

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: September 16, 2026

RESOLUTION: LUB 26-19

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

Carried ☒ Defeated ☐ Tabled ☐

LUB Application No. 2026-06

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
APPLICATION FOR VARIANCE FOR
47 HOMEWOOD AVENUE
Block 2005, Lot 6

WHEREAS, Eric and Lisa Nef ("Applicants"), owners of the Property located at 47 Homewood Avenue, known as Block 2005, Lot 6 on the Tax Map, in the Borough of Allendale, County of Bergen and State of New Jersey ("Property"), applied to the Land Use Board of the Borough of Allendale, seeking variance relief from provisions of the Borough of Allendale Land Use Code;

WHEREAS, the Applicants sought development of a proposed second-story shed dormer over the existing building footprint, together with new siding, a new roof, and a side portico;

WHEREAS, the Property is located in the A zone;

WHEREAS, the Applicants appeared pro se and commenced prosecution on July 15, 2026;

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: September 16, 2026

RESOLUTION: LUB 26-19

WHEREAS, the Applicants sought use variance relief pursuant to N.J.S.A. 40:55D-70d(4), from Borough Land Development Code Section 270-63A, related to floor area ratio (28% proposed; 25% permitted);

WHEREAS, the Applicants sought the following variance relief pursuant to N.J.S.A. 40:55D-70c:

- Deviation from Section 270-57B for the front yard setback requirement – (existing / proposed is 25.1”, where 35” is required); with the nonconforming condition being an existing condition, not to be exacerbated by the proposal, however, portions of the proposed addition would continue to violate the setback and be developed within the existing encroachment;
- Deviation from Section 270-64C1 for the side yard setback requirement – (existing / proposed is 11.8”, where 15” is required); with the nonconforming condition being an existing condition, not to be exacerbated by the proposal, however, portions of the proposed addition would continue to violate the setback and be developed within the existing encroachment;
- Deviation from Section 270-37A for the vertical expansion of a non-conforming structure;

WHEREAS, an Affidavit of Service and Publication was timely tendered to the Board, which, upon review and confirmation of proper notice, conferred jurisdiction over the Board to commence public hearings on the Application;

WHEREAS, the Applicants filed the below plans and supporting documents:

- Second Floor Addition Plan (as submitted; no revisions), prepared by Christopher Greigel, P.E., R.A., P.P., dated 12/16/25;

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: September 16, 2026

RESOLUTION: LUB 26-19

WHEREAS, the Applicants presented the below witnesses, sworn and qualified, where appropriate:

Witness: Christopher Griemel, P.E., R.A., P.P. (qualified as a licensed architect)

Witness: Eric Nef (lay witness, testifying as owner/applicant)

WHEREAS, the Applicant did not mark any new exhibits into evidence, but rather relied on the plans filed as part of the application;

WHEREAS, Christopher Greimel P.E., R.A., P.P., testified that the proposed second story shed dormer will be constructed over the existing building footprint to provide space for a master bedroom, that the new roof structure will be placed only over the existing walls, and that the front-yard streetscape reflects an average setback of approximately twenty-seven (27) feet;

WHEREAS, Mr. Greimel further testified that the existing nonconforming side yards and front yard will not change, that the Property is an undersized, narrow lot presenting a hardship, and that one (1) existing window and three (3) new windows to the rear will be located in the master-bedroom side elevation;

WHEREAS, Eric Nef, Applicant, testified that the new siding and new roof will match the existing home, that the footprint will remain unchanged, and that he elected to undertake the improvements together because the roof and siding required replacement;

WHEREAS, Mr. Greimel testified that granting the requested relief would advance the purposes of the Municipal Land Use Law and is warranted under and is warranted under N.J.S.A. 40:55D-70d(4) and N.J.S.A. 40:55D-70c due to the Property's undersized and narrow configuration.

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: September 16, 2026

RESOLUTION: LUB 26-19

He further testified that the bulk relief is supported under the hardship/flexible analysis because the building footprint will remain unchanged and the relief can be granted without substantial detriment to the public good or impairment of the zone plan;

WHEREAS, a member of the public, Jim Doris of 54 Homewood Avenue, a neighbor of the Property for 44 years, appeared during the course of the public hearing and spoke in support, noting that the existing home is small and could benefit from the additional space;

WHEREAS, the Borough of Allendale Land Use Board hereby makes the following findings of fact and conclusions:

1. The Applicants are the owners of the Property.
2. The Application was duly noticed, conferring statutory jurisdiction over the Board to commence proceedings.
3. The Property is approximately 6,000 sf, located at 47 Homewood Avenue, known as Block 2005, Lot 6, on the Tax Map of the Borough of Allendale.
4. The Property is located in the A Zone.
5. The Applicant submitted a complete Land Use Application and associated documents, together with the filed plans as noted herein;
6. The Property is developed with a single-family residence with associated improvements and amenities.
7. Existing conditions on the Property render it nonconforming to the zone's front yard setback and floor area ratio requirements, in that the existing front yard setback is approximately

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: September 16, 2026

RESOLUTION: LUB 26-19

twenty-five (25) feet where twenty-seven (27) feet is required, and the lot is undersized and narrow

8. The undersized and narrow dimensions of the lot constitute a hardship, and the proposed second-story shed dormer is confined to the existing building footprint, extending only over existing walls, such that further development otherwise consistent with and promoted by the land development code and Master Plan is impractical without the grant of relief, and the proposal does not exacerbate the existing nonconforming conditions.
9. The Applicant's sworn and qualified professional, through testimony and presentation of the filed plans and exhibits, satisfied the requisite statutory standard, to the satisfaction of the Board, warranting the grant of variance relief, pursuant to N.J.S.A. 40:55D-70c.

NOW THEREFORE BE IT 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 the Borough of Allendale Code, subject to the following conditions, which shall be complied with prior to the issuance of a construction permit:

1. 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, prior to the issuance of any permits.
2. Construction, including the new siding, new roof, and side portico, shall match the existing dwelling in materials, style, and appearance, as testified to by the Applicant.

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: September 16, 2026

RESOLUTION: LUB 26-19

3. The Applicant shall satisfy any and all approvals, permits, waivers or other disposition as may be required from any agency having jurisdiction, prior to issuance of permits.
4. The Applicant shall comply with all requests and recommendations of the Borough Engineer and professional staff.
5. 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, prior to the issuance of any permits.
6. Construction shall proceed in strict 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.
7. The development and use of the Property shall be wholly consistent with the terms and conditions of this approval, including the representations made during the course of the public hearing.
8. Applicant shall provide a certification that Property taxes are paid current.
9. Applicant shall secure approval from any other agency having jurisdiction and, if so requested by Borough Officials, shall file with the Board and Construction Official an affidavit verifying that the applicant is in receipt of all necessary agency approvals

RESOLUTION

LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: September 16, 2026

RESOLUTION: LUB 26-19

other that the municipal agency having land use jurisdiction over the Application and supply a copy of any approvals received.

10. The approval shall be subject to all other applicable rules, regulations, ordinances and statutes of the Borough of Allendale, County of Bergen and State of New Jersey.

11. The Applicant shall be bound by any and all other conditions set forth during the hearing.

12. The Applicant shall comply with all representations and stipulations before the Board during the public hearing process even if those representations and stipulations are not set forth or enumerated specifically herein as conditions.

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.

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: September 16, 2026

RESOLUTION: LUB 26-19

Approved:

ALLENDALE LAND USE BOARD



MICHAEL SIRICIO, Chairman

Attest:



JOHN DALO, Vice Chairman

Adopted: September 16, 2026