

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 April 18, 2022. The meeting was called to order at 7:31 PM by Vice Chairman Sirico who read the open public meetings statement and stated the requirements had been satisfied.

Vice Chairman Sirico led the salute to the flag.

ROLL CALL:

The following individuals answered roll call:

Secretary Daloisio
Board Member Davis
Board Member Kistner
Councilwoman Lovisolo
Board Member Yaccarino
Vice Chairman Sirico
Mayor Bernstein
Alternate Forbes
Alternate Putrino

ABSENT:

Board Member Bergen
Chairman Quinn

The following individuals were also present:

Board Attorney, Chris Botta, Esq.
Board Engineer Michael Vreeland
Land Use Administrator, Linda Garofalo

APPROVAL OF MINUTES

Motion by Board member Kistner, seconded by Board Member Davis, that the Minutes of the March 14, 2022 Land Use Board Meeting be approved. There was no discussion.

On a roll call, the vote was recorded as follows: Secretary Daloisio – aye, Board Member Davis – aye, Board Member Kistner – aye, Board Member Yaccarino – aye, Vice Chairman Sirico – aye, Alternate Forbes – aye, Alternate Putrino – aye.

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Motion by Mayor Bernstein, seconded by Board Member Kistner that the Minutes of the March 16, 2022 Land Use Board Meeting be approved. There was no discussion.

On a roll call, the vote was recorded as follows: Secretary Daloisio – aye, Board Member Davis – aye, Board Member Kistner – aye, Board Member Yaccarino – aye, Vice Chairman Sirico – aye, Alternate Forbes – aye, Alternate Putrino – aye.

RESOLUTIONS:

Application File No: LUB 2022-08

Resolution No.: 22-14

Applicant: Peter & Lindsay Doris

Address: 72 Homewood Road

Block: 2004 Lot: 30

Proposed: Second floor dormer to include a bathroom and walk-in closet. Pursuant to Sec. 270-37A

A motion to adopt the resolution was made by Board Member Yaccarino, seconded by Board Member Kistner. Roll Call: Secretary Daloisio – aye, Board Member Davis – aye, Board Member Kistner – aye, Board Member Yaccarino – aye, Vice Chairman Sirico – aye, Mayor Bernstein – aye.

Application File No: LUB 2022-06

Resolution No.: 22-15

Applicant: Minaris Regenerative Medicine

Address: 75 Commerce Drive, Allendale, NJ 07401

Block: 702 Lot: 17

Proposed: Preliminary & Final Minor Site Plan review to install various entrance/exits on the existing building, construct a cold storage and waste holding enclosure, install HVAC equipment, install a roll-up lock door as well as other associated interior/exterior site improvements.

A motion to adopt the resolution was made by Secretary Daloisio, seconded by Board Member Kistner. Roll Call: Secretary Daloisio– aye, Board Member Davis – aye, Board Member Kistner – aye, Board Member Yaccarino – aye, Vice Chairman Sirico – aye, Mayor Bernstein – aye.

PUBLIC HEARINGS:

Application File No: LUB 2022-07

Applicant: Marc & Bridget Adler

Address: 22 Bonnie Way

Block: 201 Lot: 14

Proposed: Addition of new recreation room, office, expanded kitchen, deck and new pool cabana. Pursuant to Sec. 270-64(A)

(carried from the meeting of March 16, 2022)

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Mrs. Mary Scro, Architect for the applicant, stated we reworked the first floor plan and we are now conforming. Tonight we are here for the side yard setback.

Exhibit A1-Revised drawing – Schwanewede & Hals Engineering dated March 28, 2022

Exhibit A2-Revised Architectural drawings dated April 1, 2022

Mrs. Scro stated we conform on the right side. There is a front porch and a cabana also. This is similar to other properties on this road. The shed is being removed.

Mike Vreeland stated we reviewed the revised plans. The addition will be finished similar to the rendering. There will be no outdoor lighting. The fence encroachment will be addressed with a hold harmless agreement.

Vice Chairman Sirico asked for questions from the Board.

Mayor Bernstein asked if the drainage has been addressed.

Mike Vreeland stated a seepage pit is proposed. There's adequate room on the property to address this.

Vice Chairman Sirico stated the applicant agrees to this.

Councilwoman Lovisolo stated I think it's great that you went back and addressed the Board's comments.

Secretary Daloisio stated I appreciate you redesigning this and wish you many years of happiness in your home.

Bob McCarthy, 32 Bonnie Way, Allendale stated he is concerned about the seepage pit but now we have to wait.

Mike Vreeland stated after the soil is tested this will be determined. We can suggest the seepage pit installation to the applicant's Engineer.

Mayor Bernstein stated I don't want the ability to address this concern to be forgotten.

Chris Botta stated we always include in the resolution a statement that says the applicant will work with the Engineer in the field to make sure there is no negative impact on the neighbors.

Mr. McCarthy asked where are the perc tests done?

Mike Vreeland stated at the location of where the seepage pit is proposed.

Chris Botta stated the Engineer's work on this.

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Vice Chairman Sirico asked for questions from the public.

A motion to approve the application was made by Board Member Yaccarino, seconded by Councilwoman Lovisolo. Roll Call: Secretary Daloisio – aye, Board Member Davis – aye, Board Member Kistner – aye, Councilwoman Lovisolo – aye, Board Member Yaccarino – aye, Vice Chairman Sirico – aye, Mayor Bernstein – aye.

Mr. Botta stated this application will be memorialized at the May 18, 2022 LUB Meeting. The permits can be applied for but not approved until after this date.

Application File No: LUB 2022-09

Applicant: Vincent Pergola & Anna Peterson

Address: 38 E. Crescent Avenue, Allendale, NJ 07401

Block: 511 Lot: 7

Proposed: Two story addition, adding a car port and expanding the driveway. Pursuant to 270-37, 270-54C, 270-54B & 270-54A

Mr. Botta stated he has reviewed the public notice, mailings and taxes and this application is ready to proceed.

Mr. Whitaker stated this home was built way before zoning ordinances were put into place. The applicant proposes a two story addition to the rear, a carport and expansion of the driveway. The carport is an open structure for a car with columns and it will never be enclosed – it is a roof with columns. We are seeking a variance to permit the side yard setback to continue, a roof height of 37 feet where 35 feet is required. These are the variances. We have a lot that is deficient in lot area. We meet impervious coverage, FAR and gross building area. This is a C1 variance, the property is unique. This is an overview of the application.

Vincent Pergola, owner of 38 E. Crescent Avenue was sworn in by Chris Botta.

Mr. Pergola stated we own this house for five years, we have three daughters. There are three bedrooms upstairs with one full bathroom and a half bath on the main floor. We propose one bedroom, one bathroom and additional living space. There are gaps in the floors that need to be replaced. The house will be resided and reroofed. The garage is far from the house, we'd like to give the house more character. We'd like it to have the historic look. The property has a hill, it's a long lot with a slant. We'd like to keep the elevation the same as what currently exists. We don't want it to look like a bump out addition. We need the additional living space for the family.

Councilwoman Lovisolo asked are you moving the roofline up?

Mr. Pergola stated no, we are not. The roofline goes straight across.

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Secretary Daloisio asked if the garage will remain.

Mr. Pergola stated yes.

Vice Chairman Sirico asked for questions from the Board.

Vice Chairman Sirico asked for questions from the public.

Hearing none, he brought it back to the Board.

Sean McClellan, Engineer, 101 West Street, Hillsdale was sworn in and his credentials accepted by Chris Botta.

Mr. McClellan stated the lot is 10,800 square feet. Currently there is a two story single family home on the property. The house is flat and then the rear drops off. The difference is 114 and then 112 – this is the need for the height variance. We propose a 1,000 gallon seepage pit. We comply with the gross building area. The April 4, 2022 report from Mike Vreeland has been reviewed and the applicant will comply. There is no exterior lighting proposed other than what is required. Two small pine trees will be removed. An as-built plan will be required when work is completed.

Vice Chairman Sirico stated there is an error with the seepage pit location, this needs to be corrected.

Mr. McClellan stated yes, this will be corrected.

Mike Vreeland stated I have one question. In the rear yard, there's a small retaining wall. Would a similar wall be able to be built to accommodate the height variance?

Mr. McClellan stated I think because the lot is so narrow it would appear that we forced the issue. From the street, it will look the same.

Chris Botta stated I don't think this is appropriate in this instance.

Councilwoman Lovisolo stated we are sticklers about height.

Mr. Whitaker stated I know that.

Robert Norelli, 46 E. Crescent Avenue, Allendale stated we are the neighbor next door. Our house was built in 1895 and we have done several additions. From a neighbors standpoint it has been a delightful time with the neighbors. I understand it's no impact to us whatsoever. Our home is to the left. I do not know who owns the property behind us at the drop off.

Vice Chairman Sirico asked for questions from the Board.

Vice Chairman Sirico asked for questions from the public.

Vice Chairman Sirico asked for comments from the Board.

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Board Member Kistner stated the smile Mr. Pergola just had on his face after Mr. Norelli spoke made my night.

Board Member Davis stated I think this truly is a hardship.

A motion to approve the application was made by Board Member Yaccarino, seconded by Board Member Davis. Roll Call: Secretary Daloisio – aye, Board Member Davis – aye, Board Member Kistner – aye, Councilwoman Lovisolo – aye, Board Member Yaccarino – aye, Vice Chairman Sirico – aye, Mayor Bernstein – aye, Alternate Forbes – aye, Alternate Putrino – aye.

Mr. Botta stated this application will be memorialized at the May 18, 2022 LUB Meeting. The permits can be applied for but not approved until after this date.

Application File No: LUB 2022-10

Applicant: Shoaeb Raziuddin & Shaziya Shaikh

Address: 109 E. Orchard Street, Allendale, NJ 07401

Block: 1901 Lot: 10

Proposed: New single family dwelling with walk out basement, driveway, walkway, rear patio and in ground swimming pool with patio surround. Pursuant to 270-64 B(2) and 270-54A

Mr. Botta stated he has reviewed the public notice, mailings and taxes and this application is ready to proceed.

Mayor Bernstein and Councilwoman Lovisolo are recused from this application.

Bob Davies, Attorney for the applicant, stated we are proposing a 32' tall home to allow for the stairs to the basement not be seen. The lot is conforming except for the area and width. The proposed house is not oversized.

Secretary Daloisio stated I don't see the height variance on the plans.

Mr. Davies stated it's a D variance. The property is undersized.

Mr. Raziuddin was sworn in by Chris Botta.

Mr. Raziuddin stated my wife and I have been living in a townhome for eight years. We purchased this property, have two children in Hillside School and would like to build a five bedroom colonial, and have room for the grandparents.

Vice Chairman Sirico stated we noted that the trees and vegetation have been taken away. We have tree removal requirements in Allendale.

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Mr. Raziuddin stated we have plans to replant the trees. We wanted to clear the lot and bring back all the landscaping.

Vice Chairman Sirico stated I do not see a landscaping plan. The Board needs to see this.

Mr. Raziuddin stated we will add more to what is shown on the plot plan.

Vice Chairman Sirico asked for questions from the Board.

Secretary Daloisio asked do you have an alternate design that conforms?

Mr. Raziuddin stated no, we designed this with our Architect.

Mr. Davies stated the lot is narrow.

Secretary Daloisio stated I would've liked to see an alternate version. This Board tries to work with the applicant.

Alternate Putrino stated this is an undersized lot, there are many lots that are 150 feet wide that you could have purchased. You can't come to a Board and state this is what we want and hope we can get it. We have a procedure in place about tree removal also.

Mr. Davies stated the trees will be replaced.

Board Member Yaccarino stated we try to keep the houses as close to the requirements as possible with new construction.

Mike Vreeland stated going back as far as the 2005 Master Plan, (the appropriate size of homes and increased setbacks as far as the gross building area goes) has been followed through to the 2011 Master Plan and then to the 2017 Master Plan. The enhanced side yard setback has followed all these years. This was found to be necessary and is there for a reason.

Vice Chairman Sirico asked for questions from the public.

Thomas Stearns, Engineer, 144 Jewel Street Garfield was sworn in and his credentials accepted by Chris Botta.

Mr. Stearns stated we are on the northerly side of East Orchard in the AA zone. This lot is 115 feet wide and 191.69 deep. There was a split level home on the property. We are proposing a five bedroom, 3 car garage and similar driveway. There is a driveway, patios and a 15 x 30 foot inground pool. The pool is conforming. We propose two 1,000 gallon seepage pits. The landscaping proposal is for 36 arborvitae, 12 boxwoods and 3 hydrangeas. My client is willing to replace the trees. The fence will be 5 feet tall. The grading will remain the same and we are improving the runoff. The height cannot be seen from the street.

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Mr. Davies asked Mr. Stearns how many feet would have to be removed to meet the enhanced side yard setbacks?

Mr. Stearns stated 560 square feet, 40 x 14.

Mr. Stearns stated there is an oil cap on the survey. A tank sweep was done and it showed nothing. It will be removed. A copy of the report was given to the Board.

Exhibit A1- Accurate Tank Testing, report dated August 2, 2021.

Mr. Davies stated my client will replace the trees that were removed.

Secretary Daloisio asked there are two seepage pits to the far left corner in the rear. What can you do to alleviate some of this?

Mr. Stearns stated take away some of the footprint of the house.

Secretary Daloisio asked can more trees be planted in the back perimeter?

Mr. Stearns stated we can do that.

Mike Vreeland stated there's no drainage there now and there is increased impervious coverage. If designed correctly, there would be less runoff than what currently exists. I don't know how the house fits in with the neighborhood.

Exhibit A2 – photograph of adjacent properties from Google

Mr. Davies showed the photograph to the Board of the adjacent properties, tax map plotting.

Mr. Stearns spoke about the sizes of the properties in the area.

Chris Botta asked for questions from the Board.

Alternate Putrino asked if the property to the left has a home similar in size to what was demolished on this site?

Mr. Stearns stated yes.

Mr. Putrino stated the front yard setback is there so the houses line up on the street. There is no consistency here. The proposal should line up with the house to the left.

Mr. Davies stated we could slide the house to the rear.

Alternate Putrino stated I don't see that you've made any effort.

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Mike Vreeland stated the size of the house determines the side yard setback requirement.

Mr. Davies stated this is a proposal to avoid Bilco doors in the basement. We can put them in though.

Vice Chairman Sirico stated this Board tries to make things work. This is a clear slate. We have no options here or something we can choose from. I'd like to see some other options.

Mr. Davies stated the rendering shows the old home and the proposal.

Secretary Daloisio stated it's a great proposal. I'd like to see an alternate.

Vice Chairman Sirico asked for questions from the public.

Joseph Licata, 90 Arcadia Road, Allendale stated I live behind this proposed home. In my back beds there's already water there. The grade goes down and I am concerned about drainage. Is the drainage going to be addressed?

Mr. Stears stated we propose trees adjacent to the pool and absorbing trees along the rear property line and also pool drainage will go to the seepage pit. The pool and deck comply.

Mr. Licata asked what is the fence height?

Mr. Stearns stated 5 feet is permitted. There is a note on the plan that drainage cannot run on adjacent properties.

Vice Chairman Sirico asked about the zoning for the pool.

Mike Vreeland stated the distance is from the water to the property line.

Secretary Daloisio asked what is the purpose of the wall on the left side?

Mr. Stearns stated this is a keystone type wall and it is to work with the grade and planting with the adjacent property.

Vice Chairman Sirico stated based on the comments from the Board, I think we need some variations to this. I'd like to see some other options.

Board Member Yaccarino stated I agree with Vice Chairman Sirico's statement.

Mr. Davies stated I agree.

Mr. Botta stated revised plans are due no later than 10 days prior to the next meeting.

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Mr. Botta stated this application is carried to the **May 18, 2022 meeting at 7:30**. No further notice is necessary, time is waived for the Board to act.

Mayor Bernstein and Councilwoman Lovisolo returned to the meeting.

Vice Chairman asked if there were any comments from the Board.

DISCUSSION:

Board Member Kistner stated Chris Botta has helped us with the LUB Committee and some Borough issues. He's done a great job.

Board Member Yaccarino thanked Vice Chairman Sirico for stepping in in Chairman Quinn's absence.

OPEN TO THE PUBLIC FOR COMMENT:

ADJOURNMENT:

On a motion by Board Member Yaccarino, second by Board Member Kistner, with all members present voting in favor, the meeting was adjourned at 9:40 PM.

Respectfully submitted,

Linda Garofalo

Linda Garofalo