

RESOLUTION

LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 2.11.26

RESOLUTION: LUB 26-10

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Dalo			✓			
Warzala			A			A
Putrino	✓		✓			
Agugliaro			A			A
Yaccarino			A			A
Conte			A			A
Sirico			✓			
Wilczynski			—		—	
Butler		✓	✓			
Ensenat-Alt.#1			—		—	
Johnson-Alt. #2			—		—	

Carried Defeated Tabled

LUB Application No.: 2025-11

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
APPLICATION FOR VARIANCE FOR
YOUNG, KAI & GRACE
63 Crescent Bend / Block 1904 Lot 15

WHEREAS, Kai Young and Grace Young (collectively “Applicant”), owner of the Property located at 63 Crescent Bend, known as Block 1904, Lot 15 on the Tax Map, in the Borough of Allendale, County of Bergen and State of New Jersey (“Property”), applied to the Land Use Board of the Borough of Allendale, seeking variance relief from provisions of the Borough of Allendale Land Use Code;

WHEREAS, the Applicant sought to perform improvements and undertake an expansion to the existing single-family residential dwelling, namely via an addition to the second-floor of the existing split-level home on second floor, addition of a rear family room, rear covered porch and an open-air roof over the front porch., pursuant to Sections 270-37A(3) and 270-64B(2) of the Borough Code.

WHEREAS, the Property is undersized (19,652 sf lot area), located in the AA zone;

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WHEREAS, the Applicant sought bulk variance relief pursuant to N.J.S.A. 40:55D-70c, from Borough Land Development Code Sections 270-37A(3), -54E, -54F, -64B related to: the vertical expansion into the required right side yard setback (20' proposed), via the proposed rear addition; lot area (an existing condition, with the Property being substandard in size by approximately 6,348 sf from the required 26,000 sf); lot width (an existing condition with the Property being deficient by approximately 12' from the required 130'); and, for the proposed increase to the enhanced GBA side yard setback (requiring 21.7 feet with the proposal encroaching, 6.1' into same.

WHEREAS, an Affidavit of Service and Publication was timely tendered to the Board, which, upon review and confirmation of proper notice, conferred jurisdiction over the Board to commence public hearings on the Application;

WHEREAS, the Applicant appeared before the Board on November 12, 2025 and January 14, 2026, and together with the Applicant's sworn and qualified witness, to prosecute the application;

WHEREAS, Ms. Young testified as to the proposed improvements and finish materials, inclusive of lighting details around the property, proposed mechanical improvements, inclusive of new HVAC units, trees to be removed (2), and walkways and driveways proposed for replacement;

WHEREAS, the following exhibits were presented, identified and marked as follows: A-1 (topographic survey dated 5.22.25), A-2 (plot plan soil erosion control plan dated 5.22.25), A-3 (plot plan soil erosion control plan revised 7.30.25), A-4 (colored photographs of the Property and area), A-5 architectural plans (3 sheets), A-6 (land utility analysis prepared by Conklin associates dated 5.20.25), and A-7 (photographs of the two trees to be removed);

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WHEREAS, the Applicant presented Tibor Latincsecs, PE, PP, Conklin Associates, who was sworn and qualified as an expert in the field of civil engineering and planning;

WHEREAS, Mr. Latincsecs testified as to the details of the proposal, citing to the filed plot plan, prepared by Conklin Associates, dated 6.20.25, revised 1.14.26 and architectural floor and elevation plan is prepared by Harry J Goldstein architects last revised 12.14.25 (3-sheets), with reference to underlying survey prepared by Conklin Associates, dated 5.22.25;

WHEREAS, Mr. Latincsecs testified that the House was built in the year 1960 with the existing structure located closer to one side yard than the other;

WHEREAS, Mr. Latincsecs presented the plans and exhibits and testified as to the existing site conditions, existing bulk nonconformities and relief sought, including the enhanced setback requirements applicable to and triggered by the proposal;

WHEREAS, Mr. Latincsecs, noted that the existing side yard setback deficiency was largely a product of the existing house location at an angle and, in his capacity as a professional planner, argued the statutory C1 basis, as a supporting basis of the proposed, continued and intensified side yard setback deviation, namely the house location and angle of same, necessitating the relief for customary and incidental improvements;

WHEREAS, Mr. Latincsecs, testified that the plans, as revised, provided for a mitigated yard setback encroachment from the original plan iteration, in response to board member requests for the deintensification of same;

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WHEREAS, Mr. Latincsics, testified as to the stormwater controls to be implemented, including roof runoff details, with stormwater management calculations provided, denoting conformance to all requirements applicable;

WHEREAS, Mr. Latincsics confirmed the proposed disturbance is under County SCD threshold for review and approval, at approximately 3,000 sf;

WHEREAS, Mr. Latincsics confirmed the proposed window well would be clear of encroaching into the easement area;

WHEREAS, Mr. Latincsics further confirmed the proposed HVAC equipment would be relocated to the rear yard area of the property, better obscuring same from view;

WHEREAS, the Applicant presented Harry Goldstein, licensed professional architect, who was sworn and qualified in his capacity as same;

WHEREAS, Mr. Goldstein testified as to the modified floor plan layout, including the reduction of floor area to the addition and its mitigating impact on the relief sought relative to the setback encroachments;

WHEREAS, no member of the public appeared during the course of the Application;

WHEREAS, the Borough of Allendale Land Use Board hereby makes the following findings of fact and conclusions:

1. The Applicant is the owner of the Property.
2. The Application was duly noticed, conferring statutory jurisdiction over the Board to commence proceedings.

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3. The Property is approximately 19,652 sf, located at 63 Crescent Bend, known as Block 1904, Lot 15 on the Tax Map of the Borough of Allendale.
4. The Property is located in the AA Zone.
5. The Applicant submitted a complete Land Use Application and associated documents, including a zoning determination, dated 7.29.25 prepared on behalf of the Borough of Allendale Code Enforcement Office, by Anthony Hackett, Construction & Zoning Official; site photos; all filed plans and exhibits as noted herein;
6. The Property is developed with an existing single-family residential dwelling structure and accessory improvements;
7. Existing conditions on the Property render it nonconforming to the zone's lot area, lot width and yard setback requirements;
8. Existing conditions render further development, otherwise consistent with and promoted by the land development code and Master Plan, impractical without the grant of relief.
9. The Applicant's sworn and qualified professional, through testimony and presentation of the filed plans and exhibits, satisfied the requisite statutory standard, to the satisfaction of the Board, warranting the grant of variance relief, pursuant to N.J.S.A. 40:55D-70c.
10. No member of the public appeared in connection with the application.

NOW THEREFORE BE IT 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 relief from the Borough of Allendale Code, subject to the following conditions, which shall be complied with prior to the issuance of a construction permit:

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1. 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, prior to the issuance of any permits.
2. Applicant shall comply with the terms and recommendations of the Board Engineer Report(s), prior to issuance of any permits.
3. The Applicant shall ensure that there are no site lighting impacts to offsite properties or structures.
4. The Applicant shall locate and field-mark the Property easements prior to and during site work, ensuring that there are no encroachments, disruptions or impacts to same.
5. The Applicant shall connect the stormwater management improvements to the overflow basin to the satisfaction of the board engineer.
6. The Applicant shall enter into a hold harmless agreement with the Borough, related to approved improvements within the eased areas
7. The Applicant shall demonstrate the proposed stormwater management system has been designed to manage stormwater runoff generated by the contributory drainage area.
8. The Applicant shall, provide information, to the satisfaction of the Board Engineer, regarding existing piping and/or drainage structures associated with the downspouts, confirming that development will not conflict with the existing drainage system and, should a conflict occur, accommodations must be implemented to the satisfaction of the Board Engineer.

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9. The Applicant shall provide for an overflow pipe from the seepage pit.
10. The Applicant shall ensure that there is no light spill offsite, shifting light sources downward as necessary to achieve same.
11. The Applicant shall prepare and file an as-built plan, prior to obtaining a certificate of occupancy.
12. The Applicant shall obtain a Soil Movement Permit (\$225) and Plot Plan Approval (\$196).
13. The Applicant shall revise plans to more adequately depict the proposed window wells, subject to the board engineer's final review and approval.
14. The Applicant shall remove / grind all stumps of the approved trees to be removed.
15. The Applicant shall investigate the satisfactory nature of the utilities servicing the Property and shall improve same, if so required to adequately accommodate the addition.
16. The Applicant will satisfy the Board Engineer's recommendations related to stormwater management implementation, noted in (i) the Van Cleef Engineering report, (ii) as raised during the public hearing and (iii) as may be amended and modified by the Board Engineer, during post-approval resolution-compliance reviews.
17. The Applicant shall satisfy any and all approvals, permits, waivers or other disposition as may be required from any agency having jurisdiction, prior to issuance of permits.
18. 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, prior to the issuance of any permits.

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19. Construction shall proceed in strict 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.
20. The development and use of the Property shall be wholly consistent with the terms and conditions of this approval, including the representations made related to all business operations.
21. Applicant shall provide a certification that Property taxes are paid current.
22. Applicant shall secure approval from any other agency having jurisdiction and, if so requested by Borough Officials, shall file with the Board and Construction Official an affidavit verifying that the applicant is in receipt of all necessary agency approvals other than the municipal agency having land use jurisdiction over the application and supply a copy of any approvals received.
23. The approval shall be subject to all other applicable rules, regulations, ordinances and statutes of the Borough of Allendale, County of Bergen and State of New Jersey.
24. The Applicant shall be bound by any and all other conditions set forth during the hearing.
25. The approval is subject to compliance with the Statewide Non-Residential Development Fee Act ("SNDFA") N.J.S.A. 40:55D-8.1, et seq. Towards that end, for all non-residential development or mixed use development containing a non-residential component, the applicant shall complete Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" in accordance with the instructions in that form and furnish the

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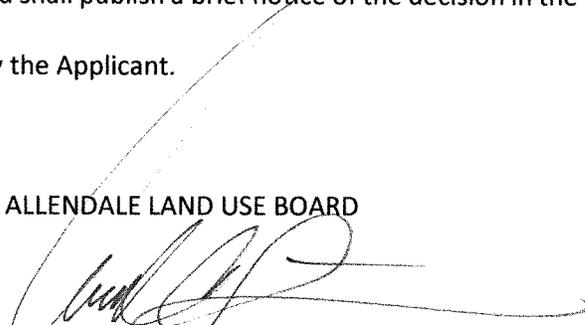
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Borough Construction Code Official, Tax Assessor and Affordable Housing Counsel the completed form.

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:



John Dalo, Vice Chair

Adopted: February 11, 2026