

RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ

DATE: 5/12/2025

RESOLUTION: LUB 25-16

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

Carried ☐ Defeated ☐ Tabled ☐

LUB 25-16

LAND USE BOARD OF THE BOROUGH OF ALLENDALE  
RESOLUTION APPROVING  
APPLICATION FOR VARIANCE FOR  
VALERIA LISUNG / GARRE CAPITAL GROUP LLC  
BLOCK 701, LOT 13  
(a/k/a 310 EAST ALLENDALE AVENUE)

**WHEREAS**, Valeria Lisung / Garre Capital Group LLC, ("Applicant"), owner of the Property located at 310 East Allendale Avenue, known as Block 701, Lot 13 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 develop a two-story addition to the existing single-family residential dwelling structure and related accessory (patio) area improvements;

RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ

DATE: 5/12/2025

RESOLUTION: LUB 25-16

**WHEREAS**, the Applicant appeared before the Board on April 21, 2025, together with the Applicant's sworn and qualified witnesses, to prosecute the application;

**WHEREAS**, the Applicant sought the following variance relief pursuant to N.J.S.A. 40:55D-70c: deviation from the applicable side yard setback requirement – Section 270-64B2 (proposed GBA requires enhanced setback of 36.66') which was confirmed to be violated at the time of issuance of zoning permit denial and during the course of the hearing relative to portions of the addition;

**WHEREAS**, an Affidavit of Service and Publication, dated March 19, 2025, 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, represented by Christopher Rodriguez, Esq., commenced with prosecution on April 21, 2025, when all witnesses were sworn and provided testimony in support of the application;

**WHEREAS**, the Applicant presented Ricardo Fernandez, PP, JIA Consulting, who was sworn and qualified as an expert in the field of professional planning;

**WHEREAS**, Mr. Fernandez testified as to the details of the proposed addition, noting that same complies with all bulk requirements of the zone, with the exacerbated, violative condition being a preexisting nonconformity related to side yard setback;

RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ

DATE: 5/12/2025

RESOLUTION: LUB 25-16

**WHEREAS**, Mr. Fernandez testified as to the significantly oversized nature of the Property, confirming the permitted nature of the existing and proposed use;

**WHEREAS**, Mr. Fernandez testified that the proposal is similar to both the composition and existing nonconformities of surrounding area structures, relative to use, massing, configuration and appearance;

**WHEREAS**, Mr. Fernandez testified that there are no new impacts or deleterious changes proposed relative to the stormwater discharge on the Property, by way of the proposal;

**WHEREAS**, Mr. Fernandez confirmed that no large trees will be removed by way of the proposal;

**WHEREAS**, Mr. Fernandez testified that purposes C and I of the Municipal Land Use Law were advanced by the grant of relief, warranted pursuant to N.J.S.A. 40:55D-70c2;

**WHEREAS**, the Applicant presented Valeria Lisung, who testified in a lay capacity, in support of the application, confirming the Applicant's agreement to (i) investigate the Property water sewer lines, as to adequacy of condition and functionality, and (ii) install on-site stormwater management controls, to the satisfaction of the Board Engineer;

**WHEREAS**, the Applicant introduced the following exhibit in support of the Application during the course of the public hearing: Exhibit A-1 – PowerPoint Presentation deck, prepared by JIA Consulting, and presented by Mr. Fernandez.

RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ

DATE: 5/12/2025

RESOLUTION: LUB 25-16

**WHEREAS**, no members of the public appeared during the course of the entire Application in opposition to same;

**WHEREAS**, the Borough of Allendale Land Use Board that it 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 78,430 SF, located at 310 East Allendale Avenue, known as Block 701, Lot 13, 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 September 9th, 2024 prepared on behalf of the Borough of Allendale Code Enforcement Office, by Anthony Hackett, Construction & Zoning Official; site photos; Architectural plans entitled, "Addition and Alterations at 310 East Allendale Avenue, Allendale N.J." prepared by John E. Giammarino Architect, dated 9.21.2023 , last revised 2.25.2025; Property survey entitled "Survey of Property, Tax Lot 13 – Block 701, 310 East Allendale Avenue, Borough of Allendale, Bergen County, New Jersey" prepared by Lakeland Surveying, dated 8.31.2023.

RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ

DATE: 5/12/2025

RESOLUTION: LUB 25-16

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 side yard setback 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 proposed addition exacerbates and enhance the side yard setback nonconforming conditions.
10. A majority of the immediately surrounding properties are developed with multi-story, single-family dwelling structures of a size comparable to that which is proposed.
11. The Applicant's sworn and qualified professional, through testimony and presentation of the filed plans, filed site photos and Exhibit A-1, 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.
12. No members of the public appeared in connection with 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:

RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ

DATE: 5/12/2025

RESOLUTION: LUB 25-16

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 April 17, 2025, prior to issuance of any permits, including, but not limited to, the requirement of the Applicant to submit and address:
  - a. Investigate, repair and/or replace the Property water and sewer connections, as may be deemed necessary by the Board Engineer (and/or relevant utility company), including submission for review of video inspection of sewer connection;
  - b. Property stormwater management / drainage controls, to the satisfaction of the Board Engineer, including the installation of a drywell, or other system, that may be deemed necessary;
  - c. Maintain density of existing landscaping, screen mechanical equipment and supplement landscaping on the Property in those areas where same will be disturbed and/or removed to accommodate development of the proposal;

RESOLUTION

LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ

DATE: 5/12/2025

RESOLUTION: LUB 25-16

3. 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.
4. 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.
5. 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.

RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ

DATE: 5/12/2025

RESOLUTION: LUB 25-16

Approved:

ALLENDALE LAND USE BOARD

  
\_\_\_\_\_  
MICHAEL SIRICIO, Chairman

Attest:

  
\_\_\_\_\_  
MELISSA BERGEN, VICE CHAIRWOMAN

Adopted: May 14, 2025