

RESOLUTION

LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 12/16/2024

RESOLUTION: LUB 25-10

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen	✓		✓			
Warzala						✓
Putrino		✓	✓			
Agugliaro						✓
Yaccarino					✓	
Dalo			✓			
Sirico			✓			
Wilczynski						✓
Butler			✓			
Conte-Alt.#1						✓
-Alt. #2						

Carried Defeated Tabled

LUB 25-10

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
RELIEF FROM PRIOR RESOLUTION
FOR 165 W CRESCENT AVENUE LLC
BLOCK 910, LOTS 2, 17.01, AND 17.02
(a/k/a CALVARY LUTHERAN CHURCH, 165 CRESCENT AVENUE)

WHEREAS, the applicant, 165 W CRESCENT AVENUE, LLC, the developer of the property located at Calvary Lutheran Church, 165 W Crescent Avenue, known as Block 910, Lots 2, 17.01 and 17.02 on the Tax Map, in the Borough of Allendale, County of Bergen and State of New Jersey (the “Property”), applied to the Land Use Board of the Borough of Allendale with an Affidavit of Service and Publication dated December 6, 2024 for approval and relief related to conditions imposed in prior resolutions, adopted March 15, 2012 and on August 21, 2014

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(collectively “Prior Approval”), regarding major subdivision and site plan relief associated with development on the Calvary Lutheran Church property; and

WHEREAS, the applicant now seeks relief from conditions set forth in the Prior Approval;

WHEREAS, the applicant seeks relief from constructing a sidewalk along Ivers Road; and

WHEREAS, the applicant seeks relief from installing the split rail fence in the rear of Lot 2.01; and

WHEREAS, the applicant seeks relief from planting additional trees along Couch Court; and

WHEREAS, the applicant seeks relief from installing street lights along Couch Court; and

WHEREAS, the Land Use Board considered the matter at the December 16, 2024 regular meeting of the Land Use Board at which time the applicant was represented by counsel and presented professional witnesses for testimony;

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 165 W Crescent Avenue, known as Block 910, Lots 2, 17.01 and 17.02, on the Tax Map of the Borough of Allendale. The property is located in the A Residence Zone.

3. As part of the application, the applicant submitted a Letter Application for Request for modifications to Resolution, Maintenance Plan for Stormwater Management Facilities Serving Couch Court Residential Subdivision Located in the Borough of Allendale, Bergen County, New Jersey, March 2024; Planning Board Resolution adopted March 15, 2012; and Planning Board Resolution adopted August 21, 2014.

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4. The Property is developed with three single-family residential lots. The application seeks relief from conditions set forth in the Prior Approval as noted herein.

5. The applicant was represented by John J. Veteri, Jr., Esq. as counsel, and David Fantina, PE, as qualified professional engineer, who testified in support of the application.

6. Various members of the public appeared in connection with the application. Their concerns were satisfied by the conclusion of the public hearing presentation by the Applicant.

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 relief from specific conditions set forth in the original resolution; and

BE IT FURTHER RESOLVED that the Allendale Land Use Board hereby grants 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. The Applicant is not granted relief from constructing a sidewalk along Ivers Road and the Applicant shall be required to construct same per the Prior Approval.

C. The Applicant is not granted relief and shall be required to plant additional trees along Couch Court, where possible, and shall work with the Board Engineer to locate areas for new plantings, consistent with the Prior Approval.

D. The Applicant is granted relief and shall not be required to install split rail fence in the rear of Lot 2.01 per the Prior Approval. The Board's granting of this relief shall be subject to any jurisdictional review and/or disposition as may be required by the NJDEP.

E. The Applicant is granted relief and shall not be required to install street lights along Couch Court per the Prior Approval.

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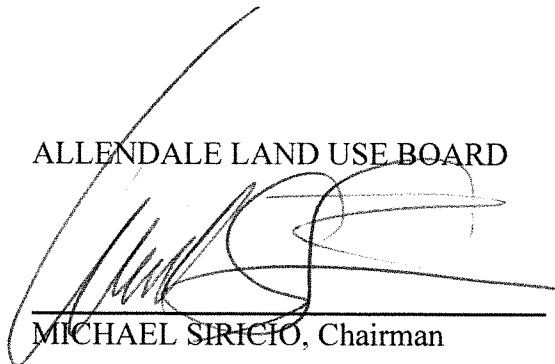
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BE IT FURTHER RESOLVED construction shall proceed in accordance with this Resolution, the approved plans and drawings marked in evidence, the testimony of the applicant in accordance with all applicable State, County and Municipal codes, ordinances, 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



MICHAEL SIRICIO, Chairman

Attest:



MELISSA BERGEN, VICE CHAIRWOMAN

Adopted: February 12, 2025