

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

July 15, 2026

RESOLUTION: LUB 2026-18

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

Carried ☒ Defeated ☐ Tabled ☐

LUB 2026-18

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
APPLICATION FOR VARIANCE FOR
JOSEPH ROTA AND EILEEN WONG
52 CRECENT BEND
BLOCK1905, LOT 9

WHEREAS, Joseph Rota and Eileen Wong (“Applicants”), owners of the Property located at 52 Crescent Bend, known as Block 1905, Lot 9 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 Applicants sought approval to reconstruct the existing single-family residence by way of razing the existing structure, expanding the first floor, addition of a second story, and constructing a covered porch in the rear;

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

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

RESOLUTION
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WHEREAS, the Applicants appeared pro se and were not represented by counsel;

WHEREAS, the Applicants sought variance relief, pursuant to N.J.S.A. 40:55D-70c, from Borough Land Development Code Sections: 270-54E; 270-54F; and 270-64B, for:

- Preexisting - Lot Area – 26,000 sf required, approx. 20,182 sf existing and to remain;
- Preexisting - Lot Width - 130' required, approx. 128' existing and to remain;
- Side Yard Setback – 24.53' required due to increase in Gross Building Area, 21.0' proposed;

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 Applicants filed the below plans and supporting documents in connection with the application:

- Land Use Board Application and associated documents;
- Zoning determination, dated October 2, 2025, prepared on behalf of the Borough of Allendale Code Enforcement Office, by Anthony Hackett; and
- Architectural plans, prepared by Douglas G. Battersby, AIA of Battersby Architecture and Design, dated 4/29/25 and last revised 3/12/26.

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

WHEREAS, the Applicants did not enter any exhibits into the record, but rather relied on the plans filed with the application: Architectural plans prepared by Douglas G. Battersby, AIA of Battersby Architecture and Design, dated 4/29/25 and last revised 3/12/26;

RESOLUTION
LAND USE BOARD
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WHEREAS, Mr. Rota, was sworn in as a lay witness, testifying as the property owner;

WHEREAS, Mr. Rota testified as to the details of the proposal, citing to the filed plans, and describing the site conditions and existing nonconformities, including lot area and lot width;

WHEREAS, Mr. Rota testified as to the proposed reconstruction of the home with the existing residence to be razed, including foundation, and rebuilt with an expanded first floor, a second-floor addition, and a covered porch;

WHEREAS, Mr. Rota testified as to the proposed building finishes, colors, and materials, noting that the proposed residence will be consistent with the neighboring property owners;

WHEREAS, Mr. Rota testified that no flood lighting is proposed on site;

WHEREAS, Mr. Rota testified as to the relief requested, noting the existing structure's side yard setback is in compliance with the bulk standards as set forth in the Borough Code under existing conditions. The proposal increases GBA and triggers the enhanced side yard setback requirement of 24.53', where 21.0' is existing and proposed;

WHEREAS, Mr. Rota testified as to the hardship occasioned by foundational issues to the existing single-family residence, which has caused significant cracks to the in the foundation and the need for reconstruction of the home, as well as the undersized nature of the lot, as a basis for the proposed nonconformance (under N.J.S.A. 40:55D-70c);

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 Applicants are the owners of the Property.

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2. The Application was duly noticed, conferring statutory jurisdiction over the Board to commence proceedings.
3. The Property is approximately 20,182 sf, located at 52 Crescent Bend, known as Block 1905, Lot 9, on the Tax Map of the Borough of Allendale.
4. The Property is located in the AA Residential Zone.
5. The Applicants submitted a complete Land Use Application and associated documents, including a zoning determination, dated October 2, 2025, prepared on behalf of the Borough of Allendale Code Enforcement Office, by Anthony Hackett, Construction & Zoning Official; and all filed plans as noted herein.
6. The Property is developed with a single-family residential structure with associated improvements.
7. Existing conditions on the Property render it nonconforming to the zone's bulk standards.
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. Mr. Rota'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 Applicants' 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 Applicants' plans, shall

RESOLUTION
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be paid in full to the Borough of Allendale by the Applicants, prior to the issuance of any permits.

2. The Applicants will satisfy the Board Engineer's recommendations 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 amended and modified by the Board Engineer, during post-approval resolution-compliance reviews.
3. The Applicants 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.
4. Construction shall proceed in strict accordance with this Resolution, the approved plans as submitted by the Applicants, and the testimony of the Mr. Rota in accordance with all applicable State, County and Municipal codes, ordinances, rules and regulations.
5. Applicants shall provide a certification that Property taxes are paid current.
6. Applicants 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.
7. 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.
8. The Applicants shall be bound by any and all other conditions set forth during the hearing.

RESOLUTION
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BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

July 15, 2026

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9. The Applicants 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 Applicants, 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 Applicants.

Approved:

ALLENDALE LAND USE BOARD

MICHAEL SIRICIO, Chairman

Attest:

JOHN DALO, Vice Chairman

Adopted: 7/15/26

RESOLUTION
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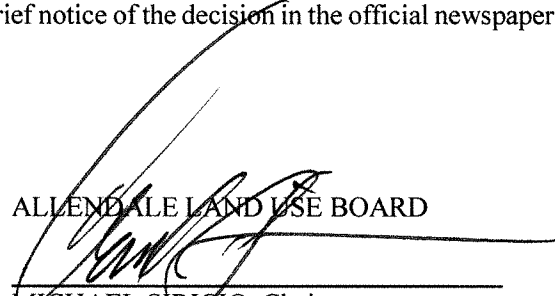
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ALLENDALE LAND USE BOARD

MICHAEL STRICIO, Chairman

Attest:



JOHN DALO, Vice Chairman

Adopted: 7/15/26