

# THE BOROUGH OF ALLENDALE

N E W J E R S E Y

500 WEST CRESCENT AVENUE, ALLENDALE, NJ 07401

WWW.ALLENDALE.NJ.GOV

201-818-4400

LINDA GAROFALO  
LAND USE ADMINISTRATOR  
(201) 818-4400 x212  
[lindagarofalo@allendalenj.gov](mailto:lindagarofalo@allendalenj.gov)

March 18, 2021

Mr. & Mrs. Gianfredi  
847 W. Crescent Avenue  
Allendale, NJ 07401

Re: Land Use Board File No. LUB 2021-01  
847 W. Allendale Avenue, Allendale, New Jersey 07401  
Block 2201, Lot 2

Dear Mr. & Mrs. Gianfredi:

In accordance with N.J.S. 40:55D-10h, enclosed is a certified copy of a Resolution of the Allendale Land Use Board, passed at their March 17, 2021 Meeting, granting variance approval. Copies have also been forwarded to the Allendale Construction Code Office.

Please feel free to contact the Allendale Construction Code Office at 201-818-4400 x208 to determine how to proceed and what permits and fees are necessary.

Also attached is a copy of a Proof of Publication Affidavit showing that the Notice of Decision was published in accordance with N.J.S. 40:55D-10i.

If you have any questions, please do not hesitate to call.

Sincerely,

Linda Garofalo

cc: Bldg. Dept.  
M. Vreeland

Borough of Allendale, New Jersey  
Office of the Land Use Administrator

## PROOF OF PUBLICATION AFFIDAVIT

Date: March 18, 2021

As the duly appointed Land Use Administrator for the Borough of Allendale, in the County of Bergen, State of New Jersey, I, LINDA GAROFALO, hereby certify that the attached Public Notice was published in the March 18, 2021 issue of the The Record newspaper.



LINDA GAROFALO  
Land Use Administrator

Proof of Publication

NOTICE OF DECISION  
LAND USE BOARD  
BOROUGH OF ALLENDALE

PLEASE TAKE NOTICE that at a Regular Meeting of the Allendale Land Use Board held on March 17, 2021, the Board took the following action:

Approval was granted by Resolution LUB 21-11 on Application File No. LUB 2020-01 to Richard & Rowena Gianfredi for a variance for a proposed addition to the premises. The property is located 847 W. Crescent Avenue, Allendale, NJ 07401, Block 2201 Lot 2, on the Tax Assessment Map of the Borough of Allendale.

The proceedings and all related documents may be inspected in the Office of the Municipal Clerk, Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey 07401 during regular business hours, Monday through Friday 9:00am to 4:30pm.

By order of the Land Use Board.

Linda Garofalo  
Land Use Administrator  
THE RECORD  
MARCH 18, 2021  
FEE: \$15.30

**RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: March 17, 2012**

**RESOLUTION# LUB 21-11**

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
<b>Bergen</b>			✓			
<b>Daloisio</b>	✓		✓			
<b>Davis</b>			✓			
<b>Kistner</b>			✓			
<b>Lovisolo</b>		✓	✓			
<b>Councilman Sasso</b>						✓
<b>Sirico</b>			✓			
<b>Mayor Bernstein</b>						✓
<b>Chairman Quinn</b>			✓			
<b>Yaccarino – Alt. #1</b>			✓			
<b>Forbes – Alt. #2</b>			✓			✓

Carried  Defeated  Tabled

**RESOLUTION 21-11**

**LAND USE BOARD OF THE BOROUGH OF ALLENDALE  
RESOLUTION APPROVING  
APPLICATION FOR VARIANCE FOR RICHARD & ROWENA GIANFREDI  
BLOCK 2201, LOT 2  
(a/k/a 847 WEST CRESCENT AVENUE)**

**WHEREAS**, the applicants, RICHARD & ROWENA GIANFREDI, the owners of the property located at 847 West Crescent Avenue, known as Block 2201, Lot 2 on the Tax Map, in the Borough of Allendale, County of Bergen and State of New Jersey, applied to the Land Use Board of the Borough of Allendale in an application dated January 19, 2021 for approval of a variance for a proposed addition to the premises, which is located in the AAA zone, from the Allendale Code, Zoning; and

**RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
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**RESOLUTION# LUB 21-11**

**WHEREAS**, the application seeks a variance since the property is pre-existing non-conforming and the addition as proposed would result in a 33.4 rear yard setback, whereas a 50-foot rear yard setback is required.

**WHEREAS**, the application specifically seeks approval to construct a single-story addition in the side/rear of the existing dwelling, and to add a porch to the front of the premises; and

**WHEREAS**, the application seeks specific variance relief for rear yard encroachment; and

**WHEREAS**, the Land Use Board considered the matter at the February 25, 2021 regular meeting of the Land Use Board at which the applicants personally appeared (virtually) and the applicant's architect, Fred Klenk, AIA, personally appeared (virtually) and testified;

**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 located at 847 West Crescent Avenue, known as Block 2201, Lot 2, on the Tax Map of the Borough of Allendale. The property is located in the AAA residential zone. The application was in evidence.
3. As part of the application, the applicant submitted Architectural Plans prepared by Fred Klenk, AIA, dated December 3, 2020, an Engineering Plot Plan dated January 20, 2021, prepared by Weissman Engineering, the December 29, 2020 letter from the Allendale Code Official, various photographs and correspondence. These plans and exhibits were in evidence and reviewed and examined by the members of the Land Use Board.

**RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: March 17, 2012**

**RESOLUTION# LUB 21-11**

4. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated February 4, 2021. The Memorandum was in evidence and reviewed and examined by the members of the Land Use Board.

5. A variance is required because this property located in the AAA residential zone, which due to the structure in place, requires minimum rear yard setback of 50 feet. The proposed addition would result in a rear yard setback of 33.4 feet.

6. The proposed addition is primarily in the rear of the existing premises, and will include an expanded first-floor family room and kitchen, and a porch and other aesthetic improvements to the front of the structure.

7. The applicant's architect was sworn and accepted as an expert in the field of architecture. He testified as to the existing conditions of the property, and that the applicants were seeking to construct an addition to the home to better accommodate their family and more efficiently configure the interior space. The proposed rear addition would extend to the rear of the property, and the rear of the structure would be 33.4 feet from the rear property line. He testified that there was adequate screening on the rear of the property with existing landscaping, and that the application did not call for the removal of any existing buffer screening or trees on the property. The applicant's expert specifically referenced the architectural plans and plot plan depicting the proposed addition and testified that the unique and off-center placement of the premises towards the rear of the property, as well as the frontage of the premises on the right-of-way, and not West Crescent Avenue, created a hardship justifying variance relief. The addition would be aesthetically pleasing to the property, functional for their family and would not be observable from the roadway since it would extend to the rear and be shielded from neighbors by existing vegetation which would remain. The house would also be upgraded with significant aesthetic improvements to add charm and appeal, such as the front porch and matching brick siding, and the material and colors would be consistent with the existing structure. The applicant's architect also testified that there would be no impact on any surrounding properties or the zone, and that the benefits of the variance relief would outweigh any detriments.

8. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated February 4, 2021. The Memorandum was in evidence and reviewed and examined by the members of the Land Use Board. Mr. Vreeland also provided testimony relative to the application to the Land Use Board, and testified that the proposed variance relief was minimal in nature, and would have no negative impact on the zone nor visual impact from the street. He also testified as to drainage conditions and recommended drainage elements of the renovation.

**RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: March 17, 2012**

**RESOLUTION# LUB 21-11**

9. One member of the public appeared in connection with the application. This adjacent neighbor expressed no concerns with the addition after seeing the plans and hearing the testimony, and expressed support for the project and grant of the variance.

**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 a variance for rear yard setback relief, and to permit the addition as proposed in the application; and

**BE IT FURTHER RESOLVED** that the Allendale Land Use Board hereby determines that the variance hereby granted constitutes a "hardship" variance under N.J.S.A. 40:55 D-70C.(1); and

**BE IT FURTHER RESOLVED** that the Allendale Land Use Board specially adopts and accepts the testimony of the applicant's architect and the Borough Engineer, in connection with the testimony that the applicant is entitled to a "hardship" variance, due to the unique nature of the property, namely the off-center placement of the premises towards the rear of the property, as well as the frontage of the premises on the right-of-way, and not West Crescent Avenue. The application and variance would improve the property and improve the aesthetics and functionality of the property, without any impact on the surrounding properties or the zone. The hardships associated with the present condition of the property and premises outweigh the negative criteria to the Borough zoning ordinances and the zone plan and neighborhood. In addition, the variance requested will not be obtrusive due to the placement and configuration of the primary structure on the lot, the location of the proposed addition towards the rear of the existing premises and shielding

**RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: March 17, 2012**

**RESOLUTION# LUB 21-11**

from the existing vegetation which will remain. In addition, the architecture will be consistent with the present architecture, and it will be an aesthetic improvement; and

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

A. 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.

B. Applicant and his professionals shall work with the Borough Engineer in the event that any field adjustments shall be required for the proper construction of the proposed addition, including any adjustments to drainage, connection with seepage pits, and stormwater management, so as not to negatively impact any surrounding properties.

**BE IT FURTHER RESOLVED** construction shall proceed in accordance with this Resolution, the approved plans and drawings marked in evidence, the testimony of the applicants and 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.

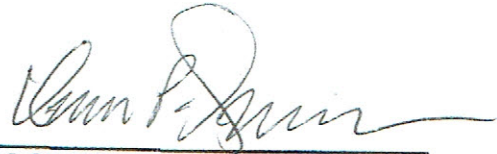
RESOLUTION  
LAND USE BOARD  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ

DATE: March 17, 2012

RESOLUTION# LUB 21-11


Approved:

ALLENDALE LAND USE BOARD



KEVIN QUINN, Chairman

Attest:



JOSEPH DALOISIO, SECRETARY

Adopted: March 17, 2021