

ALPINE ZONING BOARD OF ADJUSTMENT

Regular Meeting

Thursday, June 20, 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., Thursday, June 20, 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 Thursday, June 20, 2019 has met the requirements of the law by being published in The Record on January 4, 2019 and 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: Tony Clores, Steve Cohen, David Kupferschmid, Richard Glazer,

George Abad, Jr. (Alt I), Elizabeth Herries (Alt.II),

Absent: Anthony Barbieri, Jeffrey Mayer

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

COMMUNICATIONS: none

MEMORIALIZATIONS: Garabet Block 47 Lot 1 – 987 Closter Dock Road

Resolution: Upon a motion by Mr. Clores, seconded by Mr. Kupferschmid to approve the resolution regarding an application for Applicant Leon Garabet granting a variance for improved coverage of 21.27% but denying a variance for any additional improved coverage subject to conditions as outlined in the resolution for this property located at 987 Closter Dock Road designated as Block 47 Lot 1 on the Tax Assessment Map of Alpine, New Jersey, Bergen County. A copy of this resolution is attached to these minutes and on file at the Borough of Alpine, 100 Church Street, Alpine, NJ for review.

Vote: Ayes: Mr. Clores, Mr. Kupferschmid **MOTION APPROVED**

PROCEDURAL MOTIONS

Resolution: Approval of Minutes: Regular Meeting May 16, 2019 Approved upon a motion by Mr. Clores, seconded by Mr. Kupferschmid and approved by all those eligible to vote.

Resolution: Approval of Bills and Claims Upon a motion by Mr. Kupferschmid, seconded by Mr. Cohen and approved by all those eligible to vote at the regular meeting of the Alpine Zoning Board of Adjustment held on June 20, 2019 to approve the following Bills and Claims:

Kates, Nussman, Ellis et al	9-01-21-185-021	Inv.25186	\$600.00
Kates, Nussman, Ellis et al	Garabet 47/1	Inv. 25185	\$987.00
Azzolina & Feury Eng., Inc.	Garabet 47/1	Inv. 71797	\$168.00
North Jersey Media Group	910 Closter Dock Road 55/20&21	Inv. 4334930	\$14.85
North Jersey Media Group	Minoyan 60/10	Inv. 4334933	\$12.65

HEARING – Mourkakos Block 49.01 Lot 1

Matthew G. Capizzi, Esq. of Capizzi Law Offices, 11 Hillside Avenue, Second Floor, Tenafly, NJ 07670 appeared with and on behalf of the applicants, Othon Mourkakos along with Applicant’s experts Robert E. Zampolin, AIA of Zampolin & Associates 187 Fairview Avenue Westwood, NJ 07675 and Douglas W. Doolittle, PE, LS, PP McNally Doolittle Engineering, LLC 169 Ramapo Valley Road, Oakland, NJ 07436. No one from the public appeared to speak to the application.

Applicant proposes an extensive renovation that, while lessening, requires relief from pre-existing nonconformities for front yard setback, rear yard setback, building coverage and lot coverage.

Exhibits marked by affirmation as follows:

- A – 1 Proof of Publication on in The Record on June 8, 2019
- A – 2 Certified Mailing to Residents within 200' on June 7, 2019 per Tax Assessor's List dated April 25, 2019
- A – 3 Application* – signed but not dated with attachments:
 - *Received 3/24/2019 incomplete; Supplemented 5/6/2019
 - Cover letters dated March 1 and May 3, 2019 from Capizzi law offices
 - Proposal and Reasons for relief
 - Section 4D Requested Relief
 - Tax Certification : Paid through 2019 2nd quarter
- A – 4 Zoning Officer's letter dated February 5, 2019
- A – 5 Application for Soil Moving Permit dated 1/16/19
- A – 6 Engineering Plan entitled "Building Expansion Plan" SP-1 dated 11/27/2018 signed and sealed prepared by McNally, Doolittle Engineering LLC – last revised May 2, 2019 (*updated 200 foot property owner list*)
- A – 7 Architectural Plans entitled "Alterations to Mourkakos Residence" consisting of 6 pages dated 1/21/2019 prepared by Robert E. Zampolin, AIA of Zampolin & Associates
 - Drawing No. A – 1 First Floor Plans
 - Drawing No. A – 2 Second Floor Plans
 - Drawing No. A – 3 Attic Plans
 - Drawing No. A – 4 Front Elevations
 - Drawing No. A – 5 Rear Elevations
 - Drawing No. A – 6 Left Elevations & Boundary Wall Design
- A – 8 Previous Board of Adjustment hearings
 - Zoning Board of Adjustment 6/1/1982
 - Zoning Board of Adjustment 8/2/1983
 - Governing Body on Appeal 3/19/1984
 - Zoning Board of Adjustment 12/1/1987
 - BC DNL-41283-87 Civil Action Decision 6/11/1988
- A – 9 4 Color photographs not dated with cover sheet by McNally Doolittle Engineering, LLC
- A – 10 200 Foot Vicinity Plan prepared by McNally Engineering; LLC dated July 25, 2016 last revised May 2, 2019.
- A – 11 Borough Engineer's letter dated June 7, 2019
And added during the course of these proceedings:
- A – 12 Additional color photos labeled "Alpine ZBA Photo Exhibit" but not dated or signed consisting of 5 annotated photos on 4 pages.
- A – 13 Colorized version of Engineering plan marked A-6

Attorney Capizzi recounted that Mr. Mourkakos purchased the property about fifteen years ago. It had been vacant for a number of years prior to his purchase. At that time, he undertook an interior renovation and has lived there with his family ever since. At this time a more extensive renovation is needed. The lot is awkwardly shaped being a triangular lot with frontage on Church Street and Hillside Avenue, a rear yard but no side yards and a stream along the left side of the property. The triangular building envelope is limited. The home built in the late 1970's attempted to conform to that limited envelope. A prior application in 1986 led to construction of a three-car attached garage with an area above. At that time F.A.R. (Floor Area Ratio) was the governing regulation and in an attempt to comply the roof line above the garage is very awkwardly shaped and only covers a small portion of the first-floor space. The proposed renovation would essentially square off the roof over the existing three car garage and infill an odd inset at the center rear of the existing home. The lot itself is nonconforming as to front and rear yard setbacks and building and improved coverages. Their proposal actually reduces and improves upon those non-conforming conditions. They are not exacerbated but out of caution the zoning officer remanded to Zoning Board.

Robert E. Zampolin was sworn and accepted as an expert in his field. Referring to his plans [Exhibit A-7] Mr. Zampolin contrasted the odd exterior design apparently resulting from multiple renovations over a long period of time with their proposed extensive renovations removing and replacing the entire exterior of the building and replacing and redesigning all of the windows and roof lines. The existing house incorporates three unusual styles: offset colonial double hung windows, projecting Mansour rooves and a strange metal and stone front entrance with a second story window that is still visible - from the interior. The home has no real relief, centerline or consistent style; everything is just a little off. Their goal is to create a more unified French chateau style with more architectural detail employing precast concrete pilasters, quoins, dormers, and other trim to break up the approximately 170-foot horizontal length of the house.

Mr. Capizzi provided additional photos marked **Exhibit A-12**. Mr. Zampolin referred to the photos and plans to further describe the existing odd roof and limited interior room space over the garage. The proposed will square off this area and provide for one contiguous floor plate where currently one must walk down four steps to access the master bedroom from the main part of the house; a safer egress. This will allow for a much nicer master bedroom suite with a larger bathroom and more closet and storage space. They also seek to square off an odd angled wall in the rear of the house to square off the office/library space on the first floor and provide stairs to the attic on the second floor. That's the only square footage they're adding and the infill conforms to required setbacks. As they are removing four inches of stone around the entire home and reskinning with a cement-based stucco system there will be a *de minimus* net reduction in the overall footprint. They will relocate stairs from the deck to another portion of the deck and change the roof lines providing bell-shaped copper rooves on the west side. Entry gates will also be redone using precast concrete to match the home. The proposed represents a huge aesthetic improvement.

Chairman Glazer opened to the public for questions and being none closed to the public and opened to the Board.

Mr. Abad questioned a solid black line on one of the elevations. Mr. Zampolin said to disregard as a drafting error. Mr. Abad asked why two bedrooms in the attic are being converted to storage? Mr. Zampolin stated the bedrooms were there when Mr. Mourkakos bought the house but the engineer advised that the home is legally only a four bedroom so they can't show them.

Mr. Kupferschmid questioned if the attic complies with the rule governing the amount of usable attic space. Mr. Capizzi advised they are not seeking to modify that existing condition but as the zoning officer is calling out all the other pre-existing nonconformities, they would ask for that variance as well if required.

Mr. Kates recalled testimony that square footage was added but building coverage is reduced from 12.52% to 12.19%. Mr. Zampolin explained while adding 80 square feet for the infill space they are reducing the entire perimeter by 0.33 feet (about 4 inches) or about 120 - 130 square feet. It's all *de minimus*.

Mr. Glazer questioned if they still have a swimming pool and was advised its in the basement.

Douglas W. Doolittle was sworn and accepted as an expert in his fields. Mr. Doolittle referred to a colorized version of his plan [Exhibit 6] marked **Exhibit A-13**. Attorney Capizzi asked Mr. Doolittle to outline some of the hardships effecting the property. Mr. Doolittle described the subject property located on the northeast corner of Church Street and Hillside Avenue which is a heavily traveled county road. The property has an unusual triangular shape and a watercourse along the Church Street frontage so access is from Hillside Avenue. The building envelope is very small so the home is triangular in shape and has undergone several additions over the years. It's

bound by the fifty-foot rear yard setback. There is a circular driveway with a three-car garage and a back out turnaround. There's an existing deck in the back. The property is landscaped pretty much all around with a series of evergreens and bamboo. There are a few holes but it's pretty hard to see in or out of the property. There is a sizable planted berm along the Hillside Avenue frontage. The plan does not address drainage as they really aren't doing any engineering; they just worked on the footprint of the home. Septic systems are in the front and the property is served by a well he believes is located in the back. The septic systems were designed for a four-bedroom home and the home must remain as a four-bedroom home. There is no soil movement associated with this application.

Pre-existing nonconformities will be reduced after removal of the 4" veneer.

	Required	Existing	Proposed
Front Yard	60 feet	58.30 feet	59 feet
Rear Yard	50 feet	5.00 feet	5.6 feet
Building Coverage	9%	12.52%	12.19%
Improved Coverage	25%	33.20%	32.05%

Mr. Doolittle reviewed the Borough Engineer's letter dated June 7, 2019 [Exhibit A-11]. He noted they omitted the new stairs off the rear deck which will be added back on. Recalculating with that included adds 48 square feet so corrected lot coverage should be 32.17% which is still a *de minimus* increase and still reduces lot coverage by about 1% or 400 square feet which is positive criteria. Less coverage means less runoff. They are also removing a paver area in the rear. The front yard and rear yard setbacks are also improved; this is *de minimus*.

Chairman Glazer opened for questions from the public and being none closed to the public and opened to the Board.

Mr. Frenzel noted this is really a home improvement/alteration plan rather than engineering. There is negligible soil moving and no tree removal. Chairman Glazer noted the spurious additional bedrooms and Mr. Kupferschmid questioned the use of attic space. Mr. Zampolin noted there was no regulation regarding attic space when the house was built. Attorney Capizzi and Mr. Doolittle stipulated the attic bedroom spaces will not be maintained relative to the septic system capacity. Attorney Kates noted the Board is just addressing what's in the application. Ms. Herries questioned if any of the historical documents [Exhibit A-8] provided were relevant and no one thought they were.

Resolution: Upon a motion by Mr. Abad, seconded by Mr. Cohen to approve the application.

Vote: Ayes: Tony Clores, Steve Cohen, David Kupferschmid, George Abad, Jr. (Alt I)
Elizabeth Herries (Alt.II), Richard Glazer

MOTION APPROVED

OTHER BUSINESS None

ADJOURNMENT at 8:10 p.m. upon motion by Mr. Cohen seconded by Mr. Clores and approved by all.

Respectfully submitted,

Nancy Wehmann, Secretary