

RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: September 16, 2026

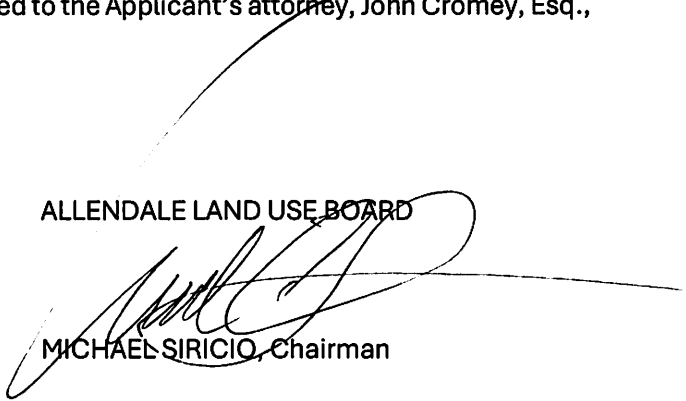
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14. The Applicant shall comply with all representations and stipulations before the Board during the public hearing process even if those representations and stipulations are not set forth or enumerated specifically herein as conditions.

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. A copy of this Resolution shall be emailed to the Applicant's attorney, John Crome, Esq., prior to adoption.

Approved:

ALLENDALE LAND USE BOARD


MICHAEL SIRICIO, Chairman

Attest:



JOHN DALO, Vice Chairman

Adopted: September 16, 2026

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7. 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.
8. 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.
9. The development and use of the Property shall be wholly consistent with the terms and conditions of this approval, including the representations made related to all business operations.
10. Applicant shall provide a certification that Property taxes are paid current.
11. 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 other than the municipal agency having land use jurisdiction over the application and supply a copy of any approvals received.
12. 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.
13. The Applicant shall be bound by any and all other conditions set forth during the hearing.

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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. All improvements shall blend in and look original so as to match the existing historic home.
3. Applicant shall revise the plans to reflect the final wall assembly and energy-code-compliant construction of the enclosed porch, as testified to during the course of the public hearing.
4. The Applicant's plan shall be revised to reflect the air-conditioning unit servicing the enclosed area as testified to during the course of the public hearing.
5. The Applicant shall comply with all requests and recommendations of the Borough Engineer and professional staff.
6. 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.

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

1. The Applicant is the owner of the Property.
2. The Application was duly noticed, conferring statutory jurisdiction over the Board to commence proceedings.
3. The Property is approximately 31,728 sf, located at 8 Rozmus Court, known as Block 2004, Lot 20.01, 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, including the completed Land Use application and the filed plans as noted herein;
6. The Property is developed with a residential dwelling, a detached garage and associated amenities.
7. Existing conditions on the Property render it nonconforming to the zone's front yard setback requirement, with the existing front yard setbacks being 6 feet from Franklin Turnpike and 16 feet from Rozmus Court, where 35 feet is required.
8. Existing conditions render further development, otherwise consistent with and promoted by the land development code and Master Plan, impractical without the grant of relief.
9. The Applicant's sworn and qualified professional, through testimony and presentation of the filed plans, 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-70(c)
10. No member of the public appeared in connection with the application.

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enclosure will not expand the existing 158-square-foot porch footprint; that the finishing will match the existing home, with the exterior wall remaining, so that all improvements will blend in and look original; and that a single air-conditioning unit extending the existing supply will be installed because ductwork is infeasible;

WHEREAS, Christopher Greimel, the applicant's qualified planning professional and architect, testified that the Property contains topographic features that render strict compliance impractical; that existing foliage screens views of the porch from neighboring properties; that the purposes of the Municipal Land Use Law are advanced, including the protection and promotion of historic sites; and that the requested relief will have no negative ramifications and represents a zoning improvement

WHEREAS, Mr. Greimel further testified that the purposes of the Municipal Land Use Law were advanced by the grant of relief, warranted pursuant to N.J.S.A. 40:55D-70c, given the pre-existing nonconforming front yard setback and the historic character of the dwelling; that under the c(1) hardship analysis, the topographic features of the Property and the pre-existing setback created when the Planning Board approved the subdivision render strict compliance impractical and impose an undue hardship peculiar to the Property; and that under the c(2) flexible analysis, the benefits of enclosing the existing 158-square-foot porch to match the historic home substantially outweigh any detriment, with no substantial impairment of the zone plan or zoning ordinance and no negative ramifications;

WHEREAS, no members of the public appeared during the course of the Application;

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WHEREAS, the Applicant appeared and commenced prosecution on July 15, 2026;

WHEREAS, the Applicant was represented by John Cromey, Esq., of Collin Folley LLP;

WHEREAS, the Applicant sought bulk variance relief pursuant to N.J.S.A. 40:55D-70c, from Borough Land Development Code Section 270-57B related to the existing front yard setback of 6 feet from Franklin Turnpike and 16 feet from Rozmus Court, where 35 feet is required;

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 Applicant filed the below plans and supporting documents:

Plans (as submitted; no revisions), prepared by Christopher Greigel, P.E., R.A., P.P.,
dated 6.17.26;

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

Witness: Christopher Griemel, P.E., R.A., P.P (expert in the field of professional
planning and licensed architect)

Witness: Bruce Rohsler (lay witness, testifying as owner)

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

WHEREAS, Bruce Rohsler, owner of the Property, testified that the dwelling is a historic home dating to the late 1700s; that the nonconforming front yard setback is pre-existing and was created when the Planning Board approved the subdivision of the Property; that the proposed

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

Carried ☒ Defeated ☐ Tabled ☐

LUB Application No. 2026-12

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
APPLICATION FOR VARIANCE FOR
ROHSLER NURSERY PARTNERS, LP
8 ROZMUS COURT
Block 2004, Lot 20.01

WHEREAS, Rohsler Nursery Partners, LP ("Applicant"), owner of the Property located at 8 Rozmus Court, Allendale, NJ 07401, known as Block 2004, Lot 20.01 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 Applicant sought development of an enclosure for an existing open porch (approximately 158 square feet) facing Franklin Turnpike, converting it from an open porch to living space with code-compliant walls meeting the energy code;

WHEREAS, the Property is located in the A zone;