

## **ALPINE PLANNING BOARD**

Alpine Borough Hall  
100 Church Street  
Alpine, New Jersey 07620

### **MINUTES**

June 27, 2017

**CALL TO ORDER/PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE:** The Planning Board, Borough of Alpine, convened in regular session on Tuesday, June 27, 2017 at 7:30 P.M. Catherine Parilla read the announcement in accordance with the requirements of the Sunshine Law:

In accordance with the provisions of the New Jersey Open Public Meetings Act, the notice of this regular meeting held Tuesday, June 27, 2017 at 7:30 P.M. has met the requirements of the law by publication in The Record and posted on the bulletin board of the lobby in the Borough Hall and filed in the office of the Borough Clerk.

### **ROLL CALL:**

Members Present: Gayle Gerstein, Elizabeth Herries, Catherine McGuire,  
Lorraine Mattes, Catherine Parilla, Mayor Paul Tomasko

Members Absent: Carol Cochi, David Kupferschmid, Joyce Sonpal, Alt I Jeff Fromm

Staff Present: John Phillips, Board Attorney, Gary Vander Veer, Borough Engineer  
Marilyn Hayward, Recording Secretary

### **APPROVAL OF MINUTES OF APRIL 25, 2017 REGULAR MEETING:**

Upon a motion by Gayle Gerstein seconded by Elizabeth Herries, to approve the minutes of the April 25, 2017 Planning Board Regular Meeting. Eligible members voted as follows:

Vote: Ayes: Gayle Gerstein, Elizabeth Herries, Catherine McGuire, Catherine Parilla, Mayor Paul Tomasko

Abstain: Lorraine Mattes

### **OPEN TO PUBLIC: NON-AGENDA ITEMS**

**Northern Valley Greenway** Mayor Tomasko advised he has received a request for support regarding the Northern Valley Greenway which the Planning Board would submit in the form of a letter from the Board Secretary. The proposed Northern Valley Greenway calls for a non permanent permission from the old northern line CSX to remove tracks and convert the pathway into a multi-use path for bike riders, runners and pedestrians as a safer alternative to crowded suburban roads. The section from Sparkill to Nyack in NY has already been converted and the six effected Bergen County towns: Tenafly, Demarest, Cresskill, Closter, Norwood and Northvale all support the measure. It could eventually provide a non-motorized commuting option to local residents by connecting northeastern Bergen County to the planned Hudson-Bergen Light Rail Terminus in Englewood.

Discussion followed. Some members expressed concern that this measure precludes extending the light rail from the Englewood terminus. Tenafly does not support the light rail through their town. There was some difference of opinion on how much bike traffic would realistically be diverted to the pathway.

Chairwoman Parilla took an informal poll of who on the Board would support sending the letter. Councilwoman Gerstein, Mrs. Herries, Chairwoman Parilla and Mayor Tomasko were in favor.

**COMMUNICATIONS** so noted without comment except where indicated:

May 18, 2017 Hubschman Engineering to Azzolina & Feury re: Alpine Three, LLC Re: water test Responding to Board questions, Mr. Vander Veer updated they expanded the second field and restarted the water test and they currently meet the setback requirement (15 feet) as permitted by the amended settlement agreement. Properties drain to the open water course that runs along Schoolhouse Lane.

June 9, 2017 Bergen County Soil Conservation District to Slavik Gofman re: 35 Warren Lane 7/25/01

June 9, 2017 Bergen County Soil Conservation District to Tony Perez re: 822 Closter Dock Road 59/3

June 6, 2017 PSE&G Freshwater Wetlands Application Notification Letter Mrs. Herries questioned the Board's responsibility regarding these types of letters. Mayor Tomasko responded they provide the Board an opportunity to comment if they so choose. This particular application is typically a statewide notification with no specific relation to Alpine.

June 7, 2017 Azzolina & Feury to Construction Official re: Perez 822 Closter Dock Road 59/3

April 27, 2017 Azzolina & Feury to Construction Official re: JBL Legal Services / LaBarbiera 32 Allison Rd 76/2

### **MEMORIALIZATION OF RESOLUTION:**

#### **Amended Soil Moving Permit Application: JBL Legal Services, PA (LaBarbiera) Block 76 Lot 2, 32 Allison Road.**

A motion to approve the resolution was made by Gayle Gerstein, seconded by Mayor Tomasko and carried by those eligible to vote.

Vote: Ayes: Gayle Gerstein, Elizabeth Herries, Catherine McGuire, Catherine Parilla, Mayor Paul Tomasko

Abstain: Lorraine Mattes

*{A copy is appended to these minutes}*

### **RETURN OF ESCROW:**

<u>Name</u>	<u>Block / Lot</u>	<u>Balance</u>
Minnetian, Christopher, Minnetian/Gofman Subdivision	72/25.02 & 26.02	\$735.72
T-Mobile US, Inc. & Affiliate Entries	11/1	\$1,412.99
		\$2,148.71

A motion to approve the above referenced return of escrow was made by Gayle Gerstein, seconded by Catherine McGuire. All were in favor.

**BILLS:**

Clarke, Caton, Hintz	\$ 44.77 COAH Court Appointed Special Master
Huntington Bailey	\$165.00 COAH Special Counsel
John Phillips	\$500.00 Escrow JBL Block 76 Lot 2 – 32 Allison Road
North Jersey Media Group	\$ 18.15 Escrow: Perez Block 59 Lot 3 – 822 Closter Dock Road

A motion to approve the above referenced bills was made by Chairwoman Parilla and seconded by Catherine McGuire. All were in favor.

### **DISCUSSION: PROPOSED CHANGES TO AS-BUILT SURVEY PROVISIONS**

Attorney Phillips provided a memo to the Board dated May 31, 2017 to lay out proposed changes to Chapter 179-4(D) Site Plan Review and Chapter 185-4(G) Soil Fill and Soil Removal requiring a stakeout / location survey including elevations prior to construction of any building or location to ensure measurements accurately reflect the approved plans. These proposed changes were triggered after a permitted pool was installed in a location and at a higher elevation than as sited on approved plans having failed to obtain their engineer's survey for the mark out prior to construction. Discussion followed on fines for violations as Board members felt current fines were insufficient to act as a deterrent and should be maximized although not to the degree they would likely result in litigation. Consensus reached to insert language imposing a fine up to \$15,000. The ordinance could allow the Planning Board to impose as an additional fine. Ms. Herries noted at the prior meeting Mr. Doolittle had noted some towns require a coping as-built survey prior to pouring the concrete. Mr. Vander Veer offered this might result in project delays. Attorney Phillips noted under the proposed changes only apply for soil moving applications or site plan reviews. If neither of those are needed you'd only catch on the as-built. The Borough Engineer would require for soil moving applications under a 1000 cubic feet. Discussion followed on existing language in the ordinance regarding completing projects in a timely manner which provides for a bringing a property maintenance complaint before the municipal court to justify delays. It was noted site plans only apply to commercial or multifamily dwellings; not typical in Alpine. Attorney Phillips will make appropriate revisions to the draft amendment for Chapter 185.

### **DISCUSSION: ORDINANCE 765 HISTORIC PRESERVATION**

Mayor Tomasko requested this be added to the agenda to see what our options are to further protect the historic buildings that are most important to us. The Master Plan identifies historic structures and districts. Attorney Phillips advised the issue is what are you able to do if it is historic property? If the property is on the federal or state registry then it has to go

through the State Historic Preservation Office. If you have it on the Master Plan and in your ordinances it enables you to have some ability to effect certain things. For example, Alpine Three has to have an archeologist on site when they excavate the property. When they demolished the Essex County jail they had to reuse the stone for the rock walls in order to keep the historic aspect on site. The Board would have a say regarding exterior facades. You can also put a developer on hold for a year and decide if the Borough wants to purchase. The only other option is if you cajole the property owner to put a deed restriction on the property. The Board discussed preservation of historic structures in town the Stone Tower, Chapel and the Community Church. Consensus to examine the ordinances further in conjunction with the next Master Plan review.

### **COMMITTEE REPORTS:**

Northern Valley Mayors & Planners Assoc.: The Mayor reported on a pre-summer social gathering June 19<sup>th</sup>. The next meeting is September.

Board of Health: The Board of Health met May 9<sup>th</sup> and the copies of the report were distributed.

Environmental Commission: Ms. Mattes reported

- No recent visits for new work. They have visited sites to authorize return of tree bonds and additional removal.

Building Department: Reports distributed without comment.

NJ Transit Update: No report.

COAH Update: Mayor Tomasko advised immunity has been extended through the end of August. No action yet from the court appointed master likely do to the number of towns and extensive workload. Assemblywoman Holly Schepisi has been advocating for relief, particularly in municipalities with unused former corporate facilities such as Park Ridge, Montvale and others who are trying to figure out how they will live with the kind numbers being floated without totally changing the character of the town.

**Instructional Session.** Postponed to next month.

**ADJOURNMENT:** A motion to adjourn the regular Planning Board meeting was made by Ms. Gerstein and seconded by Mayor Tomasko. All were in favor. The meeting adjourned at 8:26 PM.

Respectfully submitted,

Marilyn Hayward  
Recording Secretary