

ALPINE ZONING BOARD OF ADJUSTMENT

Regular Meeting

Thursday, December 15, 2016 - 7:30 P.M.

(This meeting was taped in its entirety).

CALL TO ORDER/PLEDGE OF ALLEGIANCE/PUBLIC ANNOUNCEMENT

This regular meeting of the Alpine Zoning Board of Adjustment was called to order by Chairman Glazer at 7:33 p.m., Thursday, December 15, 2016 at the Alpine Borough Hall, the Pledge of Allegiance recited and the Public Announcement read according to the requirements of N.J.S.A. 10:4-6 et seq.: *In accordance with the provisions of the Open Public Meetings Law, the notice of this regular meeting held Thursday, December 15, 2016 has met the requirements of the law by being published in The Record as part of the Annual Notice on January 7, 2016, posted on the bulletin board in the lobby of the Borough Hall and a copy filed in the office of the Borough Clerk.*

ROLL CALL

Richard Glazer	Present	Bob Burns	Present
Tony Clores	Present	David Kupferschmid	Absent
Steve Cohen	Absent	Richard Bonhomme	Present
Anthony Barbieri, Alt I	Present	Jeffrey Mayer, Alt II	Absent

Staff Present on Dais: Attorney Carol Landolfi for Board Attorney Michael Kates, Borough Engineer Gary Vander Veer, Board Secretary Nancy Wehmann

COMMUNICATIONS

A&F Report 11/22/2016 re: Waldman 57 Berkery Place Block 71 Lot 16 Plan last revised 11/2/2016 – *letter pertains to matter below*

MEMORIALIZATIONS Kevin Waldman, 57 Berkery Place Block 71 Lot 16

Attorney Landolfi advised subsequent to the hearing it was learned some work involving the foundation was performed prior to obtaining the Board's approval; this is footnoted on page 4. Late today, the Board was informed additional construction continued prior to obtaining the appropriate approvals and permits and relocating the septic tank and field which does not meet the required setbacks. The Building Department immediately issued a Stop Work order on the project and may likely assess penalties. They will not be able to obtain a Temporary Certificate of Continuing Occupancy or Certificate of Occupancy until they comply. The Borough Engineer explained they submitted requested plan revisions which he reviewed in his November 22, 2016 letter. Building Department photos today indicate the addition has been framed, roofed and some windows installed. They had a prior building permit to construct the one car garage within the original footprint of the pre-existing carport that did not require Board approval and he's not sure if they assumed that permit covered this work which it does not. They still needed the Board's resolution of approval for the second garage. A septic permit application has been submitted but is being held pending required simultaneous submission of an amended soil moving application and plumbing permit application. They need to relocate the septic system prior to obtaining the expanded building permit. The septic tank is only two feet from the foundation where ten feet is the minimum permitted. A minimum of five feet from slab may be authorized by the administrative authority and that is what is required here. Mr. Clores recalled he had advised the full foundation had already been done at the time of their hearing. The Board expressed serious concerns with this activity and if a situation like this has happened before in town. He does not know why they continued work but Mr. Vander Veer noted they won't be able to move into the house until they relocate the septic as this is a health and safety issue. Based on test hole data and site conditions he does not believe

they will run into a problem when they relocate the septic system. The resolution expressly states the Board's approval is subject to obtaining a building permit and any and all State, County or Borough approvals if required. Attorney Landolfi noted she conferred with Attorney Kates who recommended the Board move forward with the memorialization in normal course. The Zoning Board does not have enforcement authority which appropriately lies with the Building Department.

Resolution: Upon a motion by Mr. Bonhomme, seconded by Mr. Barbieri to approve the application for Applicant Kevin Waldman to construct an addition as part of a total renovation adding 220 square feet of building coverage and 190 square feet of improved coverage granting variances under NJSA 40:55D-70c for 11.21% building coverage where 10% is the maximum permitted and 26.11% improved lot coverage, where 20% is the maximum permitted and previous structure covered a little over 25%. Application acknowledges pre-existing nonconformities being lot width 75 feet where 90 feet is required minimum and northerly side yard setback of 13.42 feet where 15 feet is required. Said approval is subject to conditions as outlined in the resolution for this property located at 57 Berkery Place designated as Block 71 Lot 16 on the Tax Assessment Map of Alpine, New Jersey, Bergen County. This resolution is on file at the Borough of Alpine, 100 Church Street, Alpine, NJ for review.

Vote: Ayes: Mr. Bonhomme, Mr. Barbieri, Mr. Burns, Mr. Glazer **Abstain:** Mr. Clores,

PROCEDURAL MOTIONS

Resolution: Approval of Minutes: Regular Meeting November 17, 2016

Upon a motion by Mr. Clores, seconded by Mr. Barbieri and approved by all those eligible to vote at this regular meeting of the Alpine Zoning Board of Adjustment held on Thursday, December 15, 2016 to approve the minutes of the regular meeting held on November 17, 2016.

MOTION CARRIED

Resolution: Approval of Bills and Claims Upon a motion by Mr. Clores, seconded by Mr. Burns approved by all those eligible to vote at the regular meeting of the Alpine Zoning Board of Adjustment held on Thursday, December 15, 2016 to approve the following Bills and Claims:

Michael B. Kates	5-01-21-185-021	Inv. 22077	400.00
Michael B. Kates	Escrow – Waldman 71/16	Inv. 22076	664.00
Azzolina & Feury	Escrow – Waldman 71/16	Inv.1361	572.25

MOTION CARRIED

OTHER BUSINESS Review of 2017 meeting schedule. As several members cannot attend the third Thursday in January consensus was to hold the January reorganization and regular meeting on the first Thursday, January 5, 2017. All other dates remain on the third Thursday of the month.

ADJOURNMENT at 7:54 p.m. upon motion by Mr. Clores, seconded by Mr. Barbieri and approved by all.

Respectfully submitted,
Nancy Wehmann, Secretary