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 via teleconferencing on Go To Meeting due to the State of Emergency in the Council Chambers in the Allendale Municipal Building, 500 West Crescent Avenue, 2nd Floor, Allendale, New Jersey 07401 on May 17, 2021. The meeting was called to order at 7:36 pm by Chairman Quinn who read the Open Public Meetings Act statement and stated the requirements had been satisfied.

Chairman Quinn led those present in a salute to the flag.

**ROLL CALL:**

The following individuals answered roll call:

Board Member Bergen

Secretary Daloisio

Board Member Davis

Board Member Lovisolo

Mayor Bernstein

Chairman Quinn

Alternate Yaccarino

Alternate Forbes

**ABSENT**: Board Member Kistner

 Councilman Sasso

 Vice Chairman Sirico

The following individuals were also present:

Board Attorney Christopher C. Botta, Esq.

 Board Engineer Michael Vreeland

 Board Planner, Ed Snieckus

 Land Use Administrator, Linda Garofalo

**APPROVAL OF MINUTES**

Motion by Secretary Daloisio**,** second by Alternate Yaccarino that the Minutes of the April 19, 2021 Land Use Board Meetings were approved. There was no discussion.

On a roll call, the vote was recorded as follows: Secretary Daloisio – aye, Board Member Davis – aye, Board Member Lovisolo – aye, Mayor Bernstein - aye, Chairman Quinn – aye, Alternate Yaccarino – aye. Alternate Forbes – aye.

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Motion by Secretary Daloisio**,** second by Alternate Yaccarino that the Minutes of the April 21, 2021 Land Use Board Meetings were approved. There was no discussion.

On a roll call, the vote was recorded as follows: Board Member Bergen – aye, Secretary Daloisio – aye, Board Member Davis – aye, Board Member Lovisolo – aye, Chairman Quinn – aye, Alternate Yaccarino – aye. Alternate Forbes – aye.

**RESOLUTION**

**Resolution No: 21-14**

**Application File No: LUB 2021-05**

**Applicant: Timothy J. Driscoll**

**Address: 36 Carteret Road, Allendale, NJ 07401**

**Block: 1503.01 Lot: 17**

**Proposed: Construct New Single Family Home – A side yard setback of 20.3’ whereas 40.0 is required and front yard setback where 50.0’ is required and 45.4**

**is proposed. Code 270-64B (3)**

A motion to adopt the resolution was made by Secretary Daloisio and seconded by Board Member Lovisolo.

On a roll Call: Board Member Bergen – aye, Secretary Daloisio – aye, Board Member Davis – aye, Board Member Lovisolo – aye, Chairman Quinn – aye, Alternate Yaccarino – aye, Alternate Forbes – aye.

Chairman Quinn started the Park & Ivy application that was to be heard on May 19, 2021 has been cancelled, at the applicant’s request. This application will be heard on June 16, 2021 at 7:30 pm.

**PUBLIC HEARING**

**Application File No: LUB 2021-06**

**Applicant: JDR Property Experts, LLC**

**Address: 848 W. Crescent Avenue, Allendale, NJ 07401**

**Block: 1501 Lot: 21**

**Proposed: Proposed two lot Minor Subdivision; renovate existing structure and**

**construct new one family structure; private access easement off E. Crescent Avenue**

**(carried from the meeting of April 19, 2021)**

Carmine Alampi, representing the applicant, stated this meeting is carried from the April 19, 2021 LUB Meeting.

Dan LaMothe, Engineer, spoke about Exhibit A6, updated drawings, dated May 6, 2021, sheet 1

of 3. The first change was the gate and gate house, they were removed, as well as the fence, the

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pools and cabanas were also removed. The building is smaller on Lot 20.01 and the side yard setback has been reduced from 28 feet to 30 feet. The impervious coverage has been reduced on each lot – Lot 20.01 has gone from 44.7% to 40.5%, and Lot 20.02 it has gone from 45.4% to 40.7%. The permitted impervious amount for lot 20.01 is 36.6% and Lot 20.02 is 31.65. The rear yard setbacks have not changed.

Chairman Quinn asked for questions from the Board.

Chairman Quinn asked for questions from the public.

Ed Snieckus asked can you clarify the side yard setback that was 28 feet to the overhang and is 30 feet now. 34 feet to the house, the requirement is 38.2 feet.

Jim O’Neill, 24 Scott Court asked why is this property not being re-zoned?

Chris Botta stated the applicant applied to the Board with this application and variance requests.

Thomas Romans, 860 W. Crescent Avenue asked what is the setback from Lot 19 to the smaller home. Has this changed? Has the driveway location changed?

Dan LaMothe stated the gatehouse and the gate have been removed. The house on Lot 20.01 is set back further away by two feet. The new house will be existing 30 feet away, the existing is 41 feet from the property line.

Caroline Preece, 20 Scott Court asked will the public be able to make statements?

Chairman Quinn stated yes, at the end of the testimony, you can give your comments.

Joseph Cestaro, Architect Exhibit A7 is the updated plans dated April 29, 2021. We removed the gatehouse, both cabanas and removed 2 feet of the width of the house on Lot 20.01, this is shown on Sheet A3. The footprint of the house was moved in on the right side. Some of the rooms were reduced in size.

Chairman Quinn asked from questions from the Board.

Ed Snieckus asked if the 215 foot gross building area has been reduced.

Mr. Cestaro stated yes.

Chairman Quinn asked for questions form the public.

Ms. Anita Mathews, 22 Scott Court asked has the driveway been changed? Is the driveway closer to the fence?

Mr. Cestaro stated the driveway has not moved.

Ms. Mathews stated the end of the driveway to the fence appears much closer.

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Dan LaMothe stated the driveway has not changed, the closest point is 10 feet to the property line.

Ms. Mathews asked if any more trees have been saved?

Dan LaMothe stated the trees have ribbons around them. They have not been re-evaluated since the last meeting.

Chairman Quinn stated a lot of the trees look healthy. I was out there today.

John Murphy, 10 Dana Drive, Waldwick stated looking at the plans, I can’t read them. What is the size of the easement?

Dan LaMothe – 15 feet.

Mr. Murphy stated there are two houses with 4-5 bedrooms each, 5 cars each, and no cars are permitted to park in the street. If you are trying to back out of the garage, you have to move the cars into the street that are in the driveway.

Dal LaMothe stated this is a shared easement.

Mr. Murphy stated there is no street parking, you can’t get the cars out of the garage.

Dan LaMothe stated the driveways are for parking.

Mr. Murphy asked were the pools taken out?

Dan LaMothe stated yes, the pools and the cabanas were removed.

Jim O’Neill, 24 Scott Court asked on Lots 23 and 24, is there are any screening?

Mr. LaMothe stated there will be landscaping along the Northerly property line.

Mr. O’Neill asked will all the properties to the North have landscape screening?

Dan LaMothe stated yes, evergreen plants will be planted along the Northerly line and there will be no fence.

Exhibit A8-Landscaping Plan, dated November 4, 2020, revised January 19, 2021, prepared by Greenbelt Landscaping.

Mr. Murphy asked along Dana Drive is there still a fence proposed there?

Mr. Cestaro stated the fence has been removed.

Mr. Murphy asked if there is no fence, will this encourage parking in our cul-de-sac?

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Mr. LaMothe stated there will be a solid row of arborvitae to screen the houses, I think this will discourage parking.

Ed Snieckus asked with the revisions to the back pool and cabana being removed, will the grading change?

Dan LaMothe stated we will try to save more trees.

Ed Snieckus asked can you revise the landscaping plans?

Dan Lamothe stated yes, will do.

Mike Pessalano, Planner, MJP Land Use Planning, LLC, 140 Elmwood Avenue, Floor 2, Bogota was sworn in and his credentials accepted by Chris Botta.

Mr. Pessalano stated he has reviewed all of the comment letters. He visited the site and it appeared ready for development.

Exhibit A9-five sheets of photographs

Page 1 of A9 is an aerial photograph. The yellow square is the subject property.

Sheet 2 of A9 shows the distances to the other properties.

Sheet 3 of A9 shows the homes outlined in the area.

Sheet 4 of A9 shows a focus on the details of the proposal.

Sheet 5 of A9 shows a ground photo taken by me. The driveway curves to the left and then to the right.

The property is unique, there is an easement to deal with. This lot is 52,000 square feet and is impacted by the easement. Two other properties use this easement also for access to their properties. The upgrade to the driveway will provide to be more functional. The property’s landscaping is respectful to the neighbors on all four sides of the property.

One proposed lot doesn’t have sufficient width. New housing is being proposed. Each of the housing stock is 50 years or older. The applicant is willing to do what is appropriate to make this right. This is a desired visual environment. The efficient use of the land is an appropriate place to accommodate an additional dwelling. The development is in line with Dana Drive and the spacing is appropriate and provides harmony with the surrounding residences.

The detriments are very minor.

Mr. Alampi asked Mr. Pessalano if he took the photo on Page 5.

Mr. Pessalano stated yes, last Friday.

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Mr. Alampi stated Lot 19 with the guard house seemed to be objectionable to the Board.

Chairman Quinn asked about the upgrade to the roadway.

Mr. Pessalano stated it will be up to 15 feet wide, now it is approximately 10-12 feet.

Chairman Quinn stated I am concerned with access by emergency vehicles.

Chairman Quinn stated we are adding a second home to an existing flag lot containing a driveway serving 4 homes at present. .

Mr. Pessalano stated the lot is very square, it is not a flag lot.

Board Member Davis asked what is the spacing between the houses, center to center?

Mr. Pessalano stated no, edge to edge.

Secretary Daloisio asked how are two houses vs. one house a benefit?

Mr. Pessalano stated 50 feet of separation is a generous amount of space. The proposal is to put one house on each lot.

Secretary Daloisio asked what is the benefit of two houses?

Mr. Pessalano stated this is all part of the proposal.

Secretary Daloisio stated this seems excessive to have 10 variances. I have had a hard time agreeing with your positive points.

Board Member Lovisolo stated your testimony was great. I’m having a difficult time with two houses on this lot. I’m having a hard time seeing a benefit with two homes. The plans are beautiful. We’re left with two undersized lots.

Board Member Bergen stated I agree with Secretary Daloisio and Board Member Lovisolo. I appreciate the plans, the homes are beautiful. The easement is adding more people. We can’t compare these lots with Waldwick. I appreciate your testimony.

Mr. Snieckus asked to the size of the lots – 22,500 square feet compared to 40,000 square feet, how is that a substantial impact?

Mr. Pessalano stated this is a substantially developed community. This lot has unique circumstances. The home count vs. home size, I’m not convinced that one is superior to the other. A sizeable home can be more impactful and have more impact. This could overwhelm and create a disruption.

Mr. Snieckus was sworn in and his credentials accepted by Chris Botta.

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Mr. Snieckus stated 19% FAR permitted, equates to a 10,029 square foot home, this would be a

substantially larger home than homes in the neighborhood. Two homes would equal 10, 994 square feet.

Chairman Quinn asked for questions from the Board.

Chairman Quinn asked for questions from the public.

Ms. Mathews 22 Scott Court stated the developmental pattern was spoken about. I totally agree with this. Also, the special pattern (distance between dwellings) in the exhibit, where has this data been used?

Mr. Pessalano stated the platting is shown on page 1. It’s more common to see these lots coming off a cul-de-sac. Three people share this access. The distance between the dwellings is used by a tool that I have access to. This is used for relative comparison.

Mr. Romans asked about the buffer zones around the perimeter, is there sufficient room for a buffer between Lots 20 and 21? The driveway is located close to the property line.

Mr. Pessalano stated yes, there is about 8 feet.

Mr. Romans stated regarding the damaged trees, due you think I will have any responsibility or trimming costs?

Mr. Pessalano stated I am not an arborist.

Chairman Quinn asked for questions from the public.

Ms. Mathews asked why isn’t a single family home proposed here, what negative impact does this have?

Mr. Pessalano stated I am not convinced that one dwelling would provide more protection than two dwellings. It’s not just a structure, but it could also be outside activity.

John Knowlton, 855 W. Crescent Avenue stated this is one acre zoning here, what precedent does this set for future development?

Mr. Pessalano stated there would have to be identical circumstances. All applications have to be treated individually.

Mr. Knowlton stated I’m concerned for my neighbor, (Mr. Romans), there needs to be a buffer and screening and the driveway looks very tight.

Ed Snieckus stated this looks like four feet.

Dan LaMothe stated yes, it’s four feet.

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Mr. Knowlton stated this is very tight.

Chairman Quinn brought it back to the Board.

Mr. Alampi asked Mr. Snieckus about the square footage vs. the FAR. He stated I’m not clear on this.

Mr. Snieckus stated for the two homes it is over 10,994 square feet and 10,029 square feet for one home.

Mr. Alampi asked would your opinion change if the structures were reduced to 4,000-4,500 square foot homes?

Mr. Snieckus stated it starts to improve the situation and change the lot line configurations.

Chairman Quinn opened it up to general comments from the public.

Caroline Preece, 20 Scott Court stated I’m concerned with the removal of 81 trees, many of them looked healthy. I have 65 trees on my lot and removing 81 is a lot. I did not know about this application until April when I received a letter. I am in favor of one large home.

John Kowlton, 855 W. Crescent Avenue stated I am in favor of development. Allendale is known for larger lot sizes and I feel it could set a precedent that it is a half-acre zoning. Ten to twenty years from now it could appear like this and this should be taken into consideration. I feel one home would offer more buffer to the neighbors.

Mr. Romans, 860 W. Crescent Avenue stated I feel it’s getting tight to get a buffer in four feet.

Ms. Mathews, 22 Scott Court stated my concern is the size and expansion of the driveway will be closer to my pool. This development seems to take the greenery away from me. This proposal seems over ambitious in my opinion.

Chairman Quinn brought it back to the applicant.

Chairman Quinn stated there are 10 variances. I feel this is over the top.

Mr. Cestaro pointed out we could bring this application down to 2-3 variances by moving the lot line.

Board Member Lovisolo stated we are way off of the required lot size to subdivide.

Board Member Davis stated I don’t see the hardship variance. This is not consistent with the surrounding houses.

Secretary Daloisio stated my issue is with the subdivision. We try to be accommodating on this Board.

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Board Member Bergen stated it’s not in harmony with the other homes in the area.

Mayor Bernstein stated I’d be inclined to let the applicant go back and assess what’s he’s heard tonight.

Board Member Bergen stated I’m happy to view more plans, but I think I made my opinion clear.

Chairman Quinn stated this application is carried to the July 19, 2021 LUB Meeting. No further notice necessary, time is waived for the Board to act.

**DISCUSSION:**

Introduced Ordinance 21-08 AN ORDINANCE BY BOROUGH OF ALLENDALE

(“ALLENDALE”) IN BERGEN COUNTY, NEW JERSEY PROHIBITING THE OPERATION

OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL

BOUNDARIES AND AMENDING SECTION 270-26(M)(1) OF THE ALLENDALE

MUNICIPAL CODE

Chris Botta to send a letter to Michelle Ryan stating this is in line with the Master Plan. All Board members present agreed.

**OPEN TO THE PUBLIC FOR COMMENT:**

**ADJOURNMENT:**

On a motion by Yaccarino, second by Daloisio, with all members present voting in favor, the meeting was adjourned at 11:04 pm.

 Respectfully submitted,

 Linda Garofalo

 Linda Garofalo