

RESOLUTION

LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 10.15.25

RESOLUTION: LUB 25-23

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 25-23

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
VARIANCE PLAN of
Raspanti, Dan
101 Arlton Avenue - Block 506, Lot 1

WHEREAS, the applicant, Dan Raspanti ("Applicant"), the owner of the property located at 101 Arlton Avenue, known as Block 506, Lot 1 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; and

WHEREAS, the Property is a corner lot, having dual frontages along Arlton and Harding Avenues;

WHEREAS, the slightly oversized (28,761 sf) Property is located in the AA residential zone;

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WHEREAS, the Property has a preexisting nonconforming condition related to front yard setback (secondary front yard);

WHEREAS, the Applicant sought bulk variance relief pursuant to N.J.S.A. 40:55D-70c, from Borough Land Development Code Sections 270-54B, related to front yard (secondary) setback along the Harding Avenue frontage (40' required, 25.4' existing, 25.8' proposed);

WHEREAS, the Applicant duly effectuated public notice of the hearing in comport with N.J.S.A. Title 40, tendering proof of same to the Board in advance of the public hearing, via Affidavit of Service and Publication; and

WHEREAS, the Applicant commenced prosecution on August 20, 2025 and concluded prosecution on September 17, 2025;

WHEREAS, the Applicant testified as to the proposed addition to the single-family residential dwelling located on the Property and improvements to the rear yard deck;

WHEREAS, the Applicant testified that his mother would be relocating to the Property, prompting the proposed addition of the dwelling;

WHEREAS, the Applicant testified that the proposal was to retain the single-family use of the Property, with the addition being fully accessible to and integrated with the existing dwelling;

WHEREAS, the Applicant testified as to the filed plans, prepared by JMA Architects, last revisions dated 9.3.25 (2-sheets), opining that the goal of the proposed addition was to align with

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the existing structure's plane (garage area / western side of structure), to minimize impact to abutting properties, to obscure the addition from view (along Arlton) and to continue to maximize the use of the Property while achieving the floor plan addition and improvement goals of the Applicant;

WHEREAS, the Applicant testified that the yard area intrusion would be along the frontage of the abutting terminus street (Harding Avenue);

WHEREAS, the Applicant testified that no tree removal would be necessary to effectuate the proposal;

WHEREAS, the Applicant presented Allison Raspanti, the Applicant's spouse and resident of the Property, as a sworn witness;

WHEREAS, Ms. Raspanti described the impetus for the proposed addition and the floor plan layout connectivity goals, in connection with retaining the mudroom doors as proposed (primarily to accommodate the family children and pet access around the first floor and to the rear exit of the dwelling);

WHEREAS, the Applicant presented Pat Raspanti, the Applicant's mother and prospective resident of the Property, as a sworn witness, who offered limited testimony as to her intentions to reside at the Property, should the Board approve the pending application and the improvements be implemented;

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WHEREAS, the Applicant concluded the initial appearance on August 20, 2025 with an agreement to return to the Board at the September 17, 2025 public hearing, to continue prosecution, with additional evidence to be presented regarding prevailing setbacks of abutting properties, an inventory of comparable and similarly situated properties in the area, together with site and area photos and tree locations on the Applicant's plot plan;

WHEREAS, the Applicant, at the September 17, 2025 public hearing, presented subsequent evidence to the satisfaction of the Board, inclusive of site photos and updated variance plan denoting approximate setbacks of the proposal to abutting lots and structures, as well as approximate setbacks of abutting structures to their respective lot lines, establishing that the proposed improvements and code deviations were not out of character with the composition and development of the area, thereby not creating any undue impacts or detriments to the surrounding properties, to the zone, zone plan or Code.

NOW THEREFORE BE IT RESOLVED by the Borough of Allendale Land Use Board that it hereby makes the following findings of fact and conclusions:

1. Notice of the public hearing was properly given by the applicant in accordance with applicable law.
2. The Property is a corner lot, located at 101 Arlton Avenue, known as Block 506, Lot 1, on the Tax Map of the Borough of Allendale.
3. The property is oversized and is located in the AA Residence zone.

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4. As part of the application, the applicant submitted the aforementioned architectural plans (inclusive of site photos and tree / planting plan, as revised) and boundary survey prepared by Butler Surveying and Mapping, Inc. dated 12.27.22.
5. The Property is developed with a single-family dwelling structure.
6. The applicant was not represented by counsel.
7. No expert witnesses testified in connection with the application.
8. No members of the public appeared in connection with the application.
9. The Applicant'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, subject to the conditions herein.

BE IT FURTHER 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 Section 250-54B for deviations from the front yard setback requirements; and,

BE IT FURTHER RESOLVED that the Allendale Land Use Board hereby grants approval, subject to the following conditions, which shall be complied with prior to the issuance of a construction permit:

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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.
2. The Applicant shall comply with the terms and recommendations of Board Engineering Report, prepared by Van Cleef Engineering, dated 8.19.25;
3. Any new exterior mechanical equipment will be screened and will comply with all yard setback requirements applicable to same;
4. No existing street trees will be removed.
5. The addition shall remain open and accessible to the existing residence and shall not be utilized as a second, separate dwelling unit. The Board did not grant relief to modify the use of the Property to a two-family residence.
6. 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.
7. The Applicant will satisfy the Board Engineer's recommendations related to stormwater management implementation, 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.
8. The Applicant shall obtain a soil movement permit.

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9. The Applicant shall secure Plot Plan approval.
10. The Applicant shall submit an as-built survey, prior to issuance of a final certificate of occupancy.

BE IT FURTHER RESOLVED construction shall proceed in 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.

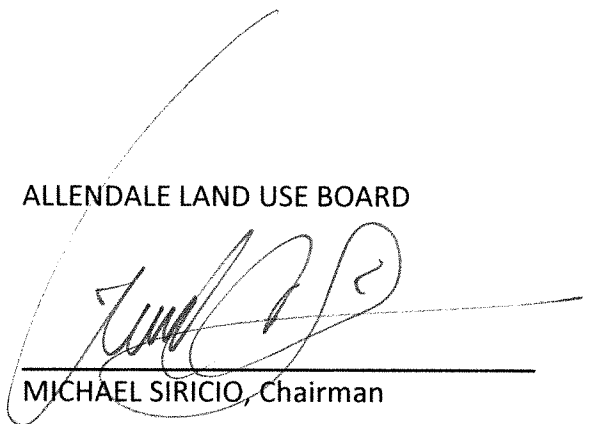
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Approved:

ALLENDALE LAND USE BOARD



MICHAEL SIRICIO, Chairman

Attest:



MELISSA BERGEN, VICE CHAIRWOMAN

Adopted: 10.15.25