

RESOLUTION

LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 10.15.25

RESOLUTION: LUB 25-22

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

Carried ☐ Defeated ☐ Tabled ☐

LUB 25-22

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
APPLICATION FOR VARIANCE FOR

Boschetti, Keith & Jennifer

414 Canterbury Avenue – Block 411, Lot 2

WHEREAS, Keith & Jennifer Boschetti (“Applicant”), owner of the Property located at 414 Canterbury Avenue, known as Block 411, Lot 2 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 structure and accessory structures and areas;

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WHEREAS, the Property is undersized (10,604 sf lot area), located in the AA zone;

WHEREAS, the Applicant appeared before the Board on September 17, 2025, represented by Bruce Whittaker, Esq., and together with the Applicant's sworn and qualified witness, to prosecute the application;

WHEREAS, the Applicant sought use variance relief pursuant to N.J.S.A. 40:55D-70d, from Borough Land Development Code Section 270-63A, related to proposed floor area ratio nonconformance (24.9% permitted, 20.4% or 2,167 sf existing, 28.15% or 2,985 sf proposed);

WHEREAS, the Applicant sought bulk variance relief pursuant to N.J.S.A. 40:55D-70c, from Borough Land Development Code Sections 270-54D, 64B, related to: front yard setback (30' required, 25.3' existing, 23.8' proposed); rear yard setback (50' required, 23' existing, 19' proposed); side yard setback (20.9' enhanced setback required, 20.4' existing and 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 Applicant commenced prosecution on September 17, 2025;

WHEREAS, the Applicant presented Martin Santini, FAIA, PP who was sworn and qualified as an expert in the field of architecture and planning;

WHEREAS, Mr. Santini testified as to the details of the proposal, citing to the filed 1.29.24 architectural plans (2-sheets), together with the filed site plan, prepared by McClellan

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Engineering, dated 1.24.25 (1-sheet) and property survey, incorporated by reference on the filed architectural plans, prepared by Lantelme, Kurins & Associates and dated 1.26.18;

WHEREAS, Mr. Santini testified as to the existing site conditions and layout of the residence (approx. 2,167 sf) and existing accessory improvements;

WHEREAS, Mr. Santini testified as to the unique nature of the Property, being both undersized and having an irregular frontage curvature;

WHEREAS, Mr. Santini testified as to the proposed improvements, specifically an addition proposed to both the first and second floors of the residence, being 47 sf and 771 sf in size, respectively;

WHEREAS, Mr. Santini described the first-floor addition as a one-story breakfast nook improvement, with nominal rear deck expansion behind the proposed breakfast nook and a (3' depth) front porch expansion;

WHEREAS, Mr. Santini described the second-floor addition as being developed over the existing garage and an expansion to an existing bedroom on the northwest side of the dwelling;

WHEREAS, Mr. Santini presented three exhibits:

Exhibit A-1: marked-up Sheet A-2 of the filed architectural plan;

Exhibit A-2: rendering, depicting the proposed elevation and materials;

Exhibit A-3: enlarged and colorized site survey;

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WHEREAS, Mr. Santini testified that the purposes of the Municipal Land Use Law were advanced by the grant of relief, warranted pursuant to N.J.S.A. 40:55D-70d5 and -70c1 given the undersized nature of the lot (10,604 sf existing to remain, 26,000 sf required in zone), the location of the addition (primarily over existing building structure) and the nominal size of the addition;

WHEREAS, Mr. Santini further testified that the FAR overage proposed (i.e. a 3.25% delta over that which is permitted by Code) is largely occasioned by both the existing undersized lot area and the configuration of the existing dwelling on the lot;

WHEREAS, Mr. Santini opined that the proposed architectural design, the limited massing increase, scale and top height are either nominally increased or a no-change condition, such that there would be no detrimental impact or intrusion to abutting properties, nor any undue impact to light, air or open space, as proposed;

WHEREAS, Mr. Santini further testified the bulk relief can be supported under the flexible benefit/detriment analysis, per N.J.S.A. 40:55D-70c2, noting the benefits included improved stormwater management controls on the Property, as proposed, in compliance with the Van Cleef Engineering Report prepared on behalf of the Board, dated 8.15.25;

WHEREAS, one member of the public (Tom Fritz, 420 Canterbury Drive) appeared during the course of the Application, offering sworn testimony in support of the proposal;

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

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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 10,604 sf, located at 414 Canterbury Drive, known as Block 411, Lot 2, on the Tax Map of the Borough of Allendale.
4. The Property is located in the AA Residence Zone.
5. The Applicant submitted a complete Land Use Application and associated documents, including a zoning determination, dated 4.17.25 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 a single-family residential dwelling and associated amenities.
7. Existing conditions on the Property render it nonconforming to the zone's lot area, front and rear 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

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of the Board, warranting the grant of variance relief, pursuant to N.J.S.A. 40:55D-70d5 and -70c.

10. One member of the public appeared in support of the application and no members of the public appeared in objection to 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:

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 8.15.25 prior to issuance of any permits.
3. The porch shall not be enclosed.
4. No new exterior mechanical units will be installed. Existing exterior mechanicals (including standby generator) shall remain in their current locations, with the Property walkway to be adjusted to accommodate same. All plans shall be revised to confirm that mechanicals and equipment will not be relocated.

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5. There shall be no lighting of the rear deck. New lighting improvements shall be limited to the front porch and areas adjacent to doors, as detailed on the approved plans.
6. The Applicant shall revise the landscaping plan to the satisfaction of the Board Engineer and Planner.
7. 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.
8. 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.
9. The McClellan Engineering plan shall be revised to reflect that the breakfast nook addition is a single-story addition.
10. 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.

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11. 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.
12. 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.

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.

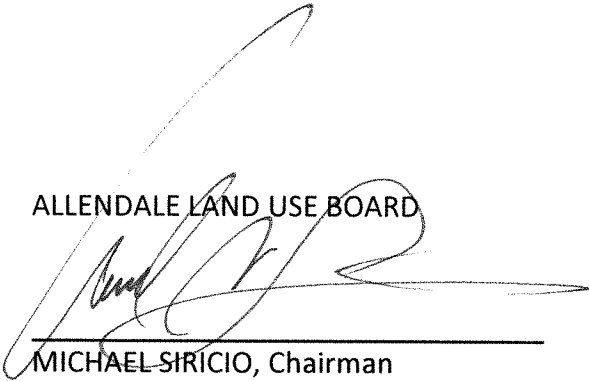
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Approved:

ALLENDALE LAND USE BOARD



MICHAEL SIRICIO, Chairman

Attest:



MELISSA BERGEN, VICE CHAIRWOMAN

Adopted: 10.15.25