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 March 15, 2023. The meeting was called to order at 7:30 PM 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:**

The following individuals answered roll call:

 Board Member Bergen

 Board Member Kistner

 Councilman Daloisio

 Board Member Dalo

 Vice Chairman Sirico

 Mayor Wilczynski

Chairman Quinn

Jason Warzala

Gregg Butler

**ABSENT**:

 Board Member Putrino

 The following individuals were also present:

 Board Attorney, Natalia Angeli, Esq.

 Board Engineer, Joseph Vuich

 Land Use Administrator, Linda Garofalo

 Board Planner, Ed Snieckus

Jason Warzala and Gregg Butler were sworn in as Alternate Land Use Board Members by Natalia Angeli.

**APPROVAL OF MINUTES**

Motion by Vice Chairman Sirico, seconded by Councilman Daloisio, that the Minutes of the February 15, 2023 Land Use Board Meeting be approved. There was no discussion.

On a roll call, the vote was recorded as follows: Board Member Bergen – aye, Board Member Kistner – aye, Councilman Daloisio – aye, Board Member Dalo – aye, Vice Chairman Sirico – aye, Mayor Wilczynski – aye, Chairman Quinn – aye.

**Page 2-LUB Minutes-March 15, 2023**

**RESOLUTIONS**

Application File No: LUB 2023-03

Resolution No: 23-14

Applicant: Craig & Courtney Cagney

Address: 320 Park Avenue, Allendale, NJ 07401

Block: 2206 Lot: 9

Proposed: Construction of a new covered front porch, 2nd floor addition and addition of dormer to existing detached garage. Pursuant to 270-54(B), 270-14(A), 270-14(B)(3)

A motion to adopt the resolution was made by Councilman Daloisio – aye, seconded by Mayor Wilczynski, Roll Call: Board Member Bergen – aye, Board Member Kistner – aye, Councilman Daloisio – aye, Board Member Dalo – aye, Vice Chairman Sirico – aye, Mayor Wilczynski – aye, Chairman Quinn – aye.

**PUBLIC HEARINGS**

Application File No: LUB 2023-04

Applicant: 115 West Crescent, LLC.

Address: 115 West Crescent Avenue, Allendale, NJ 07401

Block: 910 Lots: 5 & 6

Proposed: Minor Subdivision Approval

Natalia Angeli stated she has reviewed the public notice, mailings and taxes and this application is ready to proceed.

Andrew Kohut, Wells, Jaworski & Liebman, 12 Route 17, Paramus stated the property is in the A residential zone District. The principals are third generation residents. One of them would like to make this their home. Lots 5 & 6 are oversized at 31,911 and 33,114 square feet. The lot widths are existing non-conforming variances. The applicant would like to make 3 conforming lots. There will be three lots with non-conforming widths. All other setbacks comply and there are no variances. Everything complies with the code. These will be conforming houses. Flag lots are the exception, not the rule. In the surrounding neighborhood there are numerous flag lots and lot width variances.

Thomas Miller, Surveyor, was sworn in and his credentials accepted by Ms. Angeli.

Mr. Miller stated he and his staff prepared the survey.

**Exhibit A1**-Boundary & Topographical survey dated December 9, 2022.

Mr. Miller stated he prepared a survey of the property and the surrounding area. There is a considerable amount of landscaping buffer and fencing around the property.

**Page 3-LUB Minutes-March 15, 2023**

Lot 5 is 39,911 square feet and Lot 6 is 33,114 square feet.

There are two existing curb cuts on one of the lots. No trees are to be removed. There are no wetlands on these properties.

**Exhibit A2**-Subdivision Plan dated February 16, 2023

The entire property is 1.5 acres. The plan divides the property into thirds. The frontage on Lot 5 is 93.28 feet, Lot 6 is 93.28 feet and Lot 6.01 is 15 feet.

The buildable lot area is 150 x 57 feet, 8,536 square feet, the lot is 21,452 square feet. The existing home on the property will be demolished.

Chairman Quinn stated the Calvary Church was here at the Land Use Board and they subdivided their property. This Board is familiar with this property and the surrounding area. The Calvary Church initially requested a subdivision to create a single flag lot. The Board suggested they consider another plan and a 3 lot subdivision with an access road were approved after considerable discussion.

Chairman Quinn stated you are proposing to make the two existing lots even less conforming and adding a flag lot.

Mr. Kohut stated the view from the street will be the same.

Chairman Quinn asked for questions from the Board.

Councilman Daloisio stated the tax map that was provided doesn’t show the current conditions.

Mr. Kohut showed a picture to the Board.

Chairman Quinn stated your testimony is that if anyone wanted to construct a house on one of these lots they would have to return to the Board if there were any variances.

Mr. Kohut stated this is correct.

Chairman Quinn asked for questions from the Board.

Joseph Vuich, VanCleef Engineering stated Lot 6.01 contained mature trees that need to be considered. There's documented wetlands in this area. There is a high ground water table and this could affect a basement on this property. Further investigation would need to be done.

Mr. Snieckus, Borough Planner, asked you testified to the layout of the lots, future applications, the flag lot – any indication of where the home may be on Lot 6.01?

Mr. Kohut stated this will be discussed.

Mr. Snieckus asked about the privacy and having a home behind another home – what is being done to address this? Also, has a soil analysis been done?

**Page 4-LUB Minutes-March 15, 2023**

Mr. Miller stated a visual inspection was done regarding the soil.

Mr. Snieckus asked we don’t want to further exacerbate a drainage problem. How does the flag lot relate to the other surrounding lots?

Chairman Quinn stated their Planner will discuss this.

Mr. Kohut stated yes.

Chairman Quinn asked for questions from the public.

James Onesios, 133 West Crescent Avenue asked on the rear lot, there are 15 foot setbacks, where is the front of the property?

Mr. Miller stated the front is facing the street.

Mr. Onesios asked isn’t this supposed to be 35 feet?

Mr. Kohut stated, it’s not on the street.

Mayor Wilczynski asked if the front is 15 feet?

Mr. Kohut stated this will be addressed.

Margaret Onesios, 133 West Crescent Avenue stated we live behind the third house. This is very close to us, our home is non-conforming. Our garage is on the property line. What do you plan to do about the existing water problem.

Mr. Kohut stated we will discuss this later on.

Margaret Onesios asked if there are any trees to be taken down, there are six trees on the property now. Also, where is the driveway proposed on Lot 6.01?

Mr. Miller stated it is proposed on the northerly side.

Margaret Onesios asked if the houses will be long and narrow?

Chairman Quinn stated we don’t know yet as there were no home site plans submitted with this application.

Chairman Quinn asked for questions from the public and hearing and seeing none he brought it back to the Board.

Paul Grygiel, Phillips, Price & Grygiel. Planner, was sworn in and his credentials accepted by Ms. Angeli.

**Exhibit A3** – aerial view of the area.

**Page 5-LUB Minutes-March 15, 2023**

Vice Chairman Sirico stated this photo is different than what we received in our package.

Mr. Grygiel stated it’s a different view. There is a 1 1/2 story dwelling that is in fair condition. This is a unique street.

**Exhibit A4** – There are deficient lot widths in the A zone based on the tax maps including Couch Court. The yellow areas on the board show the lots with deficient widths. This is not a typical grid of lots.

A C2 variance is required. I believe the benefits outweigh the detriments. There is nothing substantially negative.

Mr. Grygiel showed the homes on the map that all face the street but there are other flag lots nearby.

There would be an upgrade of appearance.

Master Plan and Zoning Ordinance – the depth is excessive. There are similar conditions in the neighborhood.

Emergency Services can be handled with signage and show where the driveway is located. The location of the house is yet to be determined.

Chairman Quinn stated when Calvary Church came to the Board they proposed a huge house. They came back with the Couch Court cul-de-sac and three homes.

My view is if the existing house is demolished, the new owners would likely construct a home to be set back from West Crescent Avenue utilizing the depth of the property.

Mr. Grygiel stated there’s more than enough room, they’re 75-80 feet in the rear.

Board Member Kistner asked will the 8-10 trees will be removed?

Mr. Grygiel stated they’d have to come in and get approval. We don’t have this information right now.

Mayor Wilczynski stated this is a low level, and cutting trees down concerns me.

Mr. Grygiel stated two houses could be larger and cover the same amount of area.

Councilman Daloisio stated I don’t believe that adding a third house isn’t a mistake.

Mr. Grygiel stated there are benefits to having similar size lots in the area.

Councilman Daloisio stated I don’t understand how creating additional non conformities is a benefit. Regarding Emergency Services, I had a neighbor who had a fire and lost a loved one. How would Emergency Services get to a fire if there was one? My whole block was filled with Emergency vehicles.

**Page 6-LUB Minutes-March 15, 2023**

Mr. Grygiel stated they can park in the street and run the hose down the driveway.

Vice Chairman Sirico stated I’m concerned with the water issue.

Mr. Kohut stated we can provide proper drainage documents.

Joe Vuich stated we are here to decide on a lot’s potential to be developed.

Councilman Daloisio asked can you go over the public benefits to putting a third house in the back?

Mr. Grygiel stated we are utilizing a property that is consistent with the area. We are removing the existing home and right now there is no drainage.

Board Member Dalo stated regarding the 15 foot setback – we don’t know where a home could be built on that lot. The front of the house would face the back of the two homes.

Mr. Grygiel stated we aren’t sure which way the home would face. Most likely it would face West Crescent.

Board Member Dalo asked about the other homes that are similar, were they built recently?

Chairman Quinn stated no, they are older homes.

Mr. Grygiel stated Couch Court is a similar situation.

Chairman Quinn stated Couch Court is on a street.

Chairman Quinn asked for questions from the Board.

Mr. Snieckus asked what is the black line?

Mr. Grygiel stated it outlines the A District.

Mr. Snieckus asked the block itself, how would you characterize the lots?

Mr. Grygiel stated around 30,000 square feet.

Mr. Snieckus stated the frontage is 15 feet wide.

Mr. Grygiel stated this is 13% if the requirement.

Mr. Snieckus stated we try to avoid flag lots because they create conditions. We need to know the orientation of the house.

Mr. Snieckus asked if he could address goal #1 in the Master Plan?

**Page 7-LUB Minutes-March 15, 2023**

Mr. Grygiel stated the use is consistent. We would comply with the requirements. We have an irregular pattern already. There is no substantial impact on this block and the surrounding area.

Joe Vuich asked prior to the third driveway on the property, where was it?

Mr. Grygiel stated the curb cut was filled in and was close to the group home. I couldn’t go back very far when researching the driveway.

Councilman Daloisio asked what is your feeling about adding additional traffic from one driveway for two lots?

Mr. Grygiel stated there would be three separate driveways and there would be a requirement that there is a turnaround. The hourly trips is a very low number.

Councilman Daloisio asked how will deliveries get to the rear lot?

My. Grygiel stated all driveways have the same situation.

Councilman Daloisio asked would you ever design a lot like this?

Mr. Grygiel stated it makes sense to me to fill it in. This is a unique section of town.

Board Member Kistner stated County approval is required for the driveways.

Mr. Kohut stated we already submitted to the County.

Mr. Grygiel stated the two lots across the street are also 93 feet.

Chairman Quinn asked for questions from the public. There were none and the meeting was brought back to the Board.

Mr. Kohut asked for a 5 minute recess at 9:20 pm. They returned at 9:30 pm.

Mr. Kohut stated we’d like to come back in April and provide more definitive answers. We’d

like to ask the Board, on lot 6.01, what orientation they’d would like to see.

Mr. Snieckus stated I’d like to see the house face the driveway and a turnaround K turn for deliveries.

Mayor Wilczynski stated she’d like to hear about the trees, wetlands, and low areas.

Councilman Daloisio stated he’d like to hear about the conceptual footprint, water tables and basement orientation.

Chairman Quinn stated the applicant has heard our feelings and can come back with more information.

**Page 8-LUB Minutes-March 15, 2023**

Chairman Quinn stated this application is carried to the meeting of May 17, 2023. No further notice is necessary, time is waived for the Board to act.

Resolution of Approval 22-13

Applicant: Charles and Pamela Stock

Address: 47 Homewood Avenue, Allendale, NJ 07401

Block 507 Lot: 4

Application: Extension of Time Approval

A motion to approve the application was made by Vice Chairman Sirico, seconded by Board Member Bergen. Roll Call: Board Member Bergen – aye, Board Member Kistner – aye, Councilman Daloisio – aye, Board Member Dalo – aye, Vice Chairman Sirico – aye, Mayor Wilczynski – aye, Chairman Quinn – aye, Alt. #1, Warzala – aye, Alt. #2 Butler – aye.

LUB Committee - Councilman Daloisio stated they are working on the recommended changes to the code language. The Advisory sheet for the LUB applicants should be ready next month.

In February 2027, the Master Plan is up for renewal.

Mr, Snieckus stated the Municipal Land Use Law has a Hazard Mitigation Study - this is a mandatory requirement if changing a zone. This includes flooding.

Councilman Daloisio asked can you email me some information on this?

Mr. Snieckus stated yes.

Vice Chairman Sirico asked if we should start examining the Master Plan earlier?

Mr. Snieckus stated yes. Emergency Services is also included. Are certain areas isolated, evacuation routes, funding the flood areas to be purchased…

**OPEN TO THE PUBLIC FOR COMMENT**

**ADJOURNMENT:**

On a motion by Vice Chairman Sirico, second by Councilman Daloisio, with all members present voting in favor, the meeting was adjourned at 9:46 PM.

 Respectfully submitted,

 Linda Garofalo

 Linda Garofalo