

**BOROUGH OF HILLSDALE  
PLANNING BOARD  
RESOLUTION NUMBER 2024-08  
CASE NUMBER PZ-04-23**

**WHEREAS**, an application has been submitted by Selina Ramoutar and John Bonomolo (the “Applicants”) for Property known as 6 Willowbrook Road, Hillsdale, New Jersey and identified as Block 2002, Lot 26 (the “Property”); and

**WHEREAS**, the Applicants applied for bulk variances after it was discovered that the Applicants deviated from the plan submitted to and approved by Steven Loesner, Zoning Officer, on June 29, 2022; and

**WHEREAS**, the Applicants were represented by Andrew Bolson, Esq., Meyerson Fox & Conte, 1 Paragon Drive, Suite 240, Montvale, NJ 07645; and

**WHEREAS**, the Board considered the report of Christopher P. Statile, PE, dated October 13, 2023; and

**WHEREAS**, public hearings were held on December 4, 2023 and January 11, 2024; and

**WHEREAS**, the Applicant, John Bonomolo; Charles Osterkorn, PE and Kiersten Osterkorn, PE, PLS, testified at the hearings; and

**WHEREAS**, along with the application, the Applicants submitted the following:

1. Proof of ownership by deed dated June 23, 2015 and recorded July 14, 2015 in the Bergen County Clerk’s Office;
2. Memo from Mr. Bolson to the Planning Board dated September 1, 2023;
3. Five photographs of the subject premises;
4. Proof of taxes paid, dated September 1, 2023;
5. Denial letter dated October 4, 2022; and

6. As-built plan prepared by Kiersten Osterkorn, PE, PLS of Omland & Osterkorn, Inc., 22 Madison Heights, Wyckoff, NJ 07481, dated July 1, 2023, consisting of one page; and

**WHEREAS**, the following exhibits were marked at the hearings:

A-1: Proposed Pool Plan dated May 23, 2021;

A-2 through A-8: Photographs on Photo Board

A-9: As-built plans

**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 Applicants 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 Applicants have 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 6 Willowbrook Road, designated as Block 2002, Lot 26.

2. The Property is situated in the R-2 Residential Zone District.

3. Lot 26 consists of 15,757 SF (0.36 acre) and is located on the north side of Willowbrook Road, east of Ruckman Avenue in the R-2 Residential Zone District (minimum lot size 15,000 SF).

4. The property is improved with a two-story dwelling. A deck and patio are located to the rear of the dwelling. An in-ground swimming pool with surrounding paver patio are newly constructed. A macadam driveway provides access to the dwelling from Willowbrook Road.

B. The Application

5. The Applicants seek bulk variances resulting from deviations from a previously approved plot plan. The approved plot plan proposed the in-ground swimming pool and pool equipment in compliance with applicable zoning regulations. However, during construction, the pool and pool equipment were relocated, causing zoning non-conformities. The application is for bulk variances due to proposed non-conformities created by the pool construction.

6. As per the October 4, 2022 letter from Mr. Loesner, a review of the as-built drawing dated July 18, 2022 shows two deviations from the plan submitted and approved on June 29, 2022, to wit:

- a. Submitted drawings show the pool water 14.1 feet from the side property line with a patio extending to a 10.0 foot setback from the side property line.
- b. Submitted drawings show the pool equipment pad located 10.0 feet from both the rear and side property lines.

The as-built drawing shows the following deviations, both of which are in violation of the Borough Code:

- a. The pool was moved 3.3 feet towards the side lot line, moving the 4 foot paver walk into the required 10 foot setback (§310-55(H)).
- b. The pool equipment pad was placed against the rear lot line, where a 10 foot setback is require (§310-55(H)).

7. According to the report of the Board Engineer, Christopher P. Statile, dated October 13, 2023, the Applicants requires the following variances:

Newly Created Non-Conformities

- (a) Swimming Pool Setback (§310-55.E: 6.8 feet (to paver patio), where a minimum of 10.00 feet is required.
- (b) Swimming Pool Equipment Setback (§310-55.E): 0.0 feet, where a minimum of 10.00 feet is required.

Existing Non-Conformities

- (a) None prior to construction.

C. The Hearing

December 4, 2023

8. Andrew Bolson, Esq., Meyerson Fox & Conte, 1 Paragon Drive, Suite 240, Montvale, NJ appeared on behalf of the Applicants. The subject property is located at 6 Willowbrook Road in the R-2 District and is known as Block 2002, Lot 26. The Applicants are seeking a variance for an existing pool and pool equipment that were installed not in accordance with the approved building plans. The Applicants seek variance relief under §310-55.E and §310-55.H(5) for 1. Swimming pool setback (§36-552) - 6.8 feet to paver patio where a

minimum of 10 feet is required; 2. Swimming pool equipment setback (§310-55.E) - 0.0 feet where a minimum of 10.0 feet is required. As Mr. Statile noted in his October 20, 2023 letter, there is a preliminary matter Mr. Bolson wished to raise to the Board, that is whether the Board is requiring the side yard variance. The pool itself is over 10 feet from the side yard. The pavers are 6.8 feet from the side yard. Under §310-55.E, no swimming pool shall be located nearer than 10 feet to any rear lot line or side lot line, or nearer to any street line, than the principal building to which it is an accessory. The foregoing distances shall be measured from the pool water line or any portion of the above-ground structure, whichever is nearest to the property line. Mr. Bolson seeks the Board's input as to whether the side yard variance is required. According to Mr. Statile and as referenced in his letter, the side yard setback is a variance.

9. The first witness to testify was the Applicant, John Bonomolo, who was duly sworn prior to testifying before the Board. Mr. Bonomolo testified he has lived at the subject property for eight years. He stated he started saving for the pool in 2017; started planning for it in 2019; and decided to move forward in 2020. They met with a professional pool company as to procedure but did not move forward due to Covid 19. The subsequent application was filed in 2023.

10. Mr. Bolson showed the Board a proposed pool plan submitted to the Borough, dated May 23, 2021, which was marked as Exhibit A-1. Mr. Bonomolo testified he is familiar with the proposed plan and that it does not depict the current site conditions. The orientation of the pool is different than that shown on the approved plans. In addition, there are differences as to the various setbacks. According to Mr. Bonomolo, these variations were made by the pool contractor. He testified he utilized professionals recommended to them by the pool company and filed for all the necessary permits. As stated herein, Mr. Loesner issued a letter dated October 4,

2022, attached as Exhibit “A”. Mr. Bonomolo testified he learned of the violations when the pavers were being installed. At that point, he found out that the pool and swimming pool equipment were installed in non-conforming locations. The fence was then installed and it was then they realized how close the pool and pool equipment were to the fence. They also found out that an electrical inspection was never completed and needed to be done in order to proceed with the final inspection of the pool.

11. Mr. Bolson presented a photo board depicting photographs of the current condition at the site, which photographs were marked as Exhibits A-2 through A-8. The photographs were taken by Mr. Bonomolo, who testified that they accurately reflect the existing conditions. Mr. Bonomolo testified that the back yard is a blank slate as far as landscaping. There were previously some shrubs around the deck, which were removed, as well as shrubs between his property and the adjacent property, which were also removed. The plan is to hire a landscape architect and provide some type of privacy landscaping between his property and the neighbors’ property. Mr. Bonomolo testified that the rear of the property abuts property owned by Suez and he opined the Suez property will remain in its current condition and will not change. They plan to focus on providing landscaping to provide screening on the two sides of the property. This has not yet been completed due to the Applicants’ expenditure of funds to remediate the issues before the Board as to the pool and equipment placement in non-conforming locations. Until they receive clarity as to the issue at hand, they do not wish to spend money on landscaping. In response to a question from Mr. Bolson, Mr. Bonomolo testified there are other pools in the neighborhood and on their block.

12. Mr. Friedman confirmed with Mr. Statile that there are two separate setbacks to be met per the Ordinance, one for setback from the water line and one for setback from the paver

area around the pool. In response to Ms. Kates' question, Mr. Bolson clarified that there are two issues: the pool was inverted as well as being built in the wrong location. The decision to change the placement of the pool from the proposed plans was made by the pool contractor. The location of the pool deviates from what was approved by Mr. Loesner and triggers variance relief. Mr. Alter asked the date of the proposed plan submitted to the Borough and Mr. Bonomolo testified it is dated May 23, 2021 and that the installation began later in 2021. He also confirmed the May 23, 2021 plan is the plan submitted to the pool contractor. Mr. Alter asked how long it took the pool contractor to construct the pool and Mr. Bonomolo testified it took about two months. Mr. Bonomolo testified that they were living at the house during the construction but did not notice the error, as the fence had not yet been installed and the property borders were hard to establish without same. Once the fence was installed, the setback issues became apparent. The Applicants are seeking variance approval from the Board in order to obtain a final inspection approval from the Borough.

13. The Applicants sought a hardship variance pursuant to N.J.S.A. 40:55D-70(c)(1).

14. Board member Raymond asked for the name of the pool company and Mr. Bonomolo responded it was Monarch Pools. Mr. Raymond asked if a Monarch representative was in attendance and was advised by the Applicant they were not in attendance. In response to a question if he was in litigation with Monarch Pools, Mr. Bonomolo testified they are not but may be depending on the outcome of the application. He testified that the plans were prepared by Omland & Osterkorn, consulting engineers and surveyors. The Applicants claim they were not aware that the pool and equipment were located in the wrong locations until they came to prepare the as-built plans. A neighbor called the Borough and the letter of denial was thereafter issued. In response to Mr. Raymond's query, Mr. Bonomolo testified the photographs were

taken in the spring of 2023. Mr. Griep asked if a representative of Omland & Osterkorn was in attendance and was advised that Mr. Osterkorn was there to testify at the hearing. Mr. Griep asked about the placement of the pool equipment. Mr. Bonomolo testified that the original plans called for the equipment to be placed 10 feet from the property line but the construction company placed it right at the property line. As soon as the fence was installed, the Applicants realized the pool equipment was in a non-conforming location. Mr. Raymond noted there is only 6 feet between the neighbor's fence and the pool deck and questioned Mr. Bonomolo as to how screening trees would have been installed in that space. Mr. Bonomolo replied that he will hire a landscape contractor to address the landscaping. Also, other than for cleaning the pool, they are never in that corner of the property nearest to the adjoining neighbor. Chairman Riordan asked who was in direct contact with the engineer, Mr. Bonomolo or the pool contractor. In response to Mr. Riordan's question as to whether a pool stake-out was completed, Mr. Bonomolo stated it was not done to his knowledge. Mr. Riordan asked if the pool size was increased as a result of the incorrect placement and was advised the size is the same as in the original plan. Mr. Riordan confirmed with the Applicant and his Engineer that the lot is a conforming lot and there is no hardship. Mr. Bonomolo wanted the Board to know that the pool equipment was always supposed to be in its current location. The only issue is that the pool was "flipped". In response to Mr. Riordan's query, Mr. Bonomolo stated there was no stormwater drainage associated with this project. Mr. Statile advised that seepage pits are usually called for with the installation of a pool but none were included for this project as it was under 500 SF impervious coverage. The Board Attorney asked Mr. Bonomolo, to the best of his knowledge, if there was anything related to the property to necessitate the flipping of the pool and Mr. Bonomolo stated no.

15. The next witness to testify was the Applicant's Engineer, Charles Osterkorn, PE, 121 Godwin Avenue Wyckoff, NJ. Mr. Osterkorn's credentials as a licensed professional engineer of the state of New Jersey were accepted by the Board and he testified after being duly sworn and qualified. Mr. Osterkorn is also a licensed professional planner and surveyor. He is appearing on behalf of his daughter, Kiersten Osterkorn, PE, who prepared the plan. Mr. Osterkorn testified he is familiar with the plans and testified as to Exhibit A-1, which is the plan his firm submitted and which was approved by the Borough. The plan, as proposed, has the topography gently flowing toward the rear on a diagonal, with the runoff going into the County park. The pool was laid out 14.1 feet to the steps leading to the pool. There is a little sitting area 17.3 feet off the rear and 27.5 feet off the house, and the proposed filter was both 10 feet off the rear yard and 10 feet off the side yard. Mr. Osterkorn testified the lot is conforming and is 100' x 57' and contains 15,758 SF, where 15,000 SF is required. The lot meets the required depth, where 100 feet is required and 157.01 feet exists. The lot meets all the bulk requirements. As to runoff, Mr. Osterkorn testified that the existing runoff went to the left rear corner of the property and the proposed plan continued same. Mr. Osterkorn then testified as to the as-built plans, which were marked as Exhibit A-9. He testified his firm prepared the as-built plans after the pool was installed. He testified the contractor decided to flip the pool. He feels this is actually a better layout as the stairs and the area with the most pool activity are further from the adjoining property. No stake-out was done for either the pool or the property, according to Mr. Osterkorn's testimony. Mr. Osterkorn relied upon a survey provided by the Applicants for the offsets on the original plan.

16. Mr. Osterkorn's daughter then requested a stake-out for the fencing and she contacted other surveyors, and they established the property line as different from the original

survey provided by the Applicants. The original survey had an offset of 15.9 feet to the side line of the house. The as-built survey has an offset of 14.6 feet. The property line is actually 1.3 feet closer than originally indicated. He testified the pool is still in excess of 10 feet off the property line and the pavers are 6.8 feet off the property. The rear pavers are 14.4 feet off the property line. The pool is 13.5 feet off the deck. The pool equipment was supposed to be 10 feet off the right property line and is actually 12.2 feet off the line on the right, but the pool company built it right to the property line in the back.

17. Mr. Osterkorn testified the Applicants seeks variances for the location of the pool equipment, which should be 10' off both the rear and side property line, as well as for distance of the pool from the property line. His interpretation of the Ordinance is that if the pool is 10 feet from the property line, the pavers, pool ladder, etc. will be less than 10 feet. Stormwater seepage pits were not required for this project. In response to a question from the Board, the setback from the pavers to the rear lot line is 14.4 feet. The pool is set back 10.8 feet from the right property line, 6.8 feet to the pavers, where 10 feet is required.

18. Mr. Griep asked Mr. Osterkorn if there is any reason as far as the property is concerned why the pool could not be installed as originally planned, and Mr. Osterkorn stated there is not. Mr. Raymond asked Mr. Statile for clarification as to the setback to pool and setback to pavers. Mr. Statile responded that there are two separate Ordinance sections. The pool itself must be 10 feet from the property line. In the Ordinance section for walkways, etc., it is stipulated that the pavers must be 10 feet from the property line. Mr. Alter asked Mr. Osterkorn if his company did any inspections during the installation period, to which Mr. Osterkorn responded no. After the pool was installed, Mr. Bonomolo contacted Mr. Osterkorn to do a stake-out and prepare the as-built plans/survey. In response to a question from Mr.

Friedman, Mr. Osterkorn testified that the patio and deck were existing and not part of the project. The only addition to the site was the pool, the pavers and the pool equipment. Mr. Friedman asked if the pool equipment could be moved 10 feet south and Mr. Osterkorn testified it could be moved. However, the rear of the site where the pool equipment is located faces the Suez property and the Applicants seek the variance as the location of the equipment, alleging it will not affect anyone. In response to Mr. Friedman's question, Mr. Osterkorn concurred that if the pavers were removed from the eastern side of the pool it would be in compliance. Chairman Riordan questioned whether the rear fence is on the adjoining property, as the equipment goes to the rear property line and the fence is beyond that. Mr. Osterkorn testified that the fence is on the rear property line and the equipment is inside the fence. The Board Attorney confirmed with Mr. Osterkorn that the original plan did not require any variances.

19. The meeting was opened to the public. Kevin Harmony of 123 Ruckman Avenue, Hillsdale, NJ appeared. He owns the adjoining property to the east of the subject site. Mr. Harmony was duly sworn. He asked Mr. Statile where the 10 foot setback requirement is measured to and Mr. Statile advised it is measured to the water line of the pool. As to the fencing, Mr. Harmony stated that the Applicants advised their fence was 16" to 18" over the property line. Mr. Harmony had his property re-surveyed and there is no difference from his original survey. He stated he does not know why the pool was turned from the original layout. The next member of the public to appear was Sue Harmony, 123 Ruckman Avenue, Hillsdale, NJ, who was duly sworn. She is unhappy that in over two years that this has been ongoing, they have not been contacted by anyone, including the property owners, Borough officials, etc. The only notification received was the meeting notice. The pool is installed in close proximity to their property line. She questioned the lack of communication between Borough officials and

the property owner. She asked what are the options going forward. She is concerned about the resale value of her property. Legally, they do not want to be held responsible in any way for the situation, requesting a written document from the appropriate Borough official once this is resolved. She stated that according to the documents posted online, the contractor caused the discrepancy. However, Mr. Loesner advised her that the property owners made the change. She is unsure why the pool was placed so close to the property line as it could have been installed in other areas. Chairman Riordan responded to Ms. Harmony that this application did not require a variance so there was no need for close inspection by the Borough officials. Once the complaint about the incorrect positioning of the pool was made, the Borough became involved. He confirmed with the Harmonys that their side yard faces the subject property, which they confirmed.

20. Christopher Statile, PE opined that he represented a homeowner in a similar situation in another municipality and the Board decided to have the property owner remove the portion of the deck that was in violation. While it may not be the most aesthetically pleasing, it was a solution the parties could agree upon. He is bringing this to the Board's attention for their consideration in this matter.

21. Mr. Alter raised concerns about conflicting testimony between the Applicants and the adjoining property owners. Mr. Raymond stated that removing a portion of the patio area is an improvement. He also feels, despite the expense, that moving the pool equipment away from the property line will go a long way in improving the situation between neighbors. Mr. Griep agrees with the sentiment about mitigation, particularly with regard to the pool equipment. Since the water line of the pool is in compliance with the Borough Code, a resolution should be able to be reached with regard to the patio and the pool equipment.

22. A short recess was taken to allow Mr. Bolson to speak with his client. The meeting reconvened and a roll call was taken. Mr. Bolson stated the Applicants are prepared to remove the pavers on the right side to eliminate the need for the variance. That would leave one variance for the pool equipment. In terms of same, Mr. Bolson requested the application be carried to afford the Applicants time to obtain an opinion from a new pool contractor as to moving the pool equipment, and submit revised plans to the Board.

23. The application was carried to December 19, 2023 and an announcement was made as to same. New notice is not required and the Applicants waived the timeframe for the Board to act.

December 19, 2023

24. At the December 19, 2023 meeting, an announcement was made carrying the application to January 11, 2024 and no further notice will be required of the Applicants.

January 11, 2024

25. Andrew Bolson, Esq. appeared at the January 11, 2024 hearing on behalf of the Applicants. Revised plans have been submitted to the Board. Mr. Bolson called the Applicants' Engineer, Kiersten Osterkorn, PE, 121 Godwin Avenue Wyckoff, NJ. Ms. Osterkorn's credentials as a licensed professional engineer of the State of New Jersey were accepted by the Board and she testified after being duly sworn. Ms. Osterkorn testified as to the revisions made to the plans, dated July 1, 2023 and revised to December 15, 2023. At the last meeting, the Applicants were seeking a side yard setback variance on the east side, where 10 feet is required and 6.8 feet were provided. In addition, the pool equipment was on the rear property line, requiring a setback variance. The Applicants have agreed to cut back to patio to provide a setback of 10.8 feet to the pool on the east side, eliminating the need for the side yard setback.

As to the rear yard setback for the pool equipment, a pool contractor advised that the equipment is required to be 10 feet from the pool water line according to the Borough's Ordinance. The equipment has been brought in to that 10 foot line from the pool, which leaves a rear yard setback of 7 feet, where 10 feet is required. The lot to the rear of the subject property is Suez property and is a wooded area which is not developable, making the variance request de minimis, in Ms. Osterkorn's opinion. The equipment pad is required to be 10 feet from the neighboring property, and the new location places it 12.2 feet from the property line.

26. Mr. Griep asked if there was anywhere on the property that the equipment could be moved where it would be 10 feet off the property line and 10 feet from the pool water line. Ms. Osterkorn testified that it is possible, but such placement would put it more in the middle of the yard, which would disrupt the use of the area. In addition, the movement of the pipes, electrical, etc. would be much more extensive. They have tried to keep the new location somewhat in line with the existing piping to reduce the cost of moving the equipment. Mr. Raymond asked where was the pool equipment to be located in accordance with the original permit application that did not require any variances. Ms. Osterkorn responded by showing the Board the proposed pool plan prepared by her office dated May 23, 2021, which was previously marked as Exhibit A-1. The equipment was originally located in the rear right corner, close to where it was installed. Ms. Osterkorn testified that she believes the flipping of the pool was an error on the part of the contractor and was not done intentionally, and the proposed revisions will hopefully rectify the situation. Mr. Bolson advised the Board that the Applicants will install privacy screening around the equipment. This is not shown on the revised plans as it was not definitive as to whether privacy fencing or a landscape buffer would be utilized. This will help screen the equipment as well as reduce any noise it produces. Mr. Raymond asked if privacy

fencing would be provided on the east side to screen the pool area from the neighboring property and Ms. Osterkorn testified there would be. Mr. Raymond raised a concern that once the certificate of occupancy is issued, the patio pavers that are being removed would be replaced. Ms. Osterkorn does not believe that will happen as the property owners do not want to have to come before the Board again. Mr. Alter asked if Suez was notified about the Planning Board meeting and was advised yes, they are on the 200' list. Mr. Riordan asked for the code section stating that the pool equipment shall be 10 feet from the pool. Mr. Bolson and Ms. Osterkorn responded that they have attempted to get it several times, but have not received a response from the Borough electrical inspector. The pool contractor advised that the equipment needs to be 10 feet from the pool, which is why the rear setback cannot be further reduced. In doing this work for 10-15 years, Ms. Osterkorn testified it has always been 10 feet. In response to Mr. Riordan's question as to the size of the equipment pad, Ms. Osterkorn testified it is approximately 2 feet by 6.5 feet. It is a 13 SF area. She testified the lot is a conforming lot and is not undersized in response to a question. Mr. Riordan noted there is no hardship associated with the property. The property is not undersized and there is no hardship pursuant to N.J.S.A. 40:55D-70(c)(1). Mr. Bolson confirmed the Applicants will provide landscaping as a buffer between the site and the adjoining property but did not prepare a landscape plan as the Applicants were waiting to see if the variances were granted. If the variances are granted, such landscaping will be a condition of approval. Mayor Scheinfield asked if neighbor's vinyl fence was there before the pool installation and Mr. Bonomolo, after being sworn, responded it has been there since he purchased the property. There is a rear property marker between the properties. Ms. Osterkorn stated she cannot speak as to how the pool contractors measured where to install the pool.

27. The meeting was opened to the public and no one appeared either in favor of or opposed to the application.

28. Mr. Bolson made a closing statement to the Board. He stated his client listened to the comments of the Board and has made a good-faith effort to address those concerns. The requested side yard variance has been removed with the removal of the patio pavers. The requested rear yard setback has been reduced from 10 feet to 3 feet. Granting the variance would be beneficial, as landscaping and privacy buffering will be installed, which will improve the aesthetic of the neighborhood as no landscaping currently exists. The buffering will address the concerns of the adjacent neighbor. The equipment pad is 2 feet further away from the neighbor than is required. The property to the rear is owned by Suez and no one will be affected by the grant of the requested variance.

29. Steve Riordan made a motion to deny the application, as no justification or testimony has been provided as to why the variance should be granted pursuant to the (c)(1) criteria, as there is no hardship and no hardship was testified to in support of the variances.. Chairwoman Kates and Vice-Chairman Riordan stated on the record that there is no hardship, yet the Applicants applied for a variance pursuant to N.J.S.A. 40:55D-70(c)(1). There was no planning testimony to justify the grant of a (c)(1) variance. The motion was seconded by Scott Raymond.

**NOW THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Hillsdale and the Board denies the relief requested by the Applicants.

**BE IT FURTHER RESOLVED** that the Chairwoman, Vice Chairman and Secretary of the Planning Board are hereby authorized to affix their signatures to this Resolution denying the variances 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 the Applicants.

MOTION TO DENY:

MOVED BY: Steve Riordan  
SECONDED BY: Scott Raymond

VOTE: FOR 4 AGAINST 3 ABSTAIN \_\_\_\_\_

MEMORIALIZATION VOTE:

MOVED BY:  
SECONDED BY:

VOTE: FOR \_\_\_\_\_ AGAINST \_\_\_\_\_ ABSTAIN \_\_\_\_\_

DENIED  
Attest:

\_\_\_\_\_  
Scott Raymond, Secretary

\_\_\_\_\_  
Meredith Kates, Chairwoman

I certify that the foregoing is a true copy of the Resolution adopted on \_\_\_\_\_,  
2024.

\_\_\_\_\_  
Scott Raymond, Secretary

Dated: \_\_\_\_\_, 2024

Exhibit "A"