

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 5/14/2025

RESOLUTION: LUB 25-19

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 25-19

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
APPLICATION FOR VARIANCE FOR
RICK GOLDBERG AND LAUREN PATERNO
BLOCK 801 , LOT 39
(a/k/a 118 GREEN WAY)

WHEREAS, Rick Goldberg and Lauren Paterno, ("Applicant"), owner of the Property located at 118 Green Way, known as Block 801, Lot 39 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 an addition and renovation to the existing single-family dwelling;

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WHEREAS, the Applicant appeared before the Board on April 23, 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 lot area requirement – Section 270-51B(1) (existing lot area, proposed to remain, at $\pm 27,129$ sf, where the zone requires 40,000 sf).
- Deviation from the applicable side yard setback requirement – Section 270-64A (proposed gross building floor area requires enhanced setback of ± 32.9 ft').

WHEREAS, an Affidavit of Service and Publication, dated April 3, 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 commenced with prosecution on April 23, 2025, when all witnesses were sworn and provided testimony in support of the application;

WHEREAS, the Applicant presented Mary Fitzpatrick Scro who was sworn and qualified as an expert in the field of architecture;

WHEREAS, the Applicant introduced the following exhibit in support of the Application during the course of the public hearing: Exhibit A-1 – current Property Survey;

WHEREAS, Ms. Scro testified as to the details of the proposed addition and alterations to the existing dwelling which include a second-story addition along with a footprint expansion;

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WHEREAS, Ms. Scro testified that the purposes of the Municipal Land Use Law were advanced by the grant of relief, and were warranted pursuant to N.J.S.A. 40:55D-70c, particularly in light of the fact that there would be no further encroachment into the side yard setback and given the similar composition of surrounding area properties in the zone;

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 ±27,129 SF, located at 118 Green Way, known as Block 801, Lot 39, on the Tax Map of the Borough of Allendale.
4. The Property is located in the AAA Residence Zone.
5. The Applicant submitted a complete Land Use Application and associated documents, including a zoning determination, dated January 27, 2025 prepared on behalf of the Borough of Allendale Code Enforcement Office, by Anthony Hackett, Construction & Zoning Official; site photos; Architectural plans (including a copy of survey) entitled,

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“Paterno-Goldberg Residence, 118 Green Way, Allendale, NJ” prepared by Z+ Architects, LLC (Mary Fitzpatrick Scro), dated January 13, 2025.

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 sworn and qualified professional, through testimony and presentation of the filed plans and exhibits, 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.
10. 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:

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

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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 18, 2025, prior to issuance of any permits, including, but not limited to, the requirement of the Applicant to submit and address:
 - a. Soil Movement Permit and Plot Plan;
 - b. As-Built Plan; and,
 - c. Address site grading and stormwater management to the satisfaction of the Board Engineer.
3. Applicant shall investigate potable water and sanitary sewer connections serving the Property and shall repair / replace as necessary.
4. 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.
5. 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.

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6. 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.

Approved:

ALLENDALE LAND USE BOARD



MICHAEL SIRICIO, Chairman

Attest:



MELISSA BERGEN, VICE CHAIRWOMAN

Adopted: May 14, 2025