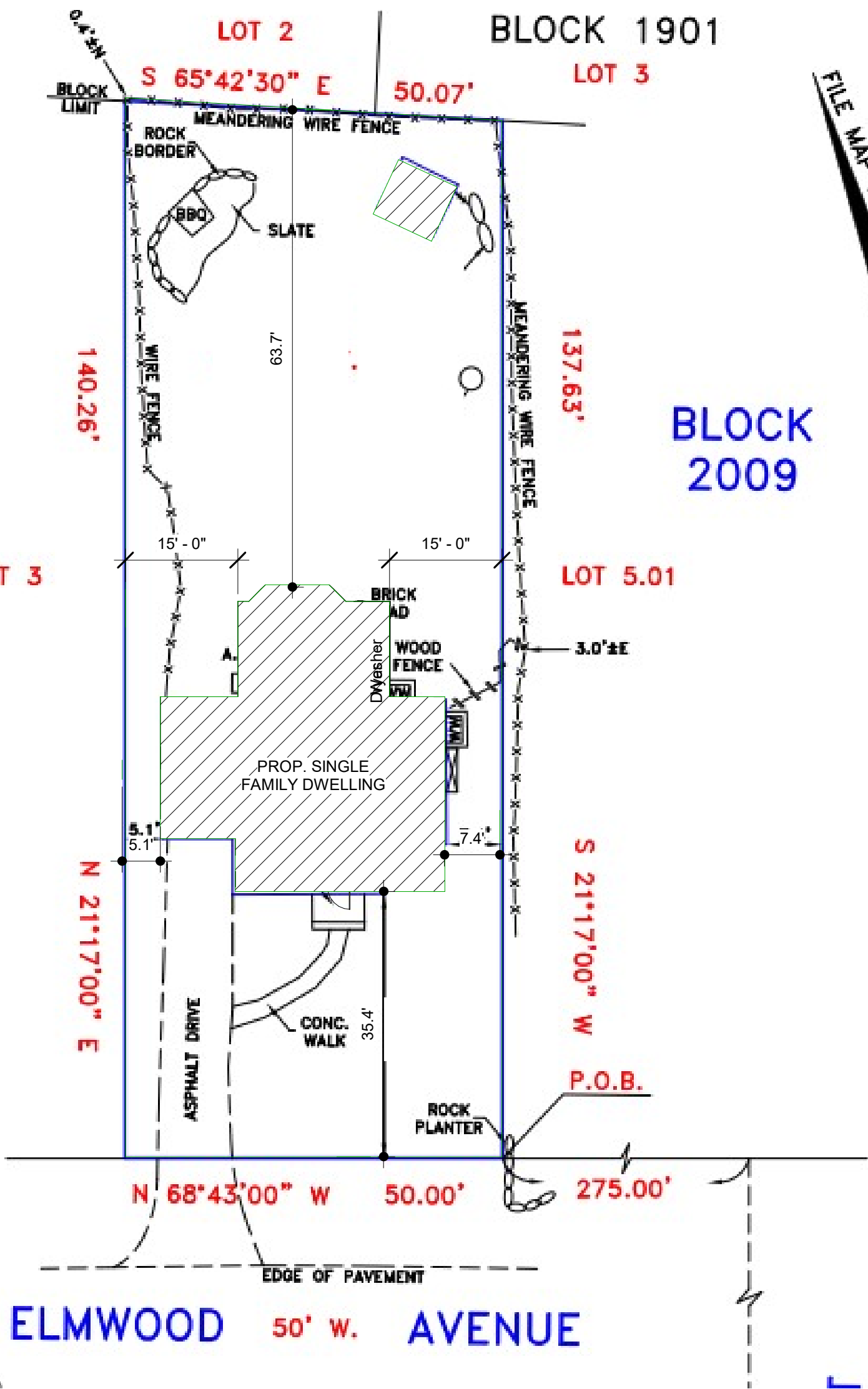
Block: 1901 Lot: 11

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

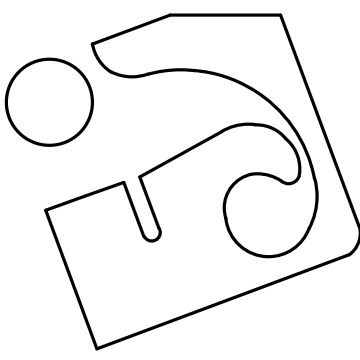
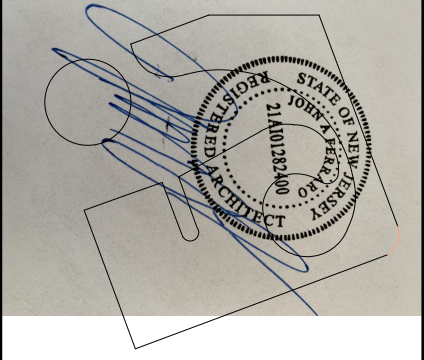
OPEN TO THE PUBLIC FOR COMMENT

- IV. OTHER
- VI. ADJOURNMENT

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



1 SITE PLAN Copy 1
1/16" = 1'-0"

		John Anthony Ferraro PC A R C H I T E C T 37 Maple Avenue New City, New York 10956 p : 845-624-0758 e : jafpc2@gmail.com				ZEOLI 41ELMWOOD AVE ALLENDALE NJ 07401		PROP. SITE PLAN		Project	ZEOLI
Scale		1/16" = 1'-0"		A-2A		Checked by		Author		Drawn by	9-11-23
Checked by		Checker		Author		Date		Project		ZEOLI	

LOT SIZE (SQFT) = 6947

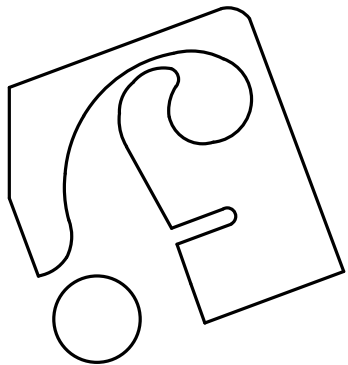
EXISTING F.A.R. = 22%

PROP. FIRST FLOOR SQFT. = 1086

PROP. SECOND FLOOR SQFT. = 802

TOTAL PROP. SQFT. = 1888

PROP F.A.R. = 27%



John Anthony Ferraro PC
ARCHITECT
37 Maple Avenue
New City, New York 10956
p: 845-624-0758
e: jafpc2@gmail.com



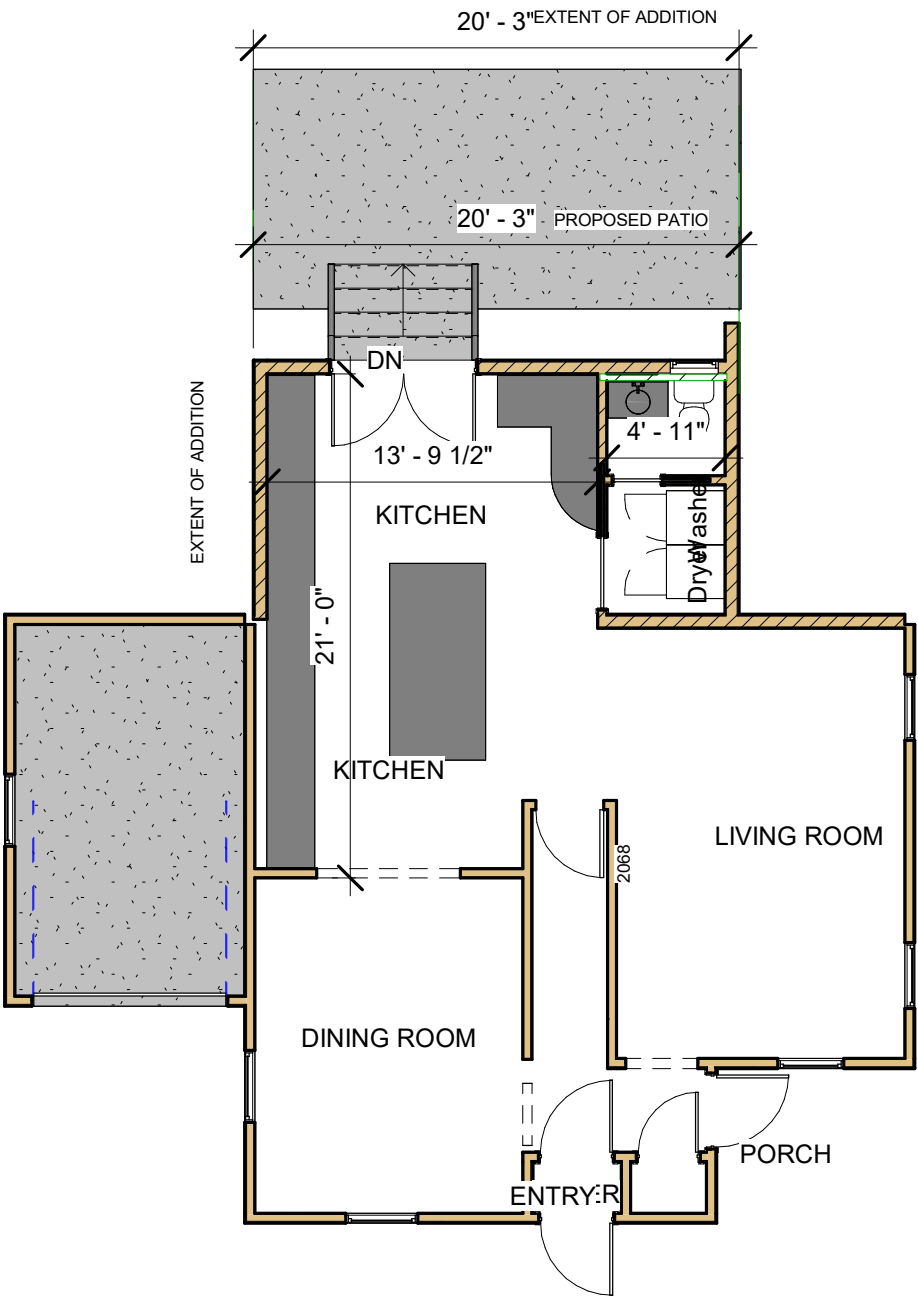
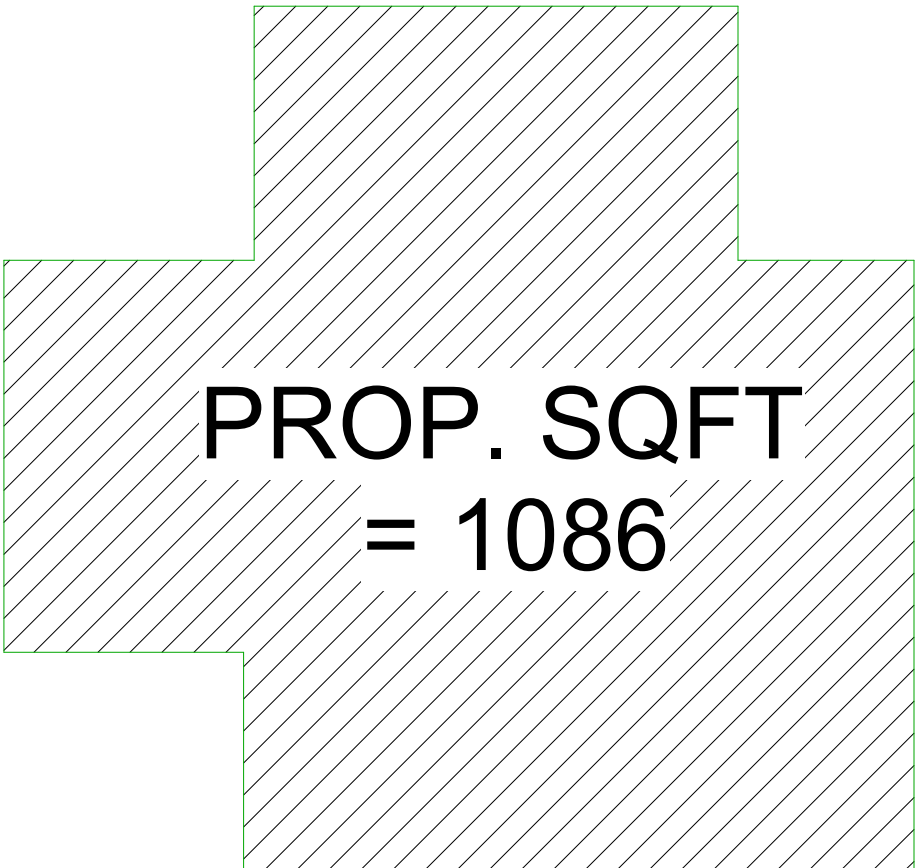
ZEOLI
41ELMWOOD AVE
ALLENDALE NJ 07401

ZONING ANALYSIS

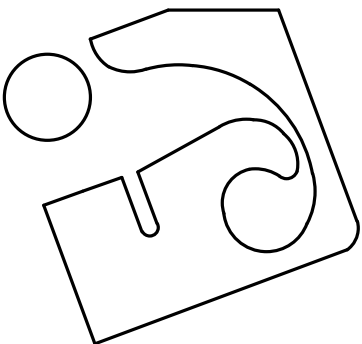
Project number	ZEOLI
Date	9-11-23
Drawn by	Author
Checked by	Checker

A-2B

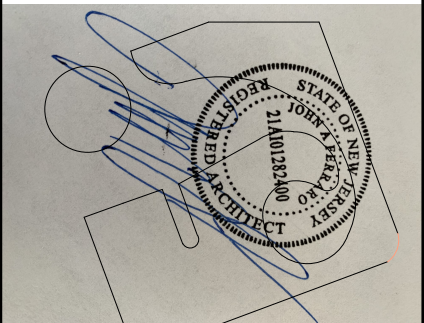
Scale



1 PROPOSED FIRST FLOOR PLAN
1/8" = 1'-0"



John Anthony Ferraro PC
ARCHITECT
37 Maple Avenue
New City, New York 10956
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e: jafpc2@gmail.com



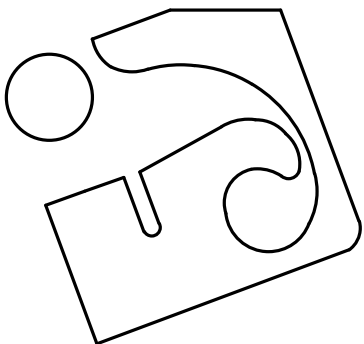
ZEOLI
41ELMWOOD AVE
ALLENDALE NJ 07401

PROP. FLOOR PLANS

Project numnber	ZEOLI
Date	9-11-23
Drawn by	Author
Checked by	Checker

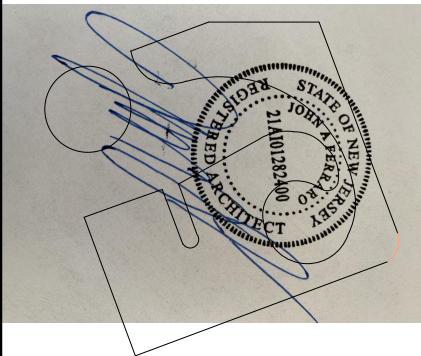
A-3

Scale 1/8" = 1'-0"



John Anthony Ferraro PC
A R C H I T E C T

37 Maple Avenue
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ZEOLI
41ELMWOOD AVE
ALLENDALE NJ 07401

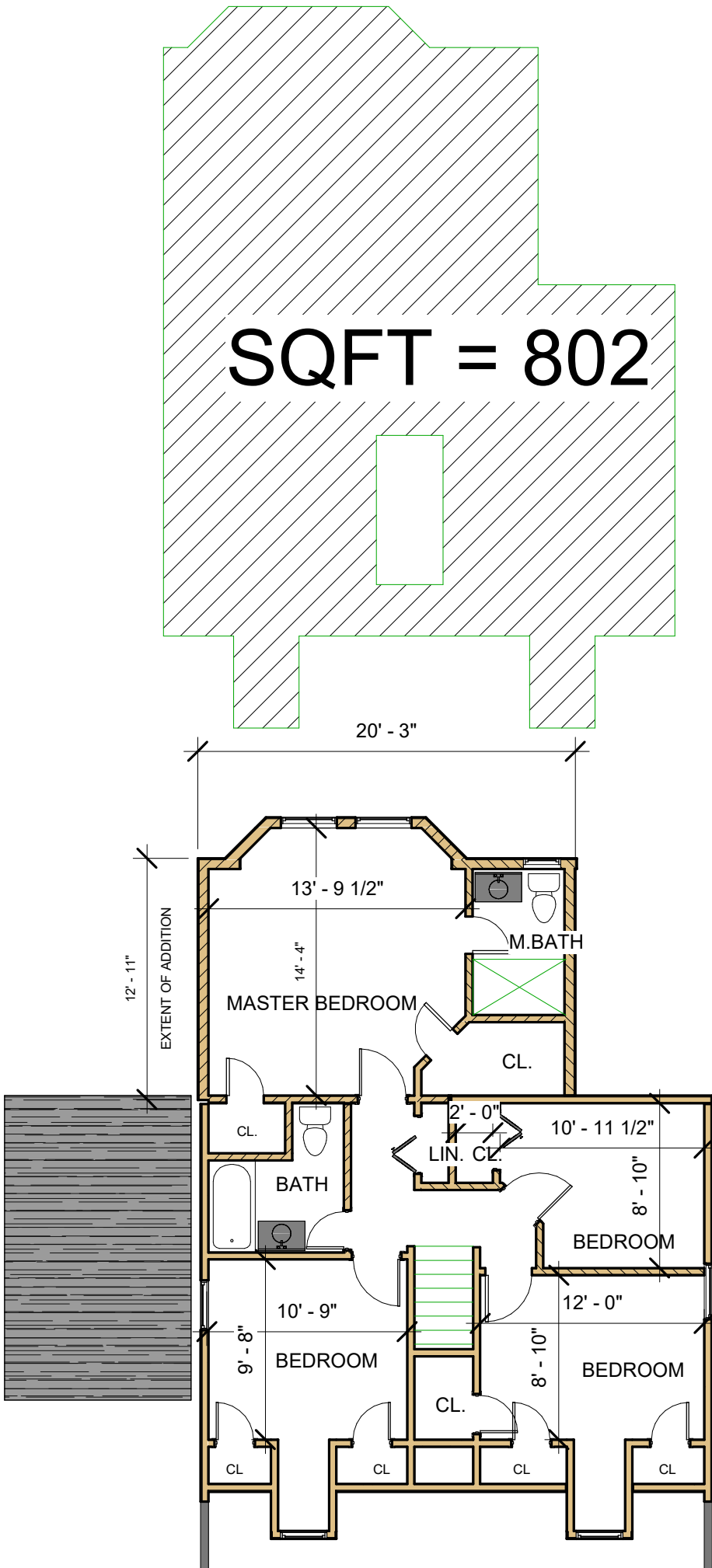
PROP. FLOOR PLANS Copy 1

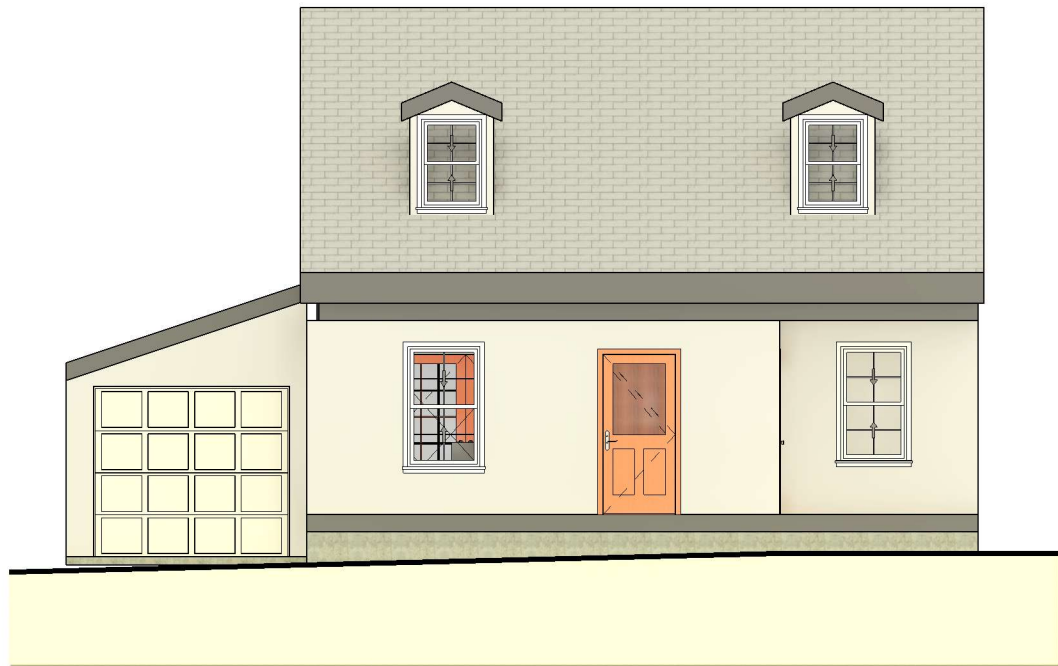
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Date	9-11-23
Drawn by	Author
Checked by	Checker

A-3A

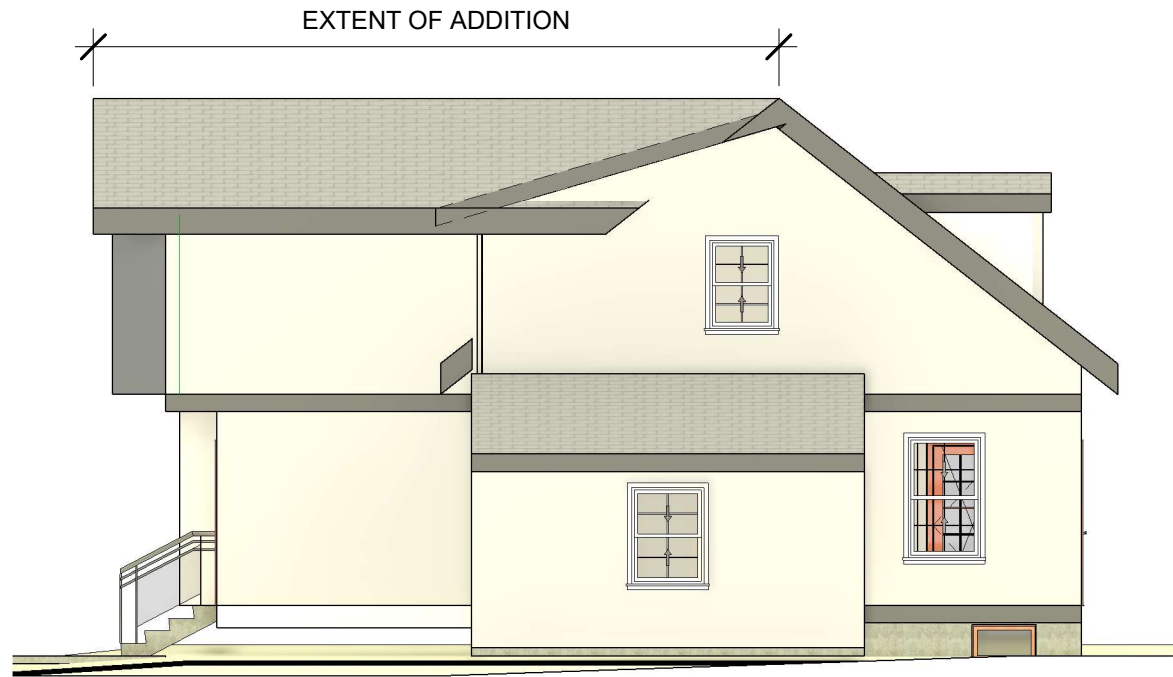
Scale 1/8" = 1'-0"

1 PROPOSED SECOND FLOOR
1/8" = 1'-0"

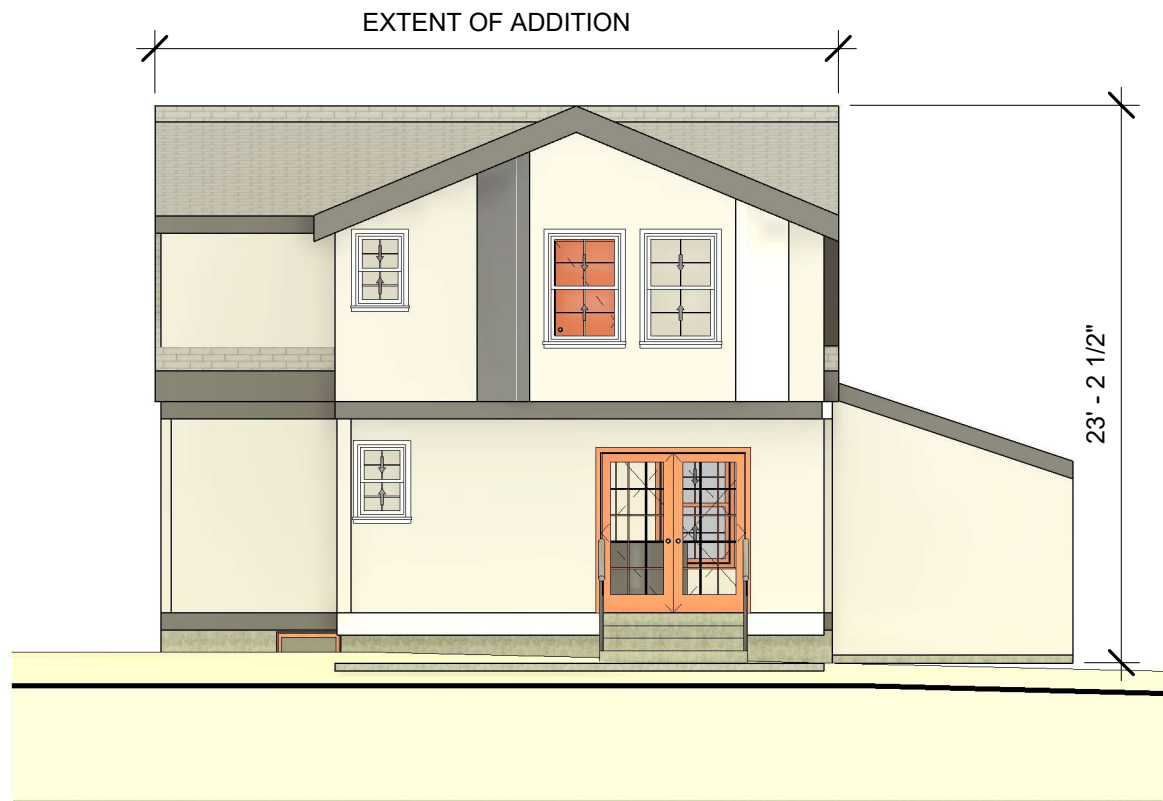




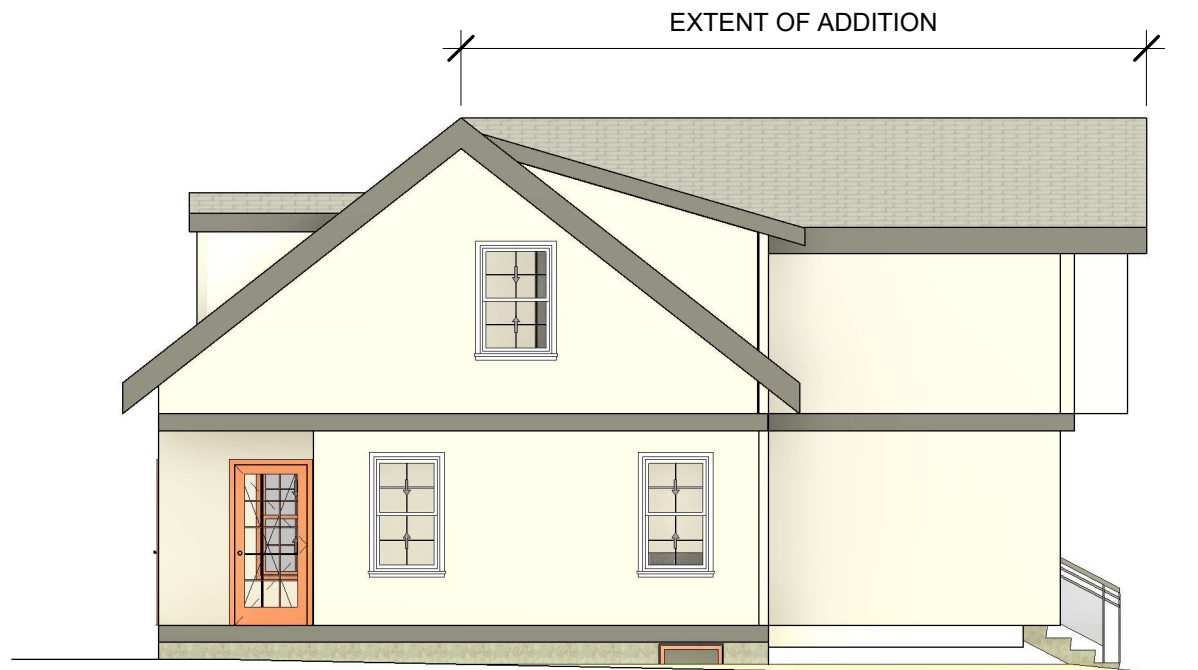
⑤ PROPOSED FRONT ELEVATION
1/8" = 1'-0"



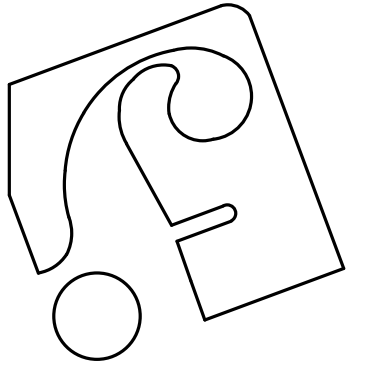
② PROPOSED LEFT ELEVATION
1/8" = 1'-0"



④ PROPOSED REAR ELEVATION
1/8" = 1'-0"



③ PROPOSED RIGHT ELEVATION
1/8" = 1'-0"



John Anthony Ferraro PC
A R C H I T E C T

37 Maple Avenue
New City, New York 10956
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ZEOLI
41ELMWOOD AVE
ALLENDALE NJ 07401

PROP. ELEVATIONS

Project number	ZEOLI
Date	9-11-23
Drawn by	JF
Checked by	JF

A-4

Scale	1/8" = 1'-0"
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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 LISA & RUSSELL YOUNG
shows that on or about the 2ND day of AUGUST, 2023
an application to the Zoning Official for the purpose of (describe intended
action) addition & renovation to an existing single
family residence

on the premises located at (street address) 101 E. ORCHARD ST
Block 1901 Lot 11

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 7th day of AUGUST, 2023
decline to issue said permit for the reasons stated in the attached copy of the Zoning Enforcement
Officer's Refusal of Permit Form.

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

APPLICATION FOR VARIANCE

TO THE LAND USE BOARD:

An application is hereby made for a (Hardship) (Floor Area Ratio) (Use) variance from the terms
of Article(s) and Section(s) 270 - 64 B(2)

of the Zoning Ordinance so as to
permit addition & renovation to an existing single
family residence

[Signature]
Signature of Applicant

DESCRIPTION OF PROPOSED STRUCTURE OR USE

PREMISES AFFECTED known as Lot(s) 11 Block(s) 1901
Street Address 101 E. Orchard Street
Applicant Lisa + Russell Young Address 205 Canterbury Dr, Ramsey, NJ 07446
Owner Lisa + Russell Young Address _____
Lessee N/A Address _____
Last Previous Occupancy June
Size of Lot 22,044 SF
Floor area ratio calculation 22.6%
Percentage of lot occupied by building(s) 19.2%
Height of building(s) 2 stories 34.9 feet
Set back from front property line 44.4 ft. From side (if corner lot) _____ ft.
Zoning requirements – Frontage 40', side yards 34.9', set-back 34.9', 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 N/A

Proposed use: single family residence

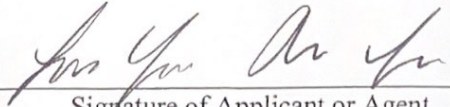
This application for a use variance includes an application for subdivision N/A, site plan N/A, conditional use N/A approval.

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

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

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

Date: 8/7/23


Signature of Applicant or Agent

ALLENDALE LAND USE BOARD
APPLICATION CHECK LIST

NAME Young BLOCK 1901 LOT 11
ADDRESS 101 E. Orchard Street
ZONE AA TYPE OF VARIANCE SIDE YARD SETBACK
BRIEF DESCRIPTION OF APPLICATION Addition and renovation to
an existing single family residence
SPECIFIC VARIANCE(S) REQUIRED 270-64B(2)

ADMINISTRATIVE REQUIREMENTS

STATUS

- | | |
|--|-------------------------------------|
| 1. Application form complete | <input checked="" type="checkbox"/> |
| 2. Fee paid | <input checked="" type="checkbox"/> |
| 3. Denial by Building Inspector | <input checked="" type="checkbox"/> |
| 4. Affidavit of Service | <input checked="" type="checkbox"/> |
| 5. Proof of Publication | <input checked="" type="checkbox"/> |
| 6. Taxes Current | <input checked="" type="checkbox"/> |
| 7. Plot Plan | <input checked="" type="checkbox"/> |
| 8. Maps | <input checked="" type="checkbox"/> |
| 9. Photographs | <input checked="" type="checkbox"/> |
| 10. Email address <i>+ phone #</i> <u>lisadematted@gmail.com</u> | <input checked="" type="checkbox"/> |
| 11. Miscellaneous <u>201-739-9318</u> | <input checked="" type="checkbox"/> |

8/7/23

Date

[Signature]
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:

- ☒ 1. Footprint of existing buildings or structures.
- ☒ 2. Precise distances from all property lines to closest point of principal building including steps, deck or other extensions of the building.
- ☒ 3. The location and precise distances of accessory buildings, such as garages and sheds, to property lines and the principal building or structure.
- ☒ 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.
- ☒ 5. An accurate depiction of the proposed construction or alteration including the information requested in 1, 2, 3 and 4 above.
- ☒ 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.

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

III. STRUCTURAL DIMENSIONS:

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

- ✓ 3. Height of existing building or structure.*
- ✓ 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.)

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

IV. FLOOR PLANS.

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

V. PHOTOGRAPHS.

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

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

VI. LANDSCAPING AND LAND FEATURES.

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

VII. PREVIOUS APPLICATIONS.

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

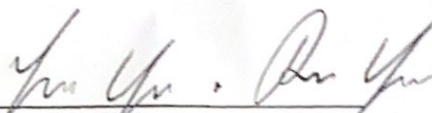
- VIII. Any additional information which may be deemed necessary by the Land Use Board, its Consultants or Borough departments and agencies.

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.

8/7/23

Date


Signature



Anthony Hackett
Zoning Official

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

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

MEMORANDUM

TO: Russel & Lisa Young
101 E Orchard St
Allendale, NJ 07401

FROM: Anthony Hackett, Zoning Official/Construction Official

CC: Linda Garofalo Land use Administrator

RE: Proposed addition, and renovation 101 E Orchard St

DATE: August 7, 2023

The Allendale Building/Zoning Department received the following documents:

- A. Borough of Allendale Zoning Review Application
- B. Site plan and sealed drawings prepared by Z+ Architect LLC

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

1) Your property is in the AA zone, in order to calculate the side-yard setbacks, a formula is used (using your Gross Building Floor Area). In your case you have an existing nonconformity on the right side of your home. According to **Borough Code 270-37(A)2**, you cannot create any new or additional encroachment or nonconformity. Currently there is a 17.3' setback where 20' is required. The proposed additional square footage would now require 34.9' adding 17.6' to an existing non conformity See **Borough Code 270-64B (2)**

It should also be noted that there are 2 other existing non conformities. The lot is undersized. you have 22,044 sq feet, where 26,000 sq feet is required, and the minimum lot width is 130' and you have 115'.


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

Anthony Hackett
Construction Official

Memorandum

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

Cc: R. & L. Young, Applicants / M. Fitzpatrick Scro, Applicant's Architect

From: Michael Vreeland, Board Engineer 

Date: September 16, 2023

Re: LUB 2023-07 – Young
Variance Application – Reconstruction & Addition
101 E. Orchard Street
Block 1901, Lot 11
ALN-1001.065



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

- A. Land Use Application and associated documents.
- B. August 7, 2023 Allendale Code Enforcement Office correspondence (Anthony Hackett) to Russel & Lisa Young denying zoning application.
- C. 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.

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

1. INTRODUCTION

The subject ±0.506-acre property is currently developed with a single-family dwelling and associated amenities. The property is located within the Borough's AA Residence Zone District.

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).

OFFICE LOCATIONS

www.vancleefengineering.com

Lebanon, NJ
908-735-9500

Hamilton, NJ
609-689-1100

Toms River, NJ
732-573-0490

Freehold, NJ
732-303-8700

Bethlehem, PA
610-332-1772

Hillsborough, NJ
908-359-8291

Mt. Arlington, NJ
862-284-1100

Phillipsburg, NJ
908-454-3080

Doylestown, PA
215-345-1876

Pottstown, PA
610-323-4040

2. TECHNICAL COMPLETENESS

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

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

3. ZONING

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

3.1. Non-Conforming Conditions:

3.1.1. §270-54E – Minimum Lot Area

Comment: 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.

3.1.2. §270-54F – Minimum Lot Width

Comment: The zoning table indicates the existing ± 115 ft lot width is less than the required 130 ft. The application does not appear to alter this condition.

3.1.3. §270-64B – Side Yard Setbacks

Comment: Existing gross building area (GBA) does not trigger the enhanced side yard setback requirements. The existing dwelling's ± 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 ± 34.87 ft.

The proposal will encroach ± 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.

3.2. The zoning table indicates the following proposed conditions are either at or near allowable limits:

3.2.1. Proposed 7,958 sf lot coverage is within ± 198 sf of the requirement.

3.2.2. Proposed 24.9 ft building height is within ± 0.1 ft of the requirement.

3.2.3. Proposed 4,982 sf GBA is within ± 1 sf of the requirement.

3.2.4. Proposed FAR is at the requirement.

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 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. REVIEW COMMENTS

- 4.1. We assume the dwelling will be finished similar to the renderings. This should be confirmed.
- 4.2. Testimony should address proposed building finishes, colors, and materials.
- 4.3. Testimony should address tree removal and replacement as well as proposed landscaping.

- 4.4. Testimony should address exterior lighting.
- 4.5. Testimony should address distance from pool to expanded dwelling and confirm setback will comply with §270-32B.
- 4.6. We recommend water and sewer connections be replaced. Water service replacement will need to be coordinated with Veolia.
- 4.7. We recommend an “As-Built Plan” be required prior to requesting a certificate of occupancy.

5. OTHER APPROVALS

It is the Applicant’s responsibility to determine what, if any, approvals are required from outside and/or internal agencies and departments. We believe the following other agency approvals will be required:

- 5.1. Soil Movement Permit (§225) and Plot Plan Approval (§196). Site grading and stormwater management will need to be addressed.
- 5.2. Bergen County Soil Conservation Certification. Soil erosion and sediment control measures will need to be provided. The measures need to be in place prior to initiating soil disturbance and maintained until the area of disturbance has been permanently stabilized.
- 5.3. Street opening permit.
- 5.4. Tree removal permit.
- 5.5. Construction and zoning permits.

Please contact me should you have any questions.