

RESOLUTION  
 LAND USE BOARD  
 BOROUGH OF ALLENDALE  
 BERGEN COUNTY, NJ

DATE: August 24, 2022

RESOLUTION: 22-21

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen			✓			
Daloisio	✓		✓			
<del>Davis</del>						
Kistner			✓			
Lovisolo			✓			
Yaccarino		✓	✓			
Sirico			✓			
Bernstein						✓
Quinn			✓			
Forbes - Alt. #1						
Putrino - Alt. #2						✓

Carried  Defeated  Tabled

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LAND USE BOARD OF THE BOROUGH OF ALLENDALE  
 RESOLUTION APPROVING APPLICATION FOR PRELIMINARY AND  
 FINAL SITE PLAN APPROVAL FOR PORCELANOSA, INC.  
 BLOCK 601, LOT 4.01  
 (a/k/a 3 PEARL COURT)

WHEREAS, the applicant, PORCELANOSA, INC., with a business address of 3 Pearl Court, Allendale, NJ, is a tenant at property at 3 Pearl Court, Allendale, NJ, (Block 601, Lot 4.01) and has applied for waiver relief and preliminary and final site plan approval, in connection with this property (the "Property"); and

WHEREAS, the Land Use Board has reviewed the evidence and testimony of the applicant and its professionals, including Engineering and Architectural plans, and the testimony of other interested parties desiring to be heard at its public meeting on July 20, 2022, and Public Notice

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having been given by the Applicant in accordance with the requirements of the Municipal Land Use Law; and

**WHEREAS**, the Land Use Board has reviewed the testimony provided to it by its Engineer; and

**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. The Property is located in the EM Zone District. This zone provides for mixed industrial and low/moderate income residential dwelling development. The application was submitted in evidence. The applicant proposes to install a loading door on the west side of the building so that they can utilize this property to store tiles.
2. Mr. Eric Hough, Bertin Engineering, 66 Glen Avenue, Glen Rock, NJ, was sworn in as the applicant's Engineering expert. Mr. Hough testified that the site has an existing warehouse facility. There are 91 existing parking spaces. The applicant is proposing to add a new overhead door which will be 9 feet wide, and that 35 foot x 12 foot striping is proposed for the loading space zone, resulting in a loss of 2 parking spaces. The parking is more than adequate on the site. The design standard states the loading area should be 45 foot x 12 foot but the loading zone proposed is 35 feet. The applicant will retain a 25 foot wide drive aisle. There are no changes to stormwater or drainage, and no changes to lighting on site. There are no other site plan changes other than the loading door. Mr. Hough's plans were admitted into evidence as Exhibit A-1, with last revision date of June 24, 2022.
3. The Board Engineering, Michael Vreeland, P.E., testified that he visited the site and asked questions of the applicant's engineer. He confirmed that the reduced size of the loading space was adequate for the size of trucks making deliveries, and that the existing stairs will remain and should be incorporated into the application.
4. Robert Krieger, the applicant's architect from Dahn & Krieger was sworn in and testified as to the modifications to the building and the loading dock. He testified that the applicant asked for a 9 foot x 12 foot loading door, which was necessary for the storage and entry of large porcelain slabs. The loading door will match those existing on the site. Mr. Krieger's plans were admitted into evidence as Exhibit A-2, with last revision date of June 27, 2022.

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5. No members of the public appeared in connection with the application.

**BE IT FURTHER RESOLVED** that based upon the evidence and testimony presented, the Board concludes that the application and design waiver requested would improve the aesthetics and functionality of the property, and would promote or advance the purposes of the Municipal Land Use Law. In addition, there will be no detrimental impact on parking on the site.

**BE IT FURTHER RESOLVED**, based upon the factual and legal evidence, and testimony and contentions set forth herein by the applicant's professionals and the Borough Engineer, said testimony and evidence which is specifically adopted by the Land Use Board, that the Allendale Land Use Board hereby grants the applicant's request for a site plan amendment to allow the improvements referenced in the application, to wit, installation of a 9 foot x 12 foot sectional overhead door and loading space, as well as other associated interior and exterior site improvements as proposed in the application; and grants a design waiver relating to the size of the loading space and permits a loading space with a length of 35 feet long, and

**BE IT FURTHER RESOLVED** that the Allendale Land Use Board hereby grants approval of the waiver, and grants preliminary and final site plan approval, 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 shall comply in all respects with all applicable State, County and Municipal codes, ordinances, rules and regulations, and remain subject to all other governmental approvals prior to development.

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

Approved:

ALLENDALE LAND USE BOARD

  
\_\_\_\_\_  
KEVIN QUINN, Chairman

Attest:

  
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JOSEPH DALOISIO, SECRETARY

Adopted: August 24, 2022