

**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 May 15, 2019. The meeting was called to order at 7:30 p.m. by Chairman Quinn who read the open public meetings statement and stated the requirements had been satisfied.

Chairman Quinn led the salute to the flag.

ROLL CALL:

Kevin Quinn, Chair – Present
Michael Sirico, Vice Chair – Present
Joseph Daloisio, Secretary – Present
Ari Bernstein, Mayor – Present
Melissa Bergen – Present
Patty Davis – Present
Susanne Lovisolo – Present
Ron Kistner, Borough Administrator – Present
Steve Sasso, Council’s Representative – Present
Tyler Kearl, Alternate 1 – Absent
Tyler Yaccarino, Alternate 2 – Present

BOARD CONSULTANTS:

Christopher C. Botta, Esq., – Present
Michael G. Vreeland, P.E., P.P., – Present

PUBLIC HEARING:

Application File No: LUB 2019-07 Applicant: Park & Ivy Properties, LLC, Address: 54 Park Avenue, Allendale, NJ 07401, Block 1709 Lot 7
Application: Preliminary Site Plan Approval, Final Site Plan Approval, and Variance Relief Pursuant to 40:55D-70 (C) and (D)

Chairman Quinn amended the agenda to address a request for a special meeting.

Bruce E. Whitaker, Esq., appeared on behalf of the Applicant. He stated the reason for the special meeting request was the matter’s third placement position on the evening’s agenda and the anticipated time it would take to present the matter. He asked for a meeting date of June 17, 2019, with a continuance to June 19, 2019 if necessary. Chairman Quinn polled the Board and determined a quorum would be available on June 17. Mr. Whitaker stated he would notice and provide documents ten days prior to the meeting.

Several members of the public addressed the Board questioning administrative procedure relative to adjournments, file review, OPRA requests, professional report review, and actions taken prior to the meeting. Board Attorney Botta advised that questions on the merits of the application could not be answered before the public hearing of the matter. He advised that the photographs of the application

could be taken and copies could be made. Mr. Whitaker confirmed that copies and/or photographs of the application could be taken. Mr. Botta informed the public that the Municipal Land Use Law could be found in the library and noted additional comments and questions to the Board on general subjects could be presented during the *OPEN TO THE PUBLIC FOR COMMENT* portion of the meeting.

APPROVAL OF MINUTES:

A. Minutes of the Borough of Allendale Land Use Board Meeting Held March 20, 2019 - A motion to approve was made by Borough Administrator Kistner and seconded by Board Member Bergen. There was no discussion. Roll Call: Chairman Quinn – yes, Vice Chair Sirico – yes, Mayor Bernstein – yes, Board Member Bergen – yes, Board Member Davis – yes, Board Member Lovisolo – yes, Board Member Kistner – yes, Councilman Sasso – yes, Board Member Yaccarino – yes. The motion carried.

B. Minutes of the Borough of Allendale Land Use Board Meeting Held April 10, 2019 - A motion to approve was made by Secretary Daloisio and seconded by Board Member Kistner. Chairman Quinn noted corrections were made. There was no further discussion. Roll Call: Chairman Quinn – yes, Vice Chair Sirico – yes, Secretary Daloisio – yes, Mayor Bernstein – yes, Board Member Bergen – yes, Board Member Davis – yes, Board Member Lovisolo – yes, Board Member Kistner – yes, Councilman Sasso – yes. The motion carried.

RESOLUTION:

Resolution LUB 19-15 Application File No: LUB 2019-04

Applicant: Nicholas and Lindsay Leone

Address: 36 Carteret Road, Allendale, NJ 07401

Block: 1503.01 Lot: 17

Application: Side Yard Setback – Borough Code 270-64B (3)

Attorney Botta presented the resolution. A motion to adopt the resolution was made by Vice Chair Sirico and seconded by Board Member Lovisolo. There was no discussion. Roll Call: Board Member Bergen – yes, Board Member Davis – yes, Board Member Kistner – yes, Secretary Daloisio – yes, Board Member Sasso – yes, Board Member Lovisolo – yes, Vice Chair Sirico – yes, Mayor Bernstein – yes, Chairman Quinn – yes. The motion carried.

PUBLIC HEARING:

A. Application File No: LUB 2019-05

Applicant: Carmel Falcone & Bill Cobb

Address: 38 Oakwood Road, Allendale, NJ 07401

Block 2203 Lot 5

Application: Side Yard Setback- Borough Code §270-64A(3)

Board Attorney Botta advised that notice was sufficient and the Board had jurisdiction. Mary Fitzpatrick Scro, AIA, and William Cobb, Owner, were sworn. Referencing the architectural plans dated 3/22/19, Ms. Scro provided an overview of the proposed improvements, which include a second-floor addition and front steps. She identified the necessity for side yard setback variance

relief stating the side yard encroachment is a pre-existing condition that would not be impacted by the proposed construction. This hardship and need for variance relief, she explained, is created by the location of the home that was built prior to the zone change and implementation of the sliding set back ordinance.

Board members reviewed the engineering report prepared by Michael G. Vreeland, P.E., and P.P., dated April 8, 2019. Mr. Vreeland opined the addition is not out of scale with other homes in the neighborhood and the proposed construction is within the building envelope.

Ms. Scro submitted a revised plot plan prepared by Robert J. Weissman, P.E., L.S., titled *Plot Plan Soil Erosion and Sediment Control Plan, Block 22013 Lot 5*, dated 4-22-10. She confirmed that the front stairs do not encroach into the required 50' setback and there would be no changes to the curb cut. She presented her intent to maintain a traditional aesthetic utilizing clapboard and shutters. She noted that the second floor addition is not proposed at the side of the house with the existing variance condition. She stated the design softens the visual impact of the addition.

Chairman Quinn opened the meeting to the public. Mr. Salvatore Carcara was sworn. He stated he owns the adjacent property and expressed concern about the existing 10' – 15' tall bamboo privacy buffer. The Applicant confirmed that the plan is to remove it. Ms. Scro opined that the Applicant could “tear down the buffer tomorrow” as there is no tie between the variance application and the landscape plan. Mr. Carcara disagreed and stated bamboo is aggressive when it is disturbed and he did not want his property disturbed. He stated he would like the buffer to remain and if replaced, the replacement should be similar in height.

Following discussion, Ms. Scro stated a landscaping design had not been prepared. The Applicant stated he intends to provide screening and does not want the bamboo anymore. Board Attorney Botta advised that the Board did not have jurisdiction on landscaping.

Mr. Vincent Crood addressed the Board. He asked how height was measured. Ms. Scro explained her calculation.

No other members of the public addressed the Board on the matter. Chairman Quinn closed the meeting to the public.

A motion to approve the application subject to the Applicant adding a landscape buffer if the bamboo is removed was made by Secretary Daloisio and seconded by Board Member Bergen.

Roll Call: Board Member Bergen – yes, Secretary Daloisio – yes, Board Member Davis – yes, Board Member Kistner – yes, Board Member Lovisolo – yes, Councilman Sasso – yes, Vice Chair Sirico – yes, Mayor Bernstein – yes, Chairman Quinn – yes. The motion carried.

B. Application File No: LUB 2019-06

Applicant: TJG Realty of Rockland County, LLC, c/o Tim Gulla

Address: 19 Valley Road, Allendale, NJ 07401

Block 1102 Lot 26

Application: Side Yard Setback- Borough Code §270-64B(2)

Board Attorney Botta reviewed potential conflict recusals with Applicant's Counsel and determined Mayor Bernstein and Councilman Sasso could hear the matter. He confirmed notice was sufficient and the Board had jurisdiction.

Richard J. Savino, Esq., appeared on behalf of the Applicant. He stated the Applicant was denied a permit due to the necessity for a side yard variance. Richard Alletto, Project Manager, was sworn. Mr. Alletto described the proposal stating the intent is to make the home an "Allendale home" and add a two-car garage on grade with a master suite above. The existing garage, rooflines, home layout, roofline, and driveway position would be modified. He stated dormers and composite siding would be added. He stated the footprint does not change and explained the variance is triggered by the addition of square footage. He stated this is the hardship as any modification triggers the variance. He confirmed the new height as 27.8' and stated it meets the requirements. Mr. Alletto stated the total square footage of the home would be 4562 sq. ft. Mr. Savino stated the look of the home will be improved and the large side yard would remain. Board members discussed the hardship and the potential for setting a precedent.

Board members reviewed Board Engineer Vreeland's report dated May 7, 2019. Mr. Vreeland stated the lot is long and narrow. He discussed potential stormwater impacts. Mr. Alletto presented the addition is 23.4 x 26.8 with slab on grade. He stated his observation of the property disclosed no moisture or puddling. He noted gutters are proposed to grade. He agreed to work with Mr. Vreeland to address stormwater impacts.

With reference to porch overhang encroachment into the front yard setback, Mr. Alletto stated he was certain the structure was reduced to fit into the building envelope. The Applicant agreed to comply with the recommendations noted in Mr. Vreeland's report.

Chairman Quinn opened the meeting to the public. Mr. Michael Mahle asked the Applicant "What is an Allendale house?" Mr. Savino stated he would reframe his description. He explained his existing home is 30 – 40 years home and the idea is to create a new marketable home. Mr. Savino stated people are looking for upgraded homes. He noted the job has to be economically feasible.

No other members of the public addressed the Board. The meeting was closed to the public.

A motion to approve the application subject to the Applicant addressing drainage, revising the plans in accordance with the testimony and Board Engineer's report dated May 7, 2019 and no front yard encroachment was made by Board Member Kistner seconded by Secretary Daloisio. Roll Call: Board Member Bergen – yes, Secretary Daloisio – yes, Board Member Davis – no, Board Member Kistner – yes, Board Member Lovisolo – yes, Councilman Sasso – yes, Vice Chair Sirico – yes, Mayor Bernstein – yes, Chairman Quinn – yes. The motion carried. Chairman Quinn commented the proposal is an improvement on what exists today.

DISCUSSION: Councilman Sasso reported the Land Use Subcommittee met and continued their review of Ordinance lighting and signage requirements. Mayor Bernstein stated the Council is conducting a comprehensive review of the Ordinance to determine if it is current. He stated the Council would conduct a Special Meeting to discuss the Ordinance at a date to be determined. A stated potential for Land Use Board participation in the review process was noted.

OPEN TO THE PUBLIC FOR COMMENT: No members of the public addressed the Board.

CORRESPONDENCE: No comments were noted.

ADJOURNMENT: A motion to adjourn was made by Secretary Daloisio seconded by Board Member Lovisolo. All were in favor. The meeting concluded at 9:15 p.m.

Respectfully submitted,

Anne-Marie Wilhelm

E:\AllendaleLAND USE BOARD.5.16.19.docx