

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

**DATE: November 13, 2023**

**RESOLUTION# LUB 23-22**

Carried  Defeated  Tabled

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
<b>Bergen</b>	✓		✓			
<b>Putrino</b>						X
<b>Kistner</b>						X
<b>Daloisio</b>					X	
<b>Dalo</b>		✓	✓			
<b>Sirico</b>			✓			
<b>Wilczynski</b>						X
<b>Warzala, Alt. 1</b>			✓			
<b>Butler, Alt. 2</b>					X	

**RESOLUTION 23-22**

**LAND USE BOARD OF THE BOROUGH OF ALLENDALE**

**RESOLUTION APPROVING  
ZONING PERMIT FOR CHANGE OF USE FOR  
READ PROPERTIES, LLC  
BLOCK 1809, LOT 3  
(a/k/a 90 WEST ALLENDALE AVENUE)**

**WHEREAS**, the applicant, READ PROPERTIES, LLC, d/b/a Allendale Steak House, has applied for a Zoning Permit for a change of use in order to operate a restaurant at 90 West Allendale Avenue, as well as other associated site and interior improvements to its premises; and

**WHEREAS**, ABC Vault Partners, LLC is the owner of the property, and has consented to the application; and

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**WHEREAS**, the proposed use as a restaurant is a permitted use in the C-1 Central Business District zone; and

**WHEREAS**, the Zoning Permit Denial Letter properly referred the applicant to the Land Use Board pursuant to §147-7B(2), as the proposed change in use could affect circulation, water supply, sewage disposal, off-street parking, and loading; and

**WHEREAS**, the Land Use Board has reviewed the evidence and testimony of the Applicant and its professionals, including Architectural plans, and the testimony of the Borough Engineer, at its public meeting on October 18, 2023; 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. Notice of the public hearing was properly given by the Applicant in accordance with applicable law.
2. The subject property is located at the corner of West Allendale Avenue and Maple Street. It is located within the Borough's C-1 Central Business Zone District. It is currently developed with a 2 ½ story brick commercial building and off-street parking facilities in the rear. The building was formerly occupied by First National Bank and Bank of America for their retail banking operations.
3. The application and plans propose alterations and renovations to convert the building into a restaurant. The application and plans do not include any proposed site improvements.
4. As part of the application, the applicant submitted a June 22, 2023, Allendale Code Enforcement Office correspondence (Anthony Hackett) to Eddie Veseli, denying a zoning application and referring the application to the Board; a Land Use Application and associated documents dated October 2, 2023, and an Architectural Plan Set entitled, "Proposed Restaurant Alterations for Allendale Steak House, 90 West Allendale Avenue, Allendale, NJ," prepared by Matthew G. Evans, AIA, PP.

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5. The Applicant's Architect, Matthew Eveans, AIA, was sworn, accepted as an expert and testified as to the existing conditions and proposed improvements to the building and the restaurant use proposed for the site. He testified that the restaurant would have a first floor and a second floor for seating. He testified that the exterior façade would essentially remain as presently existing, except for the addition of an emergency exit door on Maple Street. The primary renovation work would be conducted on the interior of the building to create a reception area, internal stairway and seating on both first and second floors. The interior of the space would be reconfigured to support the restaurant use, and associated amenities such as kitchen, preparation areas and restrooms. The basement area would include space for utilities, mechanicals and storage. The plan would comply with all egress requirements and fire code requirements. Exterior lighting would not be obtrusive and as required by Code. HVAC units would be relocated to the roof and screened from view from the street. Parking is provided in the rear of the building, although there are no Code requirements for parking for restaurants in the Borough Code. It is anticipated that patrons will also park at the Borough owned "shopper's parking" lot behind West Allendale Avenue.

6. A representative of the owner, Ronnie Veseli, was also sworn and testified as to operations at the proposed restaurant. He testified as to waste removal, which will be by private carting service, and supply deliveries. There will be no loading/unloading on West Allendale Avenue, and most deliveries can be anticipated in the morning hours. He testified that the applicant would comply with all fire code regulations and work with the Borough on any issues relating to the restaurant's operations.

7. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant, and prepared a memo dated October 16, 2023, which was reviewed by the Board. Mr. Vreeland provided testimony relative to the application to the Land Use Board and testified that the proposed use was permitted in the zone. The applicant specifically agreed to comply with the Technical Review Comments set forth in Mr. Vreeland's memo.

8. No variance relief was requested or required, as the existing development, proposed use and proposed improvements are permitted in the C-1 zone, and compliant with the Borough Code and the C-1 Zone requirements.

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

**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

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the Allendale Land Use Board hereby grants the applicant's request for a Change of Use to allow the improvements referenced in the application, to wit, the change of use from retail banking operations to a restaurant, as well as other associated internal improvements and amenities to the premises consistent with the proposed restaurant use and as proposed in the application; and

**BE IT FURTHER RESOLVED** that the Allendale Land Use Board specially adopts and accepts the testimony of the applicant, its professional architect and the Borough Engineer, in connection with the testimony that the applicant is entitled to said Change of Use.

**BE IT FURTHER RESOLVED** that the Allendale Land Use Board hereby grants approval for the Change of Use, subject to the following conditions:

- 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 its professionals shall work with the Borough Engineer and comply with Mr. Vreeland's October 16, 2023 review letter, inclusive of Sections 4.1 through 4.10.

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

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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



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MICHAEL SIRICO, Chairman

Attest:



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Adopted: November 13, 2023