#### ALPINE PLANNING BOARD

Alpine Borough Hall 100 Church Street Alpine, New Jersey 07620

### **MINUTES**

October 27, 2015

<u>CALL TO ORDER/PUBLIC ANNOUNCEMENT:</u> The Planning Board, Borough of Alpine, convened in regular session on Tuesday, October 27, 2015 at 7:30 P.M. Chairperson 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, October 27, 2015 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: Catherine Parilla Catherine McGuire (arrived after roll call)

Ralph Mattes Gayle Gerstein
Lorraine Mattes Mayor Paul Tomasko

Joyce Sonpal

Members Absent: Jeff Fromm David Kupferschmid

Staff Present: John Phillips, Board Attorney

Gary Vander Veer, Borough Engineer Marilyn Hayward, Recording Secretary

# **PLEDGE OF ALLEGIANCE**

<u>APPROVAL OF MINUTES OF SEPTEMBER 29, 2015 REGULAR MEETING</u>: A motion to approve the minutes of the September 29, 2015 Regular Planning Board meeting was made by Mayor Tomasko, seconded by Gayle Gerstein and carried by those eligible to vote.

<u>APPROVAL OF MINUTES OF SEPTEMBER 29, 2015 EXECUTIVE SESSION</u>: A motion to approve the minutes of the September 29, 2015 Executive Session was made by Gayle Gerstein, seconded by Lorraine Mattes and carried by those eligible to vote.

**OPEN TO PUBLIC (NON-AGENDA ITEMS)**: There were no comments from members of the public.

MEMORIALIZATION OF RESOLUTION: Major Subdivision Application - Warren Holdings, LLC; Block 72 Lots 25 & 26; 35 & 39 Warren Lane. A motion to accept the resolution was made by Gayle Gerstein, seconded by Mayor Tomasko and carried by those eligible to vote. Having voted to deny the application, Ralph Mattes and Lorraine Mattes were ineligible to vote on the resolution.

**REVIEW & DISCUSSION: PENDING 2015 HOUSING PLAN**: Mayor Tomasko reported that a case management conference was held on October 22, 2015 and read the order that resulted. In summary, the order stated that the Municipality must complete a "Summary of Plan" and submit it to its designated Special Master by November 19, 2015. Objections or comments are to be directed to the Special Master and the Municipality no later than December 10, 2015. The Special Master shall review the submissions and allow the Municipality the opportunity to address them, and shall engage in mediation among the parties. The Special Master shall submit a

report to the court by January 14, 2016, after which the court will schedule a case management conference. Compliance with this order shall provide the borough temporary immunity from affordable housing lawsuits.

The Summary of Plan will be completed by Attorney Kasuba and submitted to the court. Copies of the case management order and summary form are available to the board and interested parties.

**REVIEW OF BOROUGH NOISE ORDINANCE:** At last month's meeting the board discussed the concerns heard from residents about disruption and noise from rock hammering being done various areas in the borough on Saturdays. Ms. Parilla had commented that since our landscapers are no longer allowed to work on Saturdays, the same restriction should apply to rock hammering. The board subsequently reviewed the existing noise ordinance and landscaper regulations in an attempt to apply the Saturday restrictions to rock hammering. Mayor Tomasko commented that one way to accomplish this would be to add a sentence to our noise ordinance stating that "rock hammering, other than for emergency septic work, is prohibited on Saturdays, Sundays and legal holidays".

A motion was made by Gayle Gerstein and seconded by Catherine McGuire to introduce this one sentence change to Mayor & Council at its October 28, 2015 meeting. All were in favor.

**COMMUNICATIONS:** David Andrews submitted a letter of resignation from the Planning Board as of October 1, 2015 due to health reasons. Chairperson Parilla remarked that the board will miss him and wished him well.

OTHER BUSINESS: Mayor Tomasko reported that our building department was visited by two attorneys with a plan requesting more coverage on a property in the borough in order to build an addition underneath an outdoor terrace, where the footprint was already at maximum coverage. Our Zoning Officer came up with a minor modification to our coverage ordinance. The existing ordinance states that "Building coverage shall mean that portion of a lot which is occupied by the principal building." The proposed modification would add "which includes the total horizontal area of the building at, above, and below grade when viewed in plan" to that sentence. Attorney Phillips opined that our existing ordinance is adequate to cover this situation, but adding this phrase would offer further clarification.

A motion was made by Gayle Gerstein and seconded by Catherine McGuire to introduce to Mayor & Council at its October 28, 2015 meeting the suggested clause to incorporate into our existing ordinance, which we believe is not inconsistent with our master plan and is only a clarification of the existing ordinance. All were in favor.

## **BILLS**:

Burgis Associates, Inc.	\$5,028.75	Housing Plan 2015
Bisgaier Hoff, LLC	\$ 434.94	Affordable Housing Advice & Litigation
Azzolina & Feury	\$ 270.50	Alpine Three
John Phillips, Esq.	\$ 960.00	Warren Holdings, LLC
John Phillips, Esq.	\$ 200.00	September Meeting Attendance
Barot, Minoj	\$1,702.99	Return of escrow – Block 21 Lot 3

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

#### **COMMITTEE REPORTS:**

Northern Valley Mayors & Planners Assoc.: Mayor Tomasko reported that the next meeting will be held this Thursday. The speaker has yet to be announced.

Board of Health: No meeting.

<u>Environmental Commission</u>: Ms. Mattes reported that the commission remains active. They had a request to return a tree bond that they did not sign off on as the condition of submitting a landscape plan was not met. Another property requested partial return of their tree bond which was denied since they removed trees which were not authorized. They have been faced with some challenges lately but will stand their ground and remain consistent.

<u>Building Department</u>: Mayor Tomasko commented that the total September permit fees of \$102,712 is indicative of the development activity in the borough. We are seeing a lot of development here, some by those with no experience building in this town who are trying to push the limits or are in need of learning them. He therefore commended Ms. Mattes for standing her ground on the various issues they are facing.

NJ Transit Update: No report.

<u>COAH Update:</u> Attorney Phillips suggested that we enter into Executive Session to discuss a COAH related matter.

## **EXECUTIVE SESSION:**

A motion to enter into Executive Session at 7:57 PM providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6, et seq. for the purpose of discussing a matter relating to a COAH related matter as permitted under N.J.S.A. 10:4-12.b.7. was made by Gayle Gerstein and seconded by Catherine McGuire. An Executive Session closed to the public shall be held for the discussion of matters relating to the specific item designated above. It is further noted deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality. All were in favor.

The Planning Board reconvened in regular session at 8:05 PM.

<u>ADJOURNMENT</u>: A motion to adjourn the regular Planning Board meeting was made by Ralph Mattes and seconded by Lorraine Mattes. All were in favor. The meeting adjourned at 8:06 PM.

Respectfully submitted,

Marilyn Hayward Recording Secretary