

ALPINE ZONING BOARD OF ADJUSTMENT

Regular Meeting - Wednesday, December 11, 2019 - 7:30 P.M.

(This meeting was taped in its entirety).

CALL TO ORDER/PLEDGE OF ALLEGIANCE/PUBLIC ANNOUNCEMENT

This meeting of the Alpine Zoning Board of Adjustment was called to order by Chairman Glazer at 7:30 p.m., Wednesday, December 11, 2019 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 Wednesday, December 11, 2019 which date was changed from the usual third Thursday of the month, has met the requirements of the law by being published in The Record on November 20, 2019, 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: Present: Anthony Barbieri, Richard Bonhomme, Tony Clores, Richard Glazer, David Kupferschmid¹, Jeffrey Mayer, George Abad, Jr. (Alt I), Elizabeth Herries (Alt.II),
Absent: Steve Cohen

Staff Present on Dais: Attorney Michael Kates, Borough Engineer Perry Frenzel,
Board Secretary Nancy Wehmann

COMMUNICATIONS: none

MEMORIALIZATIONS: none

PROCEDURAL MOTIONS

Resolution: Approval of Minutes: Regular Meeting November 21, 2019 Approved upon a motion by Mr. Clores, seconded by Mr. Barbieri and approved by all those eligible to vote.

Resolution: Approval of Bills and Claims Upon a motion by Mr. Clores, seconded by Mr. Bonhomme at the regular meeting of the Alpine Zoning Board of Adjustment held on November 21, 2019 to approve the following Bills and Claims:

Kates, Nussman, et al	9-01-21-185-021 Meetings (Jul, Oct, Nov, Dec)	Inv.25804	\$800.00
Azzolina & Feury Eng., Inc.	Policano 47/10	Inv. 72612	\$728.00
Azzolina & Feury Eng., Inc.	Lin 40/5	Inv. 72613	\$ 84.00
North Jersey Media Group	9-01-21-185-022 Meeting Notice	Inv. 3905308	\$ 11.55
North Jersey Media Group	Garcia 49/33	Inv. 3923696	\$ 16.50

Vote: Ayes: Mr. Abad, Mr. Clores, Mr. Barbieri, Mr. Bonhomme, Mr. Kupferschmid, Mr. Glazer

MOTION APPROVED

HEARINGS

Lin Block 40 Lot 5 – 34 DuBois Avenue

Matthew G. Capizzi, Esq., Capizzi Law Offices 11 Hillside Avenue, 2nd Floor, Tenafly, NJ 07670 appeared on behalf of the Applicants Mr. and Mrs. Lin along with their architect Chris Blake, 24 New Bridge Road, Bergenfield, NJ 07621 and engineer Michael J. Hubschman, PE, PP. Robert Saal, 35 DuBois Avenue posed a question but no other members of the public spoke in regard to this application.

Exhibits marked as follows:

- A- 1 Proof of Publication on in The Record November 28, 2019
- A - 2 Certified Mailing to Residents within 200' on November 27, 2019 per Tax Assessor's List dated September 26, 2019
- A - 3 Application received October 3, 2019 signed and dated October 2, 2019 with attachments:
 - Proposals and Reasons for Relief dated October 3, 2019
 - 200 Foot property owners list June 13, 2019 updated to November 22, 2019
 - Proof of property taxes paid updated 11/25/2019 through 2019 4th quarter
- A - 4 Zoning Review letter September 26, 2019
- A - 5 Set of four-color photographs dated September 30, 2019 prepared by Michael Hubschman, PE of Hubschman Engineering, PA.
- A - 6 Set of Plans signed and sealed by Robert J. Mueller, PLS and Michael J. Hubschman, PE, PP of Hubschman Engineering, PA dated June 3, 2019 no revisions consisting of 4 pages:

¹ Mr. Kupferschmid opted to sit in the audience and let Mr. Abad take his place on the dais for both matters.

These minutes have been approved by the Zoning Board of Adjustment.

- DN 3786-1 Site Plan
 - DN 3786-2 Soil Erosion and Sediment Control Plan; Details
 - DN 3786-3 Existing Conditions Plan
 - DN 3786-4 Cross Sections & Soil Moving Plan
- A – 7 Set of Plans not signed and sealed from Chris Blake Architect consisting of three pages dated March 12, 2019
- A1 Site + Cellar Plans, Legend + Zoning
 - A2 Proposed Floor Plans
 - A3 Elevations
- A – 8 Azzolina & Feury letter October 31, 2019
And marked during the course of these proceedings (but not provided for the file):
- A – 9 Colorized version of A-6 Sheet 1
- A – 10 Colorized version of A-6 Sheet 3

Attorney Capizzi explained the application. Mr. and Mrs. Lin purchased this property in 2008, instituted upgrades and now seek to build a new home. Property is in the R2B Zone and has pre-existing nonconformities for building coverage. They seek a slight increase making the house narrower and deeper. (10% permitted; 14.13% exists; 15.49% proposed and improved coverage 20% permitted; 21.20% existing and 25.93% proposed). The redevelopment would eliminate existing nonconforming side yards of 9 and 11 feet.

Chris Blake was sworn and provided his credentials² as an expert in architecture. He referred to plans **(A-7)**. The existing home is a type of split-level ranch with sunken garage and nonconforming side yards. Front and rear yard setbacks to remain about the same. They propose squaring out the existing T-shaped footprint to a rectangle, making the house narrower and tighter to fit within conforming side yard setbacks. The property slopes up from the street accommodating a basement garage. The driveway will have a slight pitch to the road. Also, at basement level is a rec room and space for mechanicals (HWH/HVAC). The first floor embodies a traditional center hall Colonial feel with a master bedroom suite, kitchen, dining room, family room and living room. Children are grown so they anticipate most of their living on this floor. The second floor provides a second master bedroom with sitting room and two smaller bedrooms. The home is built into the slope. The two-story front entryway and sunken garage create the main focal point. The home is 46.5 feet wide and 38 feet deep; a size and scale typical of the area.

Opened to the public for questions. **Robert Saal**, 35 DuBois Avenue, asked how many garage spaces was advised two with a typical twenty-foot-wide driveway.

Opened to the Board for questions. Mr. Frenzel asked if the home was designed as a three-bedroom house and Mr. Blake replied yes. Mr. Glazer led a discussion on the improved coverage to question if the volume of the driveway or terrace could be reduced or, in keeping with stormwater management guidelines, constructed of pervious pavers. It was clarified pervious pavers would not negate need for a variance but aides stormwater management. Mr. Blake agreed they could reduce the width on one side (there is a retaining wall on the other side) and consider porous materials deferring design to the engineer. He clarified loft or attic space could not be used as living space.

Michael Hubschman was sworn and recognized as an expert in engineering and planning. He utilized colored renderings of his plans **[A-6]** marked **[A-9]** and **[A-10]**. Mr. Hubschman described the existing conditions as a one and half story split level home with a lower garage and driveway up against the property line on the right side. The property slopes four to five feet from left to right and up from the street. Existing side yards are nonconforming at nine feet and eleven feet. Tree buffers do not apply in this zone. The proposed home would be squared off and made narrower creating conforming side yard setbacks. Lot area and front and yard setbacks comply. The property slopes up from the road and the retaining wall along the proposed driveway slopes up from zero to a height of three to four feet by the garage. They need the twenty-foot width at the garage doors but could possibly redesign and taper the driveway as it nears the road eliminating about hundred square feet of coverage. The property has an existing blackwater septic system in the rear in good shape but they need to replace the front graywater system. The home is an existing three bedroom and will remain so. They cannot upgrade to a four bedroom because they would have to meet the new sanitary code and they cannot. With the slight increase in improved coverage they propose adding an additional Cultech chamber for drainage. They have to be fifty feet from both septic systems and there is not a lot of area on the site. Soil movement is minimal at about 340 cubic yards. No tree removal is proposed. Building coverage increases by 155 square feet. It's a small house on a small lot. Other towns allow more coverage. The house is in keeping with this neighborhood's size and scale and will have a positive impact on the streetscape particularly where they are moving the driveway away from the property line and making the side yards conform. Compliant height and setbacks are in keeping with the zoning law and plan.

² Has appeared before numerous Boards in Bergen County with credentials in good standing.

Opened to the public for questions. There were none.

Opened to the Board for questions. Mr. Abad questioned improved coverage particularly relative to the patio at 234 square feet. Discussion followed with Mr. Hubschman and Mr. Frenzel reviewing the improved coverages noting the bulk is for the driveway for the second garage where the existing has only a single garage. They require the 4.5 feet of steps down to and included in the patio calculation. In the front they're replacing a slate walk with steps and sidewalks. At a minimum Mr. Glazer requested they use pervious materials to the extent possible.

Opened to the public for comments. There were none.

Resolution: Upon a motion by Mr. Clores, seconded by Mr. Bonhomme to approve the application providing they reduce improved coverage by hundred square feet and utilize porous materials for the patio and driveway.

Vote: Ayes: Mr. Clores, Mr. Barbieri, Mr. Bonhomme, Mr. Mayer, Mr. Abad, Ms. Herries, Mr. Glazer

Policano Block 47 Lot 10 – 979 Closter Dock Road

Matthew G. Capizzi, Esq., Capizzi Law Offices 11 Hillside Avenue, 2nd Floor, Tenafly, NJ 07670 appeared on behalf of the Applicant Robert Policano along with Douglas W. Doolittle, PE, PLS, PP of McNally Doolittle Engineering, LLC 169 Ramapo Valley Road, Oakland, NJ 07436 and Peter J. Dito, RA of FDS Architects, 82 North Summit Street, Tenafly, NJ. The Mayor spoke to this application.

Exhibits marked as follows:

- A- 1 Proof of Publication on in The Record November 30, 2019
 - A - 2 Certified Mailing to Residents within 200' on November 27, 2019 per Tax Assessor's List dated September 26, 2019
 - A - 3 Application – signed and dated November 19, 2019 with attachments:
 - o Proposals and Reasons for Relief
 - o 200 Foot property owners list September 26, 2019
 - A - 4 Zoning Review letter October 7, 2019
 - A - 5 Prior Zoning Board Resolution June 10, 1961
(Note this resolution denotes Block 14 Lot 1A. Block and lots were renumbered in 1964)
 - A - 6 Set of four color photographs dated October 21, 2019 prepared by Matthew Greco, P.E. of McNally Doolittle Engineering, LLC.
 - A - 7 Set of Plans from McNally Doolittle Engineering consisting of:
Two plans signed and sealed by Douglas W. Doolittle PE, LS, PP, and Matthew Greco, PE of McNally Doolittle Engineering, LLC:
 - VM-1 Vicinity Map dated September 19, 2019 Rev # 1 October 1, 2019 "added property owner list"
 - SS-1 Site & Soil Erosion and Sediment Control Plan dated March 25, 2019 last revised #4 September 18, 2019 "revised septic as-built"One plan signed and sealed by Douglas W. Doolittle PE, LS, PP
 - SB-1 Boundary and Topographic Survey dated February 26, 2019:
 - A - 8 Set of Plans signed and sealed by Peter J. Dito, RA of FDS Architects consisting of two pages dated September 23, 2019
 - P1 Proposed First Floor Plan
 - P2 Proposed Elevations
 - A - 9 Azzolina & Feury letter dated November 25, 2019
- And marked during the course of these proceedings:
- A - 10 Colored rendering of A-8 P1 with picture added
 - A - 11 Colored rendering of A-7 Sheet SS-1
 - A - 12 Colored rendering of A-7 Sheet SB-1

Attorney Capizzi explained this is a corner property with frontage on three sides via Closter Dock Road and Main Street. The home is under extensive renovation and this application seeks to add finishing touches. The home has prior nonconforming building and improved coverages where they seek to slightly increase building coverage and eliminated the improved coverage nonconformity by removing certain features and adding two protective roofs to the rear patio and Main Street entrance.

Peter Dito was sworn and accepted as an expert in architecture³. His exhibit was marked **A-10**. They seek a four by eleven foot roof over the rear patio and a covered front entry on the Main Street side. Coverings will render these areas more functional and aesthetic as shown on his Sheet P2 of **A-8**. Roofs will provide protecting during inclement weather. Both roof areas would be constructed over existing improved coverage and are open on three sides. They are removing paving from the Closter Dock Road side of the house and the other side yard opposite the front reducing improved coverage.

Open to the public for questions. There were none. Opened to the Board Mr. Glazer requested clarifications of the entryways.

Douglas W. Doolittle was sworn and, having appeared numerous times, accepted as an expert in his fields. Mr. Doolittle referenced colorized exhibits marked **A-11** and **A-12**. The property was a rundown eyesore for many years. It is in a difficult location having frontage on three streets although it faces Closter Dock Road it does not have a defined rear yard. Generally, slopes up from Closter Dock Road in a northeast direction. Applicants have upgraded the septic systems and performed substantial cleanup and renovations. It is and will remain a three-bedroom home. The proposed roofs conform with setback requirements. Mr. Doolittle referred to the Boundary and Topographic Survey to show slate walks being removed and reconstruction of the rear and side yard patios and Main Street entrance. Property is in the R2B zone where 10% building coverage is permitted, 12.54% exists and 14.71% is requested. Permitted improved lot coverage is 20% where 23.5% exists and 19.63% is proposed; a reduction of about 4%. As noted, the proposed provides protection during inclement weather and breaks up the straight lines of the home affording a more aesthetic streetscape. There is no negative impact. They've upgraded the septic system; an environmental benefit. They reduced lot coverage by about 700 square feet lessening runoff.

Mr. Glazer questioned landscaping for the front of the house. Mr. Doolittle advised he is not involved in that aspect but they have already planted a substantial number of pine trees and intend to make it nice.

Robert Policano was sworn and advised he and his wife currently live in Demarest having raised three kids are now trying to get away from high taxes. They've already installed 40-42 ten to fifteen feet high pine trees. They constructed a stone wall along Closter Dock Road with the evergreens atop to create a nice appearance along Closter Dock Road and block views of the home for privacy. They intend to landscape the entire property and believe the town will be proud of their results.

Mayor Tomasko noted this is one of the oldest homes in town and is designated as such in the Historic District and the applicants should be commended for renovating and upgrading instead of demolishing.

Mr. Clores complimented their progress and landscaping to date. Ms. Herries asked if the new wall was included in the improved coverage calculations. Mr. Doolittle responded it was. Mr. Frenzel also commended applicants work on this project. The front yard setback for the garage on Main Street remains unchanged.

There were no further questions or comments. For transparency Mr. Glazer made note that his office is on the same floor as the architect's. It was established and agreed this did not pose a conflict.

Resolution: Upon a motion by Mr. Clores, seconded by Mr. Mayer to approve the application.

Vote: Ayes: Mr. Clores, Mr. Barbieri, Mr. Bonhomme, Mr. Mayer, Mr. Abad, Ms. Herries, Mr. Glazer

OTHER BUSINESS: Mr. Kupferschmid initiated a conversation reviewing improved vs. impervious coverage. Mr. Glazer clarified Alpine's ordinance does not make a distinction between pervious or impervious coverage within the definition of improved coverage for purposes of the variances they look at but their recent training on stormwater management guidelines encourages them to also look at and promote use of alternative materials as a means of aiding drainage or seepage and keeping sites as green as possible. Mr. Frenzel offered some varying regulations and rationales used by other towns. Attorney Kates offered improved coverage is concerned with aesthetics and stormwater management. The Board may explore this further as part of their Annual Report.

Mayor Tomasko advised Chairman Richard Glazer was honored for his service being named Alpine's Volunteer of the Year at the last Mayor and Council meeting. He thanked everyone for their service.

ADJOURNMENT at 8:36 p.m. upon motion by Mr. Barbieri seconded by Mr. Mayer and approved by all.

Respectfully submitted,
Nancy Wehmann, Secretary

³ Registered architect in NJ since 1990-ish. Has been before numerous Boards in Bergen County including this one.