

ALPINE ZONING BOARD OF ADJUSTMENT

Regular Meeting

Thursday, November 16, 2017 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 7:30 p.m., Thursday, November 16, 2017 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, November 16, 2017 has met the requirements of the law by being published in The Record on January 6, 2017 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

Richard Glazer	<i>Present</i>	Tony Clores	<i>Present</i>
David Kupferschmid	<i>Present</i>	Richard Bonhomme	<i>Present</i>
Steve Cohen	<i>Absent</i>	Anthony Barbieri	<i>Present</i>
Jeffrey Mayer, Alt I	<i>Absent</i>	George Abad, Jr, Alt II	<i>Present</i>

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

Establish date of January meeting date. Mr. Capizzi wishes to carry two matters to the January meeting. Discussion by the Board followed to schedule the meeting for January 11, 2018 subject to review of the Borough calendar.

KIM Block 75 Lot 10 – 18 Overlook Drive Applicant's Attorney Matthew G. Capizzi of Capizzi Law Offices, 11 Hillside Ave., Second Floor, Tenafly, NJ 07670 requests this matter last heard at the April 21, 2017 meeting, be continued to the January meeting. He noted the Applicant is encountering difficulties devising a drainage plan as discussed at the April meeting and needs more time. Applicant stipulates to waive time constraints under MLUL. This matter will be carried without need for further notice.

GARCIA Block 49 Lot 33 – 11 Rionda Court Attorney Matthew G. Capizzi, Esq. of Capizzi Law Offices, 11 Hillside Ave., Second Floor, Tenafly, NJ 07670 requests this matter, which was noticed for this evening, be continued to the January meeting. The applicant is working on plan revision. Applicant stipulates to waive time constraints under MLUL. This matter will be carried without need for further notice.

ROH Block 41 Lot 6 – 31 DuBois Avenue

David M. Watkins, Esq. 285 Closter Dock Road, POB 304, Closter, NJ 07624 submitted correspondence requesting this matter, which was noticed for this evening, be carried to the next meeting December 21, 2017 due to a scheduling conflict. Applicant stipulates to waive time constraints under MLUL. This matter will be carried to the December meeting without further notice.

HARING Block 40 Lot 7 – 45 Alpine Drive Attorney Matthew G. Capizzi, Esq. of Capizzi Law Offices, 11 Hillside Ave., Second Floor, Tenafly, NJ 07670 appeared on behalf and with applicants Thomas and Christine Haring. Also appearing is Applicants' engineer and planner, Michael Hubschman, PE, PP, 263A S. Washington Ave., Bergenfield, NJ 07621. Mr. Abad recused and left the dais to sit in the audience.

Applicants have two children and have lived in this home about four years. They propose a second-floor addition with a two-foot overhang in both the front and the rear over the existing single story on the left side of the existing split-level dwelling. The area of the overhangs adds 130 square feet to the building coverage which triggers the need for a building coverage variance. Applicant and his engineer will testify the area below the overhangs will remain as lawn or garden thus there will be no net increase in impervious area.

The following were marked as exhibits:

- A – 1 Proof of Publication on November 6, 2017 in The Record.
 - A – 2 Certified Mailing to Residents within 200' on November 6, 2017 per Tax Assessor's List dated September 14, 2017.
 - A – 3 Application Form signed and dated July 14, 2017 including:
 - Proposal & Reasons for Relief
 - Tax Collector's records show taxes paid through 2017 4th quarter.
 - A – 4 Zoning Officer's Review letter dated July 25, 2017
 - A – 5 Four colored photos submitted by Hubschman Engineering dated July 17, 2017
 - A – 6 Plans prepared by Hubschman Engineering, LLC 263 A S. Washington Avenue, Bergenfield, NJ 07621 consisting of 2 pages:
 - Drawing No. 3590-1 entitled "Site Plan" dated June 15, 2017, *last revised August 21, 2017.*
 - Drawing No. 3590-2 entitled "Area Map" dated July 17, 2017
 - A – 7 Sketches prepared by Applicant, Thomas Haring, consisting of 4 pages dated February 8, 2017 revised June 20, 2017 entitled
 - Exist'g Basement & Garage Level
 - Exist'g First Floor & Second Floor
 - Proposed Second Floor Addition Plan
 - Left & Rear Elevations
 - A – 8 Borough Engineer's letter dated August 18, 2017
 - A – 9 Applicant's Attorney letter requesting matter be carried to October 19, 2017
 - A – 10 Borough Engineer's letter dated October 25, 2017
 - A – 11 Applicant's Attorney letter requesting matter be carried to November 16, 2017
- And marked during the course of these proceedings:*
- A – 12 Colored rendering Engineer's Plan [A-6] 3590-1

Thomas Haring was sworn. He testified he is not a licensed engineer but obtained drafting experience while living in the Czech Republic. He prepared sketches **[A-7]**. This is a corner property facing Schoolhouse Drive and siding on Alpine Drive to the left. A sideloading garage is located on the right side. The house was constructed over a rock ledge creating a variable ceiling in the basement which is unfinished, dark and damp with a limited use for storage. The right side of the house is two stories consisting of 3 bedrooms, two baths and the garage. The left side currently consists of one-story with a kitchen, dining room and family room. They often work from home in the family room which makes for a tight, crowded living and work space. They propose a second story addition over the existing left side providing a new family room, home office / study area and full bathroom. The overhangs were included to provide this area with additional space giving this upstairs family room a width of 16 feet. This will allow them to add furniture such as a table and still have enough room to walk around and be comfortable. The proposed design would be in keeping with the features and materials of the existing house except the roof over the new section would change direction. The existing house is about 2,300 square feet. The left side is currently about 29 feet wide which would increase to 33 feet with the overhangs. Upon a question from the Board it was clarified home offices are not prohibited; you just can't operate a business from that address.

Mr. Glazer opened the meeting to the public for questions.

Richard Incontro, 36 Schoolhouse Lane asked if the driveway exits to Schoolhouse Lane. Mr. Haring replied yes, there would be no change. **John McCaffrey**, an adjacent property owner, reviewed the sketches and commented the design was nice. He wished Mr. Haring luck.

Mr. Glazer opened the meeting to the Board.

Mr. Kupferschmid questioned bathrooms. The existing provides two and a half baths including one for the master bathroom and a half bath by the garage. They propose a third full bath in the addition. Mr. Bonhomme asked if they would need to change the size of the A/C units. Mr. Haring replied no.

Applicant's engineer, **Michael Hubschman**, was sworn and testified using his plan **[A-12]** for reference. The property is in the R-2B Zone where 10,000 square feet is required and 15,073 square feet is provided. The property is a corner lot with an existing split-level home in the middle of the property. The side on the right is two stories and the portion on the left is one-story. The two-story section has a garage with a driveway to Schoolhouse Lane. There is a deck in the rear. Septic systems are located in the front and the rear. The proposal is for the 27.5 foot by 33-foot addition over the first story on the left side of the house. The existing site is slightly over the building coverage at 13.77% where 10% is the maximum allowed and 14.63% is proposed. This is an older home constructed before the building coverage ordinance went into effect. The overage due to the overhangs is 130 square feet and the area beneath would remain garden or lawn areas. They do not propose any seepage pits as they really don't have the room because of required setbacks to the septic systems. No soil movement is proposed as the renovations are all above ground. No other bulk variances are required. The side yard on the left remains the same being 16 feet where 15 feet is required. The proposed height would increase to 26.1 feet which is still well within the 35 feet permitted. The rear yard setback requirement is 15 feet and they provide 76.9 feet. The existing house has 1,856 square feet of livable area excluding the garage which is pretty small. They are adding about 900 square feet to make it about 2,700 square feet which is still a modest size. The variances are justified under c(2) repurposing an existing house while improving the overall aesthetics enhancing the energy, use and recyclability. There is no real detriment to any of the neighbors as they are well under the height allowance and they are not seeking a setback variance. The proposed does not change the front yard setback on Schoolhouse Lane which is a pre-existing nonconforming condition at 14.50 feet where 20 feet is required.

Mr. Hubschman felt they addressed everything in Mr. Vander Veer's August letter. As for storm water management, the proposal calls for only a minimal increase in roof area. There is no room for seepage pits due to required setbacks from the septic systems (75 feet per Borough code) but he reminded the area under the overhangs would remain as lawn or garden area.

Mr. Kupferschmid asked if they performed a comparative analysis of other homes in the area that exceed building coverage; is it consistent? Mr. Hubschman recalled this house was built back when the code was based on Floor Area Ratio. Mr. Hubschman stated this house is consistent noting other homes are on even smaller lots. Mr. Glazer recalled several homes on DuBois have been repurposed to be significantly larger than they once were.

Mr. Vander Veer questioned flow of existing runoff from the roof. Mr. Haring affirmed water from the roof leaders simply flows onto the lawn as directed away from the house. where the existing roof leader drains run. There are no stormwater management devices. Mr. Hubschman noted there is street drain. He opined the extra 130 square feet is minimal and would not cause any major problem. The property has a very large green area. Mr. Vander Veer requested Mr.

Hubschman provide some calculations to support that claim and he stated he would provide. Mr. Bonhomme asked if the change in direction and pitch of the roof would have any impact. Mr. Hubschman stated it shouldn't. It was noted that the overhang at the rear of the home would occur about three feet above grade.

Mr. Kates noted Applicant seeks a building coverage variance for a second story cantilevered addition with no change in the actual footprint at grade. He questioned impact to the neighbors. Mr. Hubschman stated there wouldn't be any because the rear yard setback is 76 feet where 15 feet is required.

Mr. Kupferschmid questioned the proposed full bath with concerns as to whether the addition could be converted into a fourth bedroom which could impact the septic systems. The home is approved as a three bedroom and must remain as a three bedroom. Mr. Haring and Mr. Hubschman affirmed.

Being no further questions Mr. Glazer opened the hearing for public comments.

Richard Incontro was sworn and questioned if the front porch was included in calculations. Mr. Hubschman stated it was. No change is proposed. Mr. Incontro stated when the water table is high the ground gets soft and there is runoff from Alpine Drive during heavy rains but he defers to the Borough Engineer regarding the stormwater management.

Being no further questions or comments, Chairman Glazer called for a motion.

Resolution: Upon a motion by Mr. Bonhomme seconded by Mr. Barbieri to approve the application subject to compliance with the Borough Engineer's approval regarding stormwater runoff and stipulation that the house will remain a three-bedroom home.

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

COMMUNICATIONS The following were reviewed and noted for the record.

Adoption Ordinance 772. "An Ordinance to Amend Chapter 179 Entitled "Site Plan Review" & to amend Chapter 185 Entitled "Soil Fill and Soil Removal"

Cc Letter October 17, 2017 from Michael Varner, BC Dept Planning/Engineering to David Watkins re: Proposed Site Plan KARP Alpine, LLC. Alpine Block 50 Lots 1 &3, Demarest Block 120.01 Lots 1 & 29.01.

Letter October 31, 2017 from Allen M. Bell re: Hussein – 15 Highwood Place Block 30 Lot 7 withdrawing application and requesting return of escrow

PROCEDURAL MOTIONS

Resolution: Approval of Minutes April 20, 2017 Upon a motion by Mr. Bonhomme, seconded by Mr. Abad and approved by all those eligible to vote at this regular meeting of the Alpine Zoning Board of Adjustment held on Thursday, November 16, 2017 to approve the minutes of the regular meeting held on April 20, 2017.

(Mr. Clores abstained)

MOTION APPROVED

Resolution: Approval of Bills and Claims Upon a motion by Mr. Clores, seconded by Mr. Barbieri at the regular meeting of the Alpine Zoning Board of Adjustment held on Thursday, November 16, 2017 to approve the following Bills and Claims:

Azzolina & Feury	Escrow Tabak 30/2	Inv. 67866	54.50
Azzolina & Feury	Escrow Schwartz 22/2	Inv. 67874	54.50
Azzolina & Feury	Escrow Kim 75/10	Inv. 67885	545.00
North Jersey Media Group	Escrow Schwartz 22/2	Inv. 4156405	30.53
North Jersey Media Group	Escrow Tabak 30/2	Inv. 4156406	34.65
Azzolina & Feury	Escrow Kim 75/10	Inv. 68004	109.00
North Jersey Media Group	7-01-21-185-022 Mtg Date	Inv. 4179624	13.20
Azzolina & Feury	Escrow Roh 41/6	Inv. 68395	299.76
Azzolina & Feury	Escrow Haring 40/7	Inv. 68553	218.00
Azzolina & Feury	Escrow Roh 41/6	Inv. 68552	190.75
Azzolina & Feury	Escrow Garcia 49.33	Inv. 68548	381.50
Azzolina & Feury	Escrow Kim 75/10	Inv. 68547	218.00
Azzolina & Feury	Escrow Garcia 49.33	Inv. 68719	545.00
Azzolina & Feury	Escrow Haring 40/7	Inv. 68886	163.50
Azzolina & Feury	Escrow Roh 41/6	Inv. 68881	708.50
Azzolina & Feury	Escrow Garcia 49.33	Inv. 68880	54.50

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

MOTION APPROVED

Resolution: Return of Escrow Upon a motion by Mr. Abad, seconded by Mr. Bonhomme and approved by all those eligible to vote at the regular meeting of the Alpine Zoning Board of Adjustment held on Thursday, November 16, 2017 to return the following escrow which have been reviewed and approved by the Board Attorney and Borough Engineer.

Jeffrey & Iris Schwartz Trust AC 70160	Block 22 Lot 2 12 Tulip Tree Lane	Application 2/1/2017 Resolution 4/20/2017	\$663.22
Amtul R. Hussein, MD & Dilber Trust AC 70	Block 30 Lot 7 16 Highwood Place	Application 8/7/2017 Withdrawn 10/31/2017	\$2,000.00

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

MOTION APPROVED

Chairman Glazer recognized Mayor Tomasko present in the audience.

Mayor Tomasko advised the Board that an application by Karp Alpine LLC for 149 units of assisted living is pending before the Demarest Zoning Board. Hearings have been postponed twice but the matter is next scheduled to be heard November 21, 2017 at 7:30 PM. He plans to attend. Attorney Kates advised Board members they may attend but should not speak on the record.

ADJOURNMENT at 8:22 p.m. upon motion by Mr. Clores seconded by Mr. Barbieri and approved by all.

Respectfully submitted,

Nancy Wehmann, Secretary