



**Borough of Waldwick
Municipal Building
63 Franklin Turnpike
Waldwick, New Jersey 07463
County of Bergen**

Zoning Board of Adjustment

Via e-mail: shermanarchitect@aol.com

March 27, 2026

Luis and Ashley Millan
52 Grand Avenue
Waldwick, NJ 07463

Re: 52 Grand Avenue
Block 6, Lot 4
Add-a-Level, Covered porch, Deck
Resolution

Dear Luis and Ashley:

Attached for your records is a copy of the Resolution adopted by this Board at its meeting on March 25, 2026 with respect to the above-named Application.

Very truly yours,

Joyce Sinclair

Joyce C. Sinclair
Secretary

Distribution via e-mail:

Board Attorney
Borough Clerk
Borough Administrator
Building Inspector
Zoning Officer
Tax Assessor
Chief Financial Officer



ZONING BOARD OF ADJUSTMENT

Borough of Waldwick
63 Franklin Turnpike
Waldwick, New Jersey 07463



In The Matter of:
The Application of
LUIS & ASHLEY MILLAN
For Variance Relief with Respect to:
52 Grand Avenue
R-2 Zone
Lot 4, Block 6
Waldwick, New Jersey

Resolution of Memorialization
As To "Official Action" **Granting**
Variance Relief To build a
covered front porch, a deck
and to add a level.

WHEREAS, Thomas & Kylie Wendell, hereinafter referred to as "Applicant", applied to this Board of Adjustment for variance relief to build a covered front porch, a deck and to add a level on the existing premises located on Lot 4 in Block 6, as it appears on the current Tax Map of the Borough of Waldwick, hereinafter referred to as the "premises in question"; and

WHEREAS the Applicant's application and accompanying drawings, schematic design, site plan and survey were the subject of a public hearing held by this Board of Adjustment on February 25, 2026, during the hearing

testimony was taken from Edwin P. Sherman, R.A.P.P., architect for the applicant, and exhibits were submitted by the Applicant in favor of this Board of Adjustment granting the requested relief; and

NOW, THEREFORE, BE IT REMEMBERED, that this Board of Adjustment at its official public monthly meeting held on February 25, 2026, did make the following findings of fact, determination, and decision:

Memorialization of Findings of Fact

1. All persons required to be served with notice of the public hearing were duly served, notice of the public hearing was duly published, and proof thereof has been filed with this Board of Adjustment.
2. The premises in question is located on Lot 4 in Block 6, District R-2 Residential.
3. The Applicant has paid all taxes and assessments.
4. No member of the public commented on this application even though an opportunity was given.
5. The Applicant proposes to build a covered front porch, a rear deck and to add a level (a second floor) atop the existing structure on

the subject premises. The proposed improvements continue an existing violation of the required side yard setback distance, not altering that non-conformity but simply maintaining said nonconformity. Applicant has requested that the existing non-conformity with respect to side yard setback, which configuration long predates this application, be granted continued variance relief. No additional nonconformities are being created or exacerbated. The property survey shows the existing side yard setback is already non-conforming for the R-2 zone, as detailed below and is proposed to simply be maintained with the proposed improvements. In all other respects the property will remain fully conforming after the proposed renovations and addition. The subject premises are presently conforming, with respect to the percentage of improved lot coverage and all required setbacks, except for side yard setbacks. With respect to the continued variance and maintaining that nonconformity requested for side yard setback, presently the side yard setbacks are four (4') feet for one side yard and a total of thirty-seven and five tenths (37.5') feet for both side yards combined, where the Code requires a minimum of ten (10') feet and twenty-five (25') feet, respectively. That

condition is proposed to continue and simply be maintained without change. The addition of the rear deck is averred to effectuate no change in the rear yard setback, which remains unchanged under the proposed plan.

6. The percentage of impervious coverage is and will continue to be conforming.
7. The front yard setback, which is presently conforming, will be unchanged and will continue to be conforming after the construction of the covered front porch. The existing front yard setback is twenty-five and five tenths (25.5") feet, which remains conforming, as twenty-five (25') feet are required.
8. The subject property meets all of the R-2 Zone bulk requirements, as set forth in the zoning information contained in applicant's plans. The location of the structures on the conforming property gives rise to the existing side yard setback variance and it is reasonable to permit the side yard setback relief by way of continuing the existing variance, as identified herein.

Memorialization of Determination

This Board of Adjustment has determined that the requested relief from the above noted requirements for the construction of a covered front porch, a rear deck and the addition of a second floor over the existing home, may be granted without any substantial detriment to the public good and without substantially impairing the intent and purpose of the Waldwick Zoning Code and the Waldwick Master Plan; that the requested continuation of the existing variance, as noted, does not change any side yard setback distances and that the benefits to be derived from granting the continuation of existing variances substantially outweigh any detriments which might possibly arise therefrom.

Memorialization of Decision

This Board of Adjustment therefore did **grant** Applicant's application for **approval of the construction of a covered front porch, a rear deck and a second floor atop the existing home, as described in the application and did grant the continuation of the existing variance relief for the side yard setback of the existing structure, as detailed above**, in the amounts and dimensions shown herein and subject to the following condition:

- Pursuant to Chapter 56A-20 of the Ordinances of the Borough of Waldwick, this variance relief will expire by limitation unless such construction or alteration approved herein shall have been commenced on each structure permitted by said variance within one year from the date of publication of the notice of decision by this Board of Adjustment.
- All representations and testimony provided at the public hearing, as well as any and all representations made within any documents submitted or correspondence to the Waldwick Zoning Board of Adjustment or any other department of the Borough of Waldwick, is hereby deemed to be incorporated into this Resolution by reference, as if set forth at length herein.
- All work shall be done in strict accordance with the Uniform Construction Code and the proposed development plan.

BE IT REMEMBERED that the members of this Board of Adjustment who voted in favor of said variance relief at its official meeting held February 25, 2026, do hereby **Memorialize and Confirm** the foregoing findings of fact, determination and decision set forth in this Resolution of memorialization as the "official action" taken by this Board of Adjustment on that date in

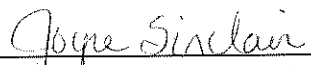
accordance with the provisions of N.J.S.A. 40:55d-10(g)(2) of the New Jersey Municipal Land Use Law on this March 25, 2026.

Official Public Monthly Meeting: March 25, 2026

Moved Seconded Yes No Abstain Absent

	Moved	Seconded	Yes	No	Abstain	Absent
Marty Nieman			✓			
Richard Cericola		✓	✓			
Brian Walsh						✓
Ted Sanzo	✓		✓			
Nadia Luppino						✓
Stanley Wekarski			✓			
Phil Centineo			✓		✓	
Bert Hartmann						
Joseph Myerjack			✓			

I hereby certify that this Resolution of memorialization consisting of 8 pages was duly adopted by the members of the Board of Adjustment of the Borough of Waldwick who voted in **favor** of Applicant's application as described herein on February 25, 2026, a quorum of the membership being present, at the regular official public meeting of said Board of Adjustment held on February 25, 2026.



JOYCE SINCLAIR, Secretary
Waldwick Zoning Board of Adjustment

Official Public Monthly Meeting:
March 25, 2026