

LAND USE BOARD
BOROUGH OF ALLENDALE
500 West Crescent Avenue
Allendale, New Jersey 07401

A Regular Meeting of the Allendale Land Use Board was held in the Council Chambers in the Allendale Municipal Building, 500 West Crescent Avenue, 2nd Floor, Allendale, NJ 07401 on December 16, 2024. The meeting was called to order at 7:30 PM by Chairman Sirico who read the open public meetings statement and stated the requirements had been satisfied.

Chairman Sirico led the salute to the flag.

ROLL CALL:

The following individuals answered roll call:

Vice Chairwoman Bergen
Board Member Warzala
Board Member Putrino
Board Member Agugliaro
Board Member Dalo
Chairman Sirico
Mayor Wilczynski
Alternate Butler

ABSENT:

Councilman Daloisio
Alternate Conte

The following individuals were also present:

Board Attorney, Lawrence Calli
Borough Engineer, Michael Vreeland
Land Use Administrator, Linda Garofalo
Board Planner, Ed Snieckus

APPROVAL OF MINUTES

Motion by Board Member Warzala, seconded by Vice Chairwoman Bergen, that the Minutes of the November 13, 2024 Land Use Board Meeting be approved. There was no discussion.

On a roll call, the vote was recorded as follows: Board Member Bregen – aye, Board Member Agugliaro – aye, Board Member Dalo – aye, Chairman Sirico – aye, Mayor Wilczynski – aye, Alternate Butler – aye.

RESOLUTION

Applicant File No.: 2024-14

Resolution No.: 24-20

Applicant: Sinead Brady & Jason Fayle

Address: 71 Brookside Avenue, Allendale, NJ 07401

Block: 1705 Lot: 15

Application: Expansion of an existing non-conforming structure on an irregular flag lot – rear yard setback. Pursuant to 270-57D & 270-37A(2)

A motion to adopt the resolution was made by Vice Chairwoman Bergen – aye, seconded by Board Member Warzala. Roll Call: Board Member Bergen – aye, Board Member Agugliaro – aye, Board Member Dalo – aye, Chairman Sirico – aye, Mayor Wilczynski – aye, Alternate Butler – aye.

PUBLIC HEARINGS

Public Workshop - Hazard Vulnerability Assessment Study of the Master Plan presentation by Ed Snieckus

Ed Snieckus stated the purpose of this meeting is to go over the Hazard Vulnerability Assessment Study of the Master Plan. We analyzed the current and future threats to the municipalities. We also looked at data from FEMA and NJDEP. The municipality is built out, with some vacant land, but not much. Things are changing due to the outdoor temperature. 2005-2035 temperatures have increased. Precipitation has been above average. Flood Hazard Area – made up of floodway and flood fringe. A map of Allendale was shown showing the brooks and the impact areas. Wildfires, tree areas - we need to be aware of this when there is a drought. This is an intent to give an introduction of what will be in the document.

Chairman Sirico asked about solar.

Mr. Snieckus stated solar is important.

Chairman Sirico asked for questions from the public. Hearing none, it was returned to the Board.

The next step is preparing a draft document and have a public meeting in January/February.

Application File No.: 2024-18

Applicant: Calvary Lutheran Church

Address: 165 W. Crescent Avenue, Allendale, NJ 07401

Block: 910 Lots: 2, 17.01, 17.02

Application: Modification to original resolution

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John Veteri, presenting the applicant, stated in March of 2012 the applicant received Major Subdivision approval. The three homes were built, the street is there, and there remains four items in the Resolution.

Mr. David Fontina, Engineer, was sworn in and his credentials accepted by Chairman Sirico.

Exhibit A1- dated 12/6/24 - Old Stormwater Sanitary Sewer Plan which shows the following:

- 1) Street light at the end of Couch Court
- 2) Sidewalk along the property
- 3) Split rail fence on Lot 2.01
- 4) Additional trees

Chairman Sirico stated he is concerned about the split rail fence. He asked can you please show where the fence is?

Mr. Fontina showed it in red on Lot 2.02. Mrs. Goldberg has that on her property.

Mr. Veteri stated we are here tonight seeking no more fencing.

Mr. Vreeland stated the fencing was installed. The fence is missing on the church property. The DEP is asking for this.

Mr. Calli stated this is subject to other Agency review.

Chairman Sirico asked for questions from the Board.

Vice Chairwoman Bergen asked why are you not constructing the sidewalk?

Mr. Veteri stated the sidewalk goes to nowhere. We do not know where to plant the trees, there is substantial landscaping. The residents can speak for themselves about the street lights.

Mr. Vreeland stated I believe there was landscaping installed, the right hand side wasn't done.

Board Member Putrino asked how many trees were removed?

Mr. Veteri stated 123 trees were removed.

Board Member Putrino stated usually when removing trees, they need to be replaced. The sidewalk should be there for connection to the ADA ramps.

Mr. Vreeland stated six shade trees were proposed in front of Lot 17.03 and some shrubs.

Board Member Putrino stated there are two active ADA ramps, not sure about the sidewalks you are referring to. Does it connect to the ramps?

Mr. Fontina stated the plan shows it goes to W. Crescent.

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Mr. Veteri stated the sidewalk will be installed.

Mr. Vreeland stated I haven't heard of any issues.

Chairman Sirico asked for questions from the Board.

He requested the applicant work with Mike Vreeland and the Borough Engineer on the tree issue.

Ms. Holly Goldberg, 5 Couch Court, Lot 2.02 was sworn in.

Ms. Goldberg stated the fence was chain link when I purchased the house. I took it down and installed a better fence. None of us want a sidewalk. From Franklin to Crecent there is no sidewalk. Who will maintain the sidewalk? We all have installed our own lights, one maybe on the edge. Regarding trees, there is no sprinkler system there. New trees will not survive.

Mr. Vreeland stated the basin was part of church property, notes indicate lot 2.01 would be responsible for it. Transfers of ownership went to the builder and then the new owners. These are contractual obligations.

Mr. Calli stated this may show up in the Developers Agreement.

Mr. Fontina stated the street light is at the end of the culdesac.

Mr. Mike Rinko, 9 Couch Court was sworn in. Regarding the light, I don't want it. I spent a fortune on landscape lighting. Ivers Road doesn't have a sidewalk. Where would it begin, who would maintain it?

Mr. Calli stated the fence installation issue is up to the outside agency, the trees can be worked out with the Borough Engineer, the sidewalk and street light are still open.

Mr. Vreeland stated the plans are on file, only one street light is proposed.

Board Member Dalo asked about the sidewalk, why do you not want it installed?

Mr. Vreeland stated it was part of the approval. I'd be concerned with the fact that it goes past the church and the basin. The residents don't want it. The property is owned by the church (Lot 2.01) and the easement area.

Vice Chairwoman Bergen offered the following motion – she stated the sidewalk should be installed. It connects to the ADA ramps. The fence is left for the DEP to review. Trees can be worked on with the Borough Engineer. The owners don't want the street light.

A motion was made by Vice Chairwoman Bergen, seconded by Mayor Wilczynski. Roll Call: Board Member Bergen – aye, Board Member Warzala – aye, Board Member Putrino – aye, Board Member Agugliaro – aye, Board Member Dalo – aye, Chairman Sirico – aye, Mayor Wilczynski – aye, Alternate Butler – aye.

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Applicant File No.: 2024-13

Applicant: Louis Clements

Address: 65 New Street, Allendale, NJ 07401

Block: 2204 Lot: 17

Application: Proposed second story addition on existing dwelling – front yard setback.

Pursuant to 270-22, 270-57B & 270-37A(4)

Gail Price, Esquire, 50 Tice Boulevard, Woodcliff Lake stated I represent the purchasers. I provided new notice and publications. The Board said go back and do some more homework on the application and fill in the gaps. I filed revised architectural. The Board asked for a survey and we have one foot contours. We have a Planner here. We addressed lighting. We revised the plan and addressed issues with the neighbor to the west. Ms. Luciano is representing all of the purchasers. There are no new reports. The applicant originally filed for a C1 variance, it's really a C2 variance.

Mr. Calli swore in Mr. Emmanuel Kavrakis, Architect, 440 Market Street, Elmwood Park.

He stated he revised the plans since the last meeting, 6 sheets in the new set. The cover sheet has the survey, A100, 200 is the site plan before and after, A300 shows the first floor plan and two elevations, A400 is the second floor plan, exterior elevation, A500 has landscaping plan and lighting plan, A600 is the location plan with site view.

Ms. Price stated A100.01 – A600 is correct, revised October 8, 2024. Mr. Kavrakis stated we took many steps, especially on A400 reduction of the second floor. We reduced it by 1,100-1,200 square feet. A300 shows the first floor, the original development, but we reduced the rear deck. A200 shows the deck moved. The second story bedroom window was removed. The property is undersized. The AC units are in the rear near the garage. Lighting is on A500 – LTQ LED lights on bottom of the porch, no spillover. Lantern lights will be at each door and at the garage, left, right and center. It is standard LED light. There are no canopy lights. No landscaping lights are proposed. This is a minimal amount of light.

Landscaping plan – 9 arborvitae, perennials and boxwoods in the front are proposed.

Ms. Price stated the survey had the location of the trees, no trees are proposed to be removed.

Mr. Kavrakis stated A200 shows the existing non-conforming placement of the home that is encroaching on the setback. The addition of 3 feet in the back, there's still 16.3" to the neighbor. The patio has been relocated, cut back the second floor and moved the deck. The HVAC will have no issues, it's in the center of the property. We went from 4 bedrooms to 3 bedrooms. The bedrooms are minimal size.

Ms. Price asked Mr. Kavrakis what is the slope west to east on New Street?

Mr. Kavrakis stated it is 271 from west. East is 271 – one foot slope. The property is not as steep as we thought.

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Ms. Price stated this is a non-conforming lot with a non-conforming setback.

Photo Board of site and surrounding area. Sixteen (16) photos taken by Susan Luciano, Real Estate Broker.

Ms. Luciano stated the photos shows the intimate neighborhood that are two story homes, upper left corner is the subject property, other three corner homes on the top. Dale is across the street, others are on Dale and New Streets closest to the subject property. One of the 16 photos is a single story home. We listened to the neighbors and the Board and came back with a very revised plan.

Chairman Sirico asked for questions from the Board.

Vice Chairwoman Bergen stated you reduced the footprint of the house, understanding the irregular position of the house on the property. On the second floor there is a lot of space, the corner is still causing a variance. The closets are very large, the hallway is large, the bathroom could be moved into the master bedroom a bit. You can cut 3 feet off the second floor, there's a lot of space you could make it comply.

Ms. Price stated from a land use perspective, we are only non-conforming at that one corner. It's due to the position of the house. It's not the full length of the house.

Vice Chairwoman Bergen stated it's a simple area to cut back.

Chairman Sirico stated I'm concerned with the 3 feet.

The Board took a break at 9:35 pm and returned at 9:45 pm.

Ms. Price stated we revised in pink marker and cut back to conforming and will redo the layout of upstairs to make it work. 15'2" x 3' will be cut off the main and second level. Revised plans are not a problem.

Chairman Sirico stated I'd like to see new plans.

Vice Chairwoman Bergen stated on the north elevation and east elevation it appears to be cut off. The same is on the 5 elevations.

Mr. Kavrakis stated these are two conventional gable roofs. We will adjust that.

Board Member Putrino asked what percentage of the house is being renovated?

Mr. Kavrakis stated we are keeping the foundation, exterior walls, 2 x 4 on the first floor, 2 x 6 on the second floor.

Board Member Putrino stated the C2 criteria is for communal benefit. How much of the house are you keeping? Does it make sense?

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Mr. Kavrakis stated on the first floor the walls will remain.

Ms. Price stated the C2 variance is the positive criteria of the land use law and no negative impact on the surrounding properties. This is not a hardship variance, it is a C2.

Vice Chairwoman Bergen stated on the front elevation there is a 20'6" setback by the garage corner. Page 200 is not measured to the porch.

Chairman Sirico asked for comments from the Board.

Board Member Agugliaro asked Ms. Luciano about the two trees that were recently taken down.

Ms. Luciano stated the town asked for this to be done.

Chairman Sirico asked for questions from the public.

John Cromie, 169 Dale Avenue, Allendale was sworn in by Mr. Calli.

Mr. Cromie stated the photos of the surrounding neighborhood, many are immediate but there are single family homes also on New Street. New Street has some larger lots. The proposal is consistent. From my front door I will be staring at the AC units. I'd like some screening. I look at the storage that is on the property also. In the walkway there is an ash tree that sheds with the wind, the walkway is a tripping hazard. There has been no discussion of drainage. The C2 variance was designed for situations like this. It was called a flexible C2 for this reason. We need to find the right balance. I believe the Borough Engineer and Construction Code Official are in charge of overseeing this project.

Richard Brooke, 17 New Street, Allendale stated I'm a little lost. He asked, I appreciate the revisions on the plans, 3 foot setback, concerned with water. I have a sump pump, I'm concerned with the foundation and water on my property. I'd appreciate you looking into the water run-off.

Chairman Sirico stated I'd like to see revised plans, screening on the HVAC, dry well...

Vice Chairwoman Bergen stated I appreciate the changes you've made.

Ms. Price stated I would like to carry the notice. The inside of the house is already gutted.

Chairman Sirico stated this application is carried to the meeting of **January 15, 2025 at 7:00 PM**. No further notice is necessary, time is waived for the Board to act.

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Application File No.: 2024-20

Applicant: Caesar Baldi

Address: 10 East Allendale Avenue, Allendale, NJ 07401

Block: 702 Lot: 10

Application: Conceptual Hearing

Jeff Trapanese, Esq., representing the applicant, stated this is a conceptual hearing. It is a 52,000 square foot wetland impacted property. The owner has paid approximately \$8,000 per year in taxes. In 2019 he received zoning approval, the DEP pushed back, no variances. They'd like the building envelope moved closer to East Allendale Avenue. The purpose is to determine DEP proposal and the Boards' receptiveness. The owner is thinking to dedicate the property to the town or an easement.

Tibor Latinsics, Conklin Associates, 29 Church Street, Ramsey stated the plot plan is for Block 702, Lot 10. This is an irregular shaped lot in the AA zone. The vacant lot is conforming. We obtained LOI, wetlands on the property, two adjoining properties drain to low area. 3,200 square foot home which is conforming with Allendale's zoning, soil moving application approved. The DEP wants to modify the application to minimize the impact, including obtaining variances from Allendale. The plan proposes a turn around to exit on Allendale Avenue. The DEP states some effort must be made to minimize impact. There is a requirement for a mitigation permit. We propose Deed restriction to offer land to an environmental group or the Borough. We can do a Minor Subdivision, go to this Board, or donate to Allendale open space. The donation has to be 27 to 1. These are the options. We do not want to appear before the LUB. There are wetland hardships here.

Chairman Sirico stated I know the land is landlocked.

Mr. Latinsics stated this can be a direct donation.

Chairman Sirico stated the footprint conforms.

Mayor Wilczynski asked how much land is wetlands?

Mr. Latinsics stated over an acre.

Chairman Sirico stated I suggest you push the DEP.

Mr. Calli stated a consultant may produce a letter stating a turnaround is necessary.

Mr. Vreeland stated we could bring this up at the Land Use Committee meeting. The video from this meeting can be watched by the DEP.

Chairman Sirico stated we appreciate you coming to the Board.

Mr. Latinsics asked is there a recognition of the dedication of land?

OPEN TO THE PUBLIC FOR COMMENT

ADJOURNMENT:

On a motion by Board Member Warzala, second by Alternate Butler, with all members present voting in favor, the meeting was adjourned at 11:00 PM.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Land Use Administrator