

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

July 15, 2026

RESOLUTION: LUB 2026-17

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

Carried ☒ Defeated ☐ Tabled ☐

LUB 2026-17

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
APPLICATION FOR VARIANCE FOR
ADAM DAVIS
801 FRANKLIN TURNPIKE
Block 404, Lot 23.01

WHEREAS, Adam Davis (“Applicant”), owner of the Property located at 801 Franklin Turnpike, known as Block 404, Lot 23.01 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 approval for construction of a 2-story addition, garage, and covered porch to the existing single-family residence, as well as a new driveway;

WHEREAS, the Property is located in the AA Residential zone;

WHEREAS, the Applicant appeared and commenced prosecution on June 17, 2026;

WHEREAS, the Applicant appeared pro se and was not represented by counsel;

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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 270-64B for side yard setback as the proposal will encroach into the required enhanced side yard setback;

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 filed the below plans and supporting documents:

- Land Use Board Application and associated documents;
- Tax map, aerial photo and site photo exhibits; and
- Site Plan and Architectural Plan entitled, “Additions and Alterations, Davis Residence, 801 Franklin Turnpike, Allendale, NJ 07401” prepared by Axis Architectural Group dated September 19, 2025;

WHEREAS, the Applicant was not represented by counsel, nor did they present any professional witnesses to provide testimony at the public hearing;

WHEREAS, the Applicant did not enter any exhibits into the record, but rather relied on the plans filed with the application: Site Plan and Architectural Plans prepared by Axis Architectural Group dated September 19, 2025;

WHEREAS, the Applicant was sworn in as a lay witness, testifying as the property owner;

WHEREAS, the Applicant testified as to the details of the proposal, citing to the filed plans, and describing the site conditions;

WHEREAS, the Applicant testified that the Property has frontage on two roads and is a corner lot, making compliance with bulk standards impractical;

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WHEREAS, the Applicant testified as to the need for a garage as one does not currently exist on the Property;

WHEREAS, the Applicant testified as to the need for the reconfiguration of the driveway as the current configuration renders ingress and egress of the driveway unsafe;

WHEREAS, the Applicant testified that any trees being removed on the Property will be replanted with non-invasive species;

WHEREAS, no members 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.
3. The Property is approximately 31,728 sf, located at 801 Franklin Turnpike, known as Block 404, Lot 23.01, on the Tax Map of the Borough of Allendale.
4. The Property is located in the AA Residential Zone.
5. The Applicant submitted a complete Land Use Application and associated documents, including a zoning determination, dated December 5, 2025 prepared on behalf of the Borough of Allendale Code Enforcement Office, by Anthony Hackett, Construction & Zoning Official; site photographs; and all filed plans as noted herein.
6. The Property is developed with a single-family residential dwelling with associated improvements.
7. Existing conditions on the Property render it nonconforming to the zone's bulk requirements.

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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 testimony and presentation of the filed plans 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.

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:

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 dated June 15, 2026 prior to issuance of any permits.
3. Applicant shall submit a land development application and plans to the County Planning Board for review.
4. The Applicant shall investigate the satisfactory nature of the utilities servicing the Property and shall improve same, if so required to adequately accommodate the proposal.
5. The Applicant will satisfy the Board Engineer's recommendations related to site drainage and utility connections and related requirements noted in (i) the Van Cleef Engineering report dated June 15, 2026, (ii) as raised during the public hearing and (iii) as may be

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amended and modified by the Board Engineer, during post-approval resolution-compliance reviews.

6. 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.
7. 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.
8. 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.
9. Applicant shall provide a certification that Property taxes are paid current.
10. 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.
11. 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.
12. The Applicant shall be bound by any and all other conditions set forth during the hearing.

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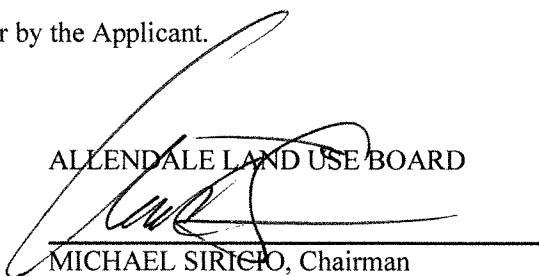
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13. The Applicant shall comply with all representations and stipulations before the Board during the public hearing process even if those representations and stipulations are not set forth or enumerated specifically herein as conditions.

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 Chairman

Adopted: 7/15/26