

**BOROUGH OF HILLSDALE
PLANNING BOARD
RESOLUTION NUMBER 2021-14
CASE NUMBER PZ-04-21**

WHEREAS, an application has been submitted by Sergey Dvoynos (the “Applicant”) for property known as 178 Magnolia Avenue, Hillsdale, New Jersey and identified as Block 1405, Lot 1 (the “Property”); and

WHEREAS, the Applicant applied for a variance for floor area ratio (“FAR”) pursuant to N.J.S.A. 40:55D-70(d)(4) and a (c) bulk variances for pre-existing conditions of maximum impervious coverage, non-conforming lot area, lot width, and lot frontage in order to renovate the first and second levels of the existing dwelling on the site, and finish the attic space so that it is habitable; and

WHEREAS, the Applicant was represented by Constantine Stamos, Esq., Ferraro & Stamos, LLP, 22 Paris Avenue, Suite 105, Rockleigh, NJ 07647; and

WHEREAS, Mayor Ruocco, Zoltan Horvath and Stephen Riordan recused themselves from the hearing of this application; and

WHEREAS, the Board considered the report of Christopher P. Statile, PE, dated April 7, 2021 and the memorandum of Thomas Behrens, Jr., PP, dated May 11, 2021; and

WHEREAS, the Board determined that the application was complete and that a public hearing be conducted by the Board; and

WHEREAS, a public hearing was held on May 13, 2021; and

WHEREAS, the application was presented at the Board’s May 13, 2021 hearing. John Bryjak, RA, 135 Hiawatha Boulevard, Oakland, NJ 07436 was duly qualified and sworn, and testified at the May 13, 2021 hearing; and

WHEREAS, Sergey Dvoynos provided testimony after being duly sworn; and

WHEREAS, Christopher P. Statile, PE (Board Engineer) and Thomas Behrens, Jr., PP (Board Planner) were duly sworn and testified at the May 13, 2021 hearing; and

WHEREAS, along with the application, the Applicant submitted the following:

1. Architectural plan entitled “Alterations to the Dvoynos Residence, 178 Magnolia Avenue, Block 1405, Lot 1, Hillsdale, NJ”, prepared by John Bryjak, RA, 135 Hiawatha Boulevard, Oakland, NJ, dated February 3, 2021, consisting of the following:

- Sheet Z1.0: Site Plan & Zoning Info;
- Sheet A1.1: Exterior Elevations;
- Sheet A1.2: Exterior Elevations;
- Sheet A2.1: Floor Plans; and
- Sheet A2.2: Floor Plans.

2. Property Survey prepared by Christopher J. Lantelme, LS, of Lantelme Kurens & Associates, PC, 101 West Street, Hillsdale, NJ 07642, dated January 7, 2021 and revised January 20, 2021; and

WHEREAS, the Applicants submitted proof of notification, by mail or personal service at least 10 days prior to the date set forth for public hearing on all persons owning properties within 200 feet from the extreme limits of the subject premises of the subject application, as set forth on a certified list of said owners furnished to the Applicant by the Tax Assessor of the Borough of Hillsdale and provided proof of service of such notice in accordance with the Land Use Ordinance of the Borough of Hillsdale, as amended and supplemented, and the Municipal Land Use Law (the “MLUL”), N.J.S.A. 40:55D-1 to -163; and

WHEREAS, the Applicant has submitted proof that a copy of said notifications have been published at least 10 days prior to the date set forth for public hearing in the official newspaper of the Borough of Hillsdale in accordance with the Land Use Ordinance of the Borough of Hillsdale, as amended and supplemented, and the MLUL; and

WHEREAS, the Board gave due consideration to all individuals desiring to be heard and after due deliberation, did find and determine that:

A. The Property

1. The Property is located at 178 Magnolia Avenue, designated as Block 1405, Lot 1.
2. The property is situated in the R-4 Zone District.
3. Lot 1 consists of 3,740 SF (0.86 acre) and is located on the southeastern corner of the Magnolia Avenue/Conklin Avenue intersection in the R-4 Zone District (minimum lot size 7,500 SF).
4. The lot is improved with a 2½-story frame and stucco dwelling that fronts on Magnolia Avenue. The dwelling has a front wrap-around porch. A detached frame and stucco garage is located in the southeastern property corner. Access to the garage and the property is from a concrete driveway off of Conklin Avenue. Various walkways and concrete areas exist on the lot.
5. The property is substandard for lot area, lot width and lot frontage. The existing dwelling encroaches into both front yard setbacks and the side yard setback. The improvements on the lot exceed the maximum permitted building coverage, impervious coverage and floor area ratio (“FAR”). The house exceeds the maximum permitted building height.

B. The Application

6. The Applicant proposes to renovate the entire dwelling, including making the attic habitable living space. The attic, after construction, would contain approximately 205 SF (over 7 feet clear from floor). Floor area below 7 feet clear is not included in the FAR computation per §310-4 “Definitions”. The attic will contain a bedroom, bathroom, office and hallway.

7. In addition, the existing mud room will be removed and a 20 SF back porch or deck will be constructed in its place. The Applicant also proposes to remove the detached garage (reduces FAR) and expand the existing driveway by approximately 270 SF.

8. After construction, the dwelling will contain a workshop, open unidentified space and a bathroom in the basement; a kitchen, dining room, mud room, foyer, living room and half bathroom on the first floor; two bedrooms, two bathrooms and a laundry area on the second level; and an office, bathroom and bedroom in the attic space.

9. The proposed improvements exceed the maximum permitted FAR and other coverages.

10. According to the report of the Board Engineer, Christopher P. Statile, dated April 7, 2021, the Applicant requires the following variances:

Proposed Variances

- (a) Impervious Coverage: 51.31% proposed vs. maximum 30% allowed, a difference of 21.31%.
- (b) Building Coverage: 27.29% proposed vs. 25% maximum permitted, a difference of 2.29%.
- (c) Floor area ratio: 52.45% proposed vs. maximum 35% allowed, a difference of 17.45%.

- (d) Deck Setback: Decks are not permitted in the front yard setback.. The proposed deck is set back 5.4 feet from the Conklin Avenue property line vs. 30 feet front yard setback required.
- (e) HVAC Units Within Conklin Avenue Setback: 1.4 feet proposed vs. 30 feet required.

Existing Variances

- (f) Lot Area: 3,740 SF existing vs. 7,500 SF required, a difference of 3,760 SF.
- (g) Lot Width: 34.79 feet existing vs. 75 feet required, a difference of 40.21 feet.
- (h) Lot Frontage: 35.54 feet existing vs. 75 feet required, a difference of 39.46 feet.
- (i) Building Coverage: 33.93% existing vs. 25% maximum permitted, a difference of 8.93%.
- (j) Impervious Coverage: 51.33% existing vs. 30% maximum permitted, a difference of 21.33%.
- (k) Floor Area Ratio: 54.14% vs. 35% maximum permitted a difference of 19.14%.
- (l) Building Height: 33.76 feet existing vs. 33 feet maximum permitted, a difference of 0.76 feet.
- (m) Front Yard Setback, Magnolia Avenue: 16.26 feet existing vs. 30 feet required, a difference of 13.74 feet.
- (n) Front Yard Setback, Conklin Avenue: 2.16 feet existing vs. 30 feet

required, a difference of 27.84 feet.

- (o) Side Yard Setback: 2.9 feet existing vs. 10 feet required, a difference of 7.1 feet. The bulk table indicates a required side yard setback of 10.44 feet, which is incorrect and should be revised.

C. The Hearing

11. Constantine Stamos, Esq. provided a description of the application to the Board. The property is located at 178 Magnolia Avenue, Block 1405, Lot 1, which is one of the older sections of the municipality. The property is undersized at 3,740 SF. The home is an older one and the Applicant seeks to renovate same. The exterior will also be updated. The Applicant proposes the removal of the existing garage, which will reduce the floor area ratio (“FAR”), lot coverage and building coverage.

12. According to the May 11, 2021 report of Thomas Behrens, Jr., PP, AICP, the application triggers a (d)(4) variance and bulk variances in connection with the proposed improvements.

13. The first witness to testify was John Bryjak, RA, 135 Hiawatha Boulevard, Oakland, NJ. Mr. Bryjak’s credential’s as a licensed professional architect of the State of New Jersey were accepted by the Board and he was duly sworn prior to providing testimony. In addition, the Applicant, Sergey Dvoynos, was duly sworn. Mr. Bryjak testified with regard to the plans he prepared, after placing same on the screen for viewing by the meeting participants. Sheet Z1 shows the site plan and site data. The property is located in the R-4 Residential Medium-Density Zone. The required lot area is 7,500 SF, where the subject property is 3,740 SF. The required lot width is 75 feet, and the property is 34.79 feet. There are pre-existing conditions. The required frontage is 75 feet and the Applicant provides 35.54 feet, which is a

pre-existing condition. The required lot depth is 100 feet and the Applicant provides 107.51 feet, which conforms. As to impervious coverage, 30% is permitted and 51.33% exists, which is a pre-existing non-conforming condition. The Applicant proposes to reduce the impervious coverage slightly to 51.31%. The permitted building coverage is 25% and 33.93% is existing. The Applicant proposes to reduce the building coverage to 27.29%. The required front yard setback on Magnolia Avenue is 30 feet, and 16.26 feet exists, which is a pre-existing condition. The front yard setback required on Conklin Avenue is 30 feet and 2.16 feet exists and is a pre-existing condition. The right side yard setback required is 10.44 feet, or 30% of the lot width, and the existing right side yard is 2.9 feet, which is a pre-existing condition. The required rear yard setback is 25 feet and 38.5 feet exists and the Applicant proposes 43.51 feet. The maximum height permitted is 33 feet and 33.76 feet exists, which is a pre-existing non-conforming condition. The permitted FAR is 35% and 54.14% exists, and the Applicant proposes 52.45%. As to what is labeled as “wooden rear deck” on this Sheet, the area in question is 5 feet x 4 feet and is a landing allowing access to the rear yard, not a deck. Revised plans were submitted after the hearing to correct this item.

14. Mr. Bryjak then testified to Sheet A1.1, which shows the elevations. Drawing A on this Sheet is the front elevation. The Applicant proposes to clean up the exterior finishes with siding and new windows. Drawing B is the north elevation facing Conklin Avenue. Sheet A1.2, Drawing A depicts the east (rear) elevation and depicts the proposed 5 foot x 4 foot landing leading to the rear of the premises and the door providing access to the rear of the home. Drawing B is the right (south) side of the dwelling.

15. Sheet A2.1 outlines the basement plan, which depicts a small mechanical room and workshop. The rest of the basement is for storage. There is an existing bathroom in the

basement. Sheet A2.1 also shows the first floor plan. There is an existing porch at the front of the residence, along with a foyer, living room, stairs to the second floor, dining room, kitchen, mud room, powder room and access to the basement.

16. Mr. Bryjak testified to Sheet A2.2, which depicts the second-floor plan at Drawing A. There is a hallway leading to the master bedroom and master bathroom, laundry closet, stair to the attic, bedroom and bathroom. Drawing B on Sheet A2.2 is the attic plan, containing a hallway, office, bedroom and bathroom.

17. The Board had a question with regard to Sheet A2.1, and confirmed that the condenser units for the new air conditioning would be placed outside in proximity to the mechanical room. Mr. Bryjak testified that the Applicant is staying within the existing footprint of the building and are not adding any volume to the home. The Applicant seeks to renovate and update the dwelling. The Applicant proposes to demolish the existing garage and extend the driveway to allow sufficient parking for the family, which will reduce the FAR and impervious coverage. The existing mud room is being removed, which is slightly larger than the proposed landing to the rear of the premises. The Applicant intends to live in the dwelling which his family.

18. Mr. Dvoynos testified that he does not need the existing garage and will keep his lawn gear (rakes, shovels, etc.) in the basement work shop. He has never had a snow blower or lawn mower, and does not anticipate needing them as this is a small property.

19. Christopher Statile, PE, the Board Engineer, commented that the existing retaining walls along Magnolia Avenue and Conklin Avenue are in the right-of-way, and the Applicant's Engineer is to inspect same and make any necessary repairs as part of any approval.

20. Thomas Behrens, PP, the Board Planner, asked if the air conditioner condensers could be moved to a place other than where they are proposed to be located. Mr. Stamos replied that, due to the undersized lot, there is no where to put them where they would be in compliance. The only other place to move them is on the side of the dwelling facing the neighbor's condensers, and that might create a noise issue. They were located where they are to be in proximity to the mechanical room. Mr. Behrens suggested that the condensers be screened. In response to a question from Mr. Behrens, Mr. Bryjak testified that the attic is currently an unfinished space with a floor. He also advised Mr. Behrens that the only access to the basement is through the house.

21. Mr. Statile advised the Board that the lot was created early in Hillsdale's history when there were no minimum square footage requirements, and the home is approximately 100 years old, creating the situation where there is a large home on a small lot.

22. The next witness to testify was the Applicant's Planner, David Karlebach, PP, 38 East Ridgewood Avenue, Ridgewood, NJ. Mr. Karlebach's credentials as a licensed professional planner of the State of New Jersey were accepted by the Board and he was duly sworn before providing his testimony to the Board. Mr. Karlebach testified that he has reviewed the application package, architectural plans, Zoning Ordinance, Master Plan and Re-Examination reports associated with the subject application. He has also visited the site and the surrounding areas. He testified that the lot is exceptionally small and is approximately half the size of what is required in the zone. The adjoining lot is also very small. This is an older home built during a different time, and the Applicant seeks to renovate same to provide additional living space.

23. Mr. Karlebach testified that the primary relief sought by the Applicant is the (d)(4) variance for FAR. He believes the site can accommodate the additional FAR. The

footprint of the dwelling will remain unchanged. The outside of the home will not change in size, and the existing garage will be demolished. This site has been supporting a FAR of 54% for many years, so there is no reason to believe it cannot support the proposed 52.45% FAR. This situation is totally different from a new build seeking to exceed the FAR. There is no need for new or additional utilities. The site has sufficient parking space. Several existing variance conditions are improved or eliminated as a result of the application. There is a net decrease in building coverage, impervious coverage and FAR. This project brings the site closer to conformity with the Zoning Ordinance.

24. As to the positive criteria, Mr. Karlebach believes the proposed project supports various purposes of the MLUL. The project promotes the general welfare of the neighborhood. This proposal provides livable space and will improve the aesthetic of the existing dwelling. There is no proposed increase in height, no change in the building footprint and no increase in the required setbacks. The provision of light, air and open space is improved by the removal of the existing garage. In addition to the interior renovations, the proposal includes new outdoor siding and new windows. The overgrown landscaping will be removed. All of these changes will immediately improve the visual quality of the site.

25. The Applicant requires bulk variances for lot coverage, building coverage, and the location of the air conditioning units in the front yard. There are a number of pre-existing non-conformities, as is to be expected due to the undersized lot. The size and shape of the property creates practical difficulties if the Ordinance is to be strictly adhered to, according to Mr. Karlebach.

26. As to the negative criteria, there is no substantial detriment to the public good associated with the proposed project. The project improves the aesthetics of the property. This

building has been part of the residential landscape for 100 years, and the proposal does nothing to change that. The deviation from the Ordinance with regard to the 205 SF of additional living space in the attic is negligible and cannot be detected by the general public. The proposed project will have no substantial impact on the surrounding area. The benefits derived from the project far outweigh any perceived detriments. There is no substantial impairment of the zone plan and zone scheme associated with the project.

27. In response to a question from the Board, Mr. Bryjak stated that sprinklers are not required in the attic, as this is a single-family residence. There was discussion regarding the staircase to the attic and, being an older home, the staircase is steep and narrow. Mr. Bryjak testified that, since this is a residential dwelling, the staircase can remain. Changing the design of the stairs to the attic would cause the loss of habitable space on the second floor. The Board raised concerns that the office in the attic could be used as a fifth bedroom and by the fact that the home will have 4½ bathrooms. The full bathroom in the basement was also a concern. The Applicant stated that the home is for the use of his family (wife and two children). Both he and his wife work from home and his daughter takes classes remotely from home. He also advised the Board it is more difficult to remove the basement bathroom than to leave it as it is. However, if it makes a difference to the Board, he is amenable to removing it. The Board was concerned that, due to the number of bathrooms, a future owner could use this as a multi-family dwelling. In response to a question from the Board, the Applicant stated the office is for personal use only.

28. The Board had additional questions regarding the application. Regarding the number of bedrooms and bathrooms that will be in the home after renovation, Mr. Bryjak advised there will be three bedrooms, four full bathrooms and a half bath on the first floor. The basement could be eliminated to alleviate the Board's concerns. The height of the attic is 7 feet

in the center and then cantilevers down on each side to 3½ feet. There was a suggestion from the Board to reduce the full bathroom in the attic to a half bath. The Board also wanted the Applicant to understand that if any car parked in the driveway overhangs onto the sidewalk, it will be ticketed. In addition, the retaining walls in the right-of-way are to be inspected by a certified engineer and repaired where necessary, if the application is approved.

29. There were no additional questions from the Board members or Board professionals.

30. The meeting was opened to the public and Michael Green of 183 Magnolia Avenue, Hillsdale, NJ appeared before the Board. He is familiar with the house and has lived in the neighborhood for 23 years. He is happy that the house will be fixed up. He echoed the Board's concerns regarding the number of bathrooms proposed for the home.

31. After additional discussion, the Applicant formally amended his application as follows:

- (a) The proposed full bathroom in the attic will be a half bath, with no shower; and
- (b) The existing basement bathroom will be renovated to remove the shower, and will become a half bath.

32. The Board required the Applicant to submit revised plans prior to the adoption of the memorializing resolution.

33. Thomas Behrens, PP reviewed for the Board the burden of proof the Applicant is required to provide in order for the Board to grant the (d)(4) FAR variance. The Board is governed by the Randolph case, in which the Applicant needs to show that the site can accommodate the proposed use, in this case, the renovation of the attic. The Board also has to

evaluate the negative criteria, as to whether the increase in FAR will be a substantial detriment to the public good or substantially impair the intent and purpose of the Zoning Ordinance.

34. The Applicant applied for a floor area ratio variance pursuant to N.J.S.A. 40:55D-70d(4). The Board determined that the Applicant demonstrated that the site will appropriately accommodate a floor area ratio above what is permitted by the Borough's Ordinance. Randolph Town Center v. Township of Randolph, 324 N.J. Super. 412, 417 (App. Div. 1999). An applicant for a d(4) variance need not show that the site is particularly suited for more intensive development. The inquiry is whether the site will accommodate the problems associated with a floor area larger than that permitted by ordinance. The Applicant must show special reasons to warrant the grant of a d(4) variance. Floor area ratios ("FAR") are, much like density restrictions, are intended to control the intensity of use. The Board determined the site can accommodate the proposed FAR, which exceeds what is permitted pursuant to Hillsdale's Ordinance. The proposal will not result in overdevelopment of the site and will not result in substantial detriment to the Zone Plan, Zoning Ordinance, Master Plan and the public good.

35. Revised plans were submitted to the Board following the May 13, 2021 hearing, revised to May 17, 2021 by the project architect, John Bryjak, RA. The revised plans depict the bathroom in the attic has been reduced to a half bath, and the removal of the shower in the basement bathroom. A powder room will be located in the basement; there will be two full bathrooms on the second floor and a powder room in the attic. The revised plans contain a zoning table which provides that the front yard setback on Conklin Avenue is 30 feet required, 2.16 feet existing and 1.4 feet proposed. In addition, the location of the condenser units was added to the revised plans.

D. Justification for Relief

36. The Board further finds the Applicants have met their burden of proof in support of their request for a FAR variance pursuant to N.J.S.A. 40:55D-70(d)(4). Based on the required method of computation per Hillsdale's Zoning Ordinance, the FAR for the residence will be slightly above what is permitted by the Borough's Zoning Ordinance. In the absence of the grant of a (d) variance, the Applicants would be unable to make the improvements. The proposed FAR, is consistent with the neighborhood. The lot is undersized. The site will appropriately accommodate the proposed FAR in accordance with Randolph Town Center v. Township of Randolph, 324 N.J. Super. 412, 417 (App. Div. 1999).

37. The Board makes the following findings and conclusions with respect to this application:

- A. The Board finds that the application as presented will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of the Borough's Zone Plan and Land Use Ordinance.
- B. The proposed construction will go toward the positive criteria. The Board further determined that the Property can accommodate the use and the site will be adequately parked.
- C. Further, the Board finds that using prudent zoning and planning principles, project will not negatively impact the existing neighborhood nor the community as a whole.
- D. The Board hereby determines that the overall objectives of sound and prudent zoning and planning principles are advanced by the granting of the application.
- E. The Board hereby determines that the Applicants have met their burden of proof to the satisfaction of the Planning Board for variance relief, as proposed by the Applicants.

- F. The Board finds the use is permitted in the R-4 Residential Zone.
- G. The Board also finds that the application as presented will not substantially impair the intent and purpose of the Borough's Zone Plan and Zoning Ordinance.
- H. The Board finds that using prudent zoning and planning principles, the request for the variances will not affect the existing neighborhood, nor the community as a whole. The Planning Board hereby determines that the overall objectives of sound and prudent zoning and planning principles are advanced by the granting of the application.

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Hillsdale as follows:

- 1. The Applicant's application has been approved, to wit:
 - (a) Floor area ratio pursuant to N.J.S.A. 40:55D-70(d)(4): 52.45% proposed vs. 35% maximum permitted, a difference of 17.45%.
 - (b) Impervious coverage: 51.31% proposed v. 30% permitted.
 - (c) Building Coverage: 27.29% proposed vs. 25% permitted.
 - (d) The proposed wood frame landing and stair will have a non-conforming setback of 5.4 feet from the front line along Conklin Avenue.
 - (e) Front yard setback HVAC units (Conklin Avenue): 2.16 existing, 1.4 feet proposed vs. 30 feet required.
- 2. The application is specifically conditioned upon any and all other approvals required by any governmental entity having jurisdiction over the development, including, but not limited to Bergen County Planning Board approval or waiver, Bergen County Soil Conservation District approval and NJDEP approval, to the extent applicable.

3. The Applicants shall comply with the comments contained in the reports of the Board Engineer and Board Planner and as stated on the record. All conditions imposed by the Board in this resolution and on the record shall be complied with by the Applicants.

4. The Applicants shall comply with any and all Federal, State, County and local laws, ordinances, codes, rules and regulations with respect to all aspects of the project, property and proposed use, and with all such applicable laws and codes, and shall be responsible for all costs and fees associated therewith. Notwithstanding the approval granted by the Board, the Applicants shall obtain all other applicable approvals and comply with all applicable laws, codes, ordinances, regulations and the like as to the Property.

5. Before any permits are applied for, it is the responsibility of the Applicants to see if there are any open permits or violations and address these before a new permit can be issued.

6. When applying for the permits, a copy of the signed resolution and board-approved plans must accompany the permit application.

7. No certificate of occupancy will be issued unless all inspections have been performed, passed, and all prior approvals have been satisfied.

8. The Applicants shall maintain sufficient escrow funds as requested by the Borough of Hillsdale.

9. The Applicants shall obtain all appropriate and applicable approvals and permits as required from all governmental agencies having jurisdiction over the project or the subject matter of this application, shall comply with each and every requirement of every issued permit, and shall be responsible for all costs and fees associated with these approvals. Before any permits are applied for, the Applicants shall determine whether there are any open permits or violations for the Property and resolve any such issues to the satisfaction of the Construction

Official. A signed Board resolution and Board-approved plans shall be submitted with all applications for permits.

10. If other agency approvals modify the plan, same will trigger a return to the Board.

11. The Applicants shall comply with the conditions of the Board and Board Engineer, as set forth herein and in the record.

12. The Applicants shall comply with all applicable laws and regulations, including the payment of the non-residential development fee, if applicable, pursuant to the Municipal Land Use Law.

13. The Applicant shall comply with the comments of the Board Engineer.

14. The office in the attic shall be for home use only, and shall not be utilized for commercial purposes nor rented out to another individual.

15. Revised plans were required to be submitted by the Applicants depicting the half baths in the attic and in the basement. Revised plans prepared by John Bryjak, RA, revised to May 17, 2021, were submitted prior to adoption of the memorializing resolution.

16. The existing retaining walls along Magnolia Avenue and Conklin Avenue are in the public right-of-way, and same are to be inspected by a design professional and any necessary repairs are to be made to the retaining walls and evidence of same submitted to the Board and Board Engineer.

17. The Applicant agreed to provide screening for the air conditioner condensers at the front of the dwelling to the satisfaction of the Board and Borough Engineer.

18. The Applicant shall repair any existing deficiencies in the sidewalk to the satisfaction of the Board and Borough Engineer.

BE IT FURTHER RESOLVED that the Chairman, Vice Chairman and Secretary of the Planning Board are hereby authorized to affix their signatures to this Resolution granting variance for floor area ratio (“FAR”) pursuant to N.J.S.A. 40:55D-70(d)(4), variances for impervious coverage, building coverage and setbacks, as set forth herein and in the plans, and the Applicants are authorized to advertise the action taken by way of this Resolution in a local newspaper; and, further, the Secretary of the Board is authorized to send copies of this Resolution to the Construction Code Official and Constantine Stamos, Esq.

MOVED BY: Scott Raymond
SECONDED BY: Meredith Kates

VOTE: FOR 7 AGAINST 0 ABSTAIN _____

MEMORIALIZATION VOTE:
MOVED BY:
SECONDED BY:

VOTE: FOR _____ AGAINST _____ ABSTAIN _____

APPROVED
Attest:

Meredith Kates, Secretary

Dewey Burleson, Chair

I certify that the foregoing is a true copy of the Resolution adopted on _____,
2021.

Meredith Kates, Secretary

Dated: _____, 2021