

RESOLUTION

LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ

DATE: May 13, 2026

RESOLUTION: LUB 26-14

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

Carried  Defeated  Tabled

LUB - 2026-03

LAND USE BOARD OF THE BOROUGH OF ALLENDALE  
RESOLUTION APPROVING  
APPLICATION FOR VARIANCE FOR  
**Roger Schlicht**  
58 Midwood Avenue - Block 2005 – Lot 9

**WHEREAS**, Roger Schlicht (“Applicant”), owner of the Property located at 58 Midwood Avenue, known as Block 2005, 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 Applicant sought to perform improvements and undertake an expansion to the existing 1.5-story single-family residential dwelling structure and accessory structures / improvements;

**WHEREAS**, the Property is undersized and located in the A zone;

**WHEREAS**, the Applicant appeared before the Board on March 18, 2026 and April 22, 2026, to prosecute the application;

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**WHEREAS**, the Applicant sought variance relief, pursuant to N.J.S.A. 40:55D-70d4 and N.J.S.A. 40:55D-70c and related to Borough of Allendale Land Development Code Sections: 270-14A; 270-57B; 270-57D; 270-57E1; 270-57F; 270-64C2; 270-63A1; 270-63B; 270-57C; 270-63A-1; 270-64-C-2; and, 270-57C, for:

- Preexisting - lot area - 20,000 required, 9,000 existing and to remain;
- Preexisting - lot width - 115' required, 75' existing and to remain;
- Preexisting - lot depth - 174' required, 120' existing and to remain;
- Rear yard setback - 50' required, 48.4' proposed to step;
- Building coverage - 15% max permitted, 19.2% proposed;
- Gross Building Area - 2,250 sf permitted, 2,494 sf proposed;
- Separation between structures - 10' required, 2.9' existing, 7.75' proposed;
- Structure setback (chimney) – 15' required, 13.5' proposed;
- FAR - 25% max permitted, 27.7% proposed

**WHEREAS**, the Applicant filed the following plans in connection with the application:

- Architectural plans, prepared by Roger Schlicht Architect, dated 12/12/25, last revised 4/10/26;
- Boundary survey prepared by Darmstatter, Inc., dated 8/4/24;
- Zoning Schedule (bulk chart / undated, unsigned);

**WHEREAS**, the Applicant introduced the following exhibits during the course of the public hearing on the application:

- A-1 – one-page, existing condition photos of rear of subject house;
- A-2 – nine-photos, abutting area properties, prepared by Applicant January 2026

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**WHEREAS**, the Applicant testified that the amended plans, presented at the April 2026 public hearing, reflected a scaled down proposal, lower in height and smaller overall than original plan submission, with the roofline downward adjusted and the delta of variance relief either mitigated or eliminated from the original submission / proposal (including those related to yard setbacks, structure separation and FAR);

**WHEREAS**, the Applicant presented Kiersten Osterkorn, who was sworn and qualified as a licensed professional planner;

**WHEREAS**, Ms. Osterkorn testified as to the existing nonconforming conditions, confirming that the development of same predates enactment of the Berwyn development code;

**WHEREAS**, Ms. Osterkorn testified in support of the bulk variance relief, noting that same was de minimis in part, and otherwise not unduly out of character with the composition of the street zone and surrounding area;

**WHEREAS**, Ms. Osterkorn testified as to the support for the floor area ratio deviation advising that same was largely occasioned by the pre-existing garage structure footprint and the undersize nature of the lot, a commonality shared with numerous properties in the immediate area, with the proposal being right sized for the Property and in line with current needs / development of single-family structures within the Borough;

**WHEREAS**, Ms. Osterkorn testified there would be no negative impact to the surrounding area, zone, plan, or ordinance, if approved;

**WHEREAS**, two members of the public, who reside on the subject property street, appeared during the course of the Application, in support of the proposal;

**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.

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2. The Applicant submitted a complete Land Use Application and associated documents in comport with the requirements of N.J.S.A. 40:55D-1 et seq. and the public hearing was duly noticed, conferring statutory jurisdiction over the Board to commence proceedings.
3. The Property is developed with hey, single-family residential structure on an undersized lot.
4. The development of the structure predates the enactment of the Borough zoning code.
5. Existing conditions on the Property render it nonconforming to the zone's bulk standards.
6. Existing conditions render further development, otherwise consistent with and promoted by the land development code and Master Plan, impractical without the grant of relief.
7. Throughout the course of the public, hearing the Applicant undertook plan revisions, in an effort to mitigate and eliminate certain variance relief.
8. The Board's professional consultants concurred that the amended plans successfully mitigated, relief, resulting in a proposal that would not be out of character with the surrounding area development scheme.

**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 1.13.26 prior to issuance of any permits.

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3. All existing landscaping is to remain.
4. The Applicant shall submit the signed/sealed plans depicting the downward adjusted relief presented during the second and final public hearing on the application, representing conditions consistent with the testimony offered in connection with same.
5. 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.
6. The Applicant will satisfy the Board Engineer's recommendations related to stormwater management implementation, site drainage and water recharge chamber location/connection and related requirements, 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, including but not limited to the development of seepage pits to ensure zero net increase runoff and control of site runoff.
7. 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.
8. 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.
9. 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.

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10. 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.
11. Applicant shall provide a certification that Property taxes are paid current.
12. 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.
13. 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.
14. The Applicant shall be bound by any and all other conditions set forth during the hearing.
15. 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 Borough Construction Code Official, Tax Assessor and Affordable Housing Counsel the completed form. The Applicant shall comply with all residential development fee requirements imposed by the State of New Jersey and the Borough of Allendale, including but not limited to the Municipal Land Use Law, N.J.S.A. 40:55D-8.1 et seq. Any required residential development fees shall be calculated, collected, and paid at the time and in the manner required by ordinance, as determined by the Borough of Allendale Tax Assessor and Construction Code Official.

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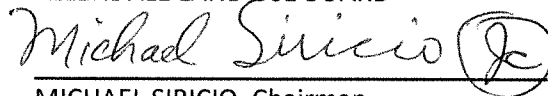
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16. The Applicant shall comply with all representations and stipulations before the Board during the public hearing process even if those representations and stipulations are not set forth or enumerated specifically herein as conditions.

**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.

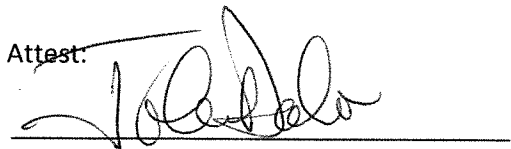
Approved:

ALLENDALE LAND USE BOARD

A handwritten signature in cursive script that reads "Michael Siricio". To the right of the signature is a circular stamp containing a stylized monogram.

MICHAEL SIRICIO, Chairman

Attest:

A handwritten signature in cursive script that reads "John Daló".

JOHN DALO, Vice Chairman

Adopted: May 13, 2026