

ALPINE PLANNING BOARD

Alpine Borough Hall
100 Church Street
Alpine, New Jersey 07620

MINUTES

February 26, 2019

CALL TO ORDER/PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE: The Planning Board, Borough of Alpine, convened in regular session on Tuesday, February 26, 2019 at 7:30 P.M. 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, February 26, 2019 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: Carol Cochi, Gayle Gerstein, Elizabeth Herries, Lorraine Mattes, Catherine McGuire, Catherine Parilla, Joyce Sonpal, Mayor Paul Tomasko
Members Absent: David Kupferschmid, Alt I Jeff Fromm,
Staff Present: Michael Kates, Board Attorney
Perry Frenzel, Borough Engineer
Marilyn Hayward, Board & Recording Secretary

APPROVAL OF MINUTES OF JANUARY 22, 2019 REGULAR MEETING:

Upon a motion by Elizabeth Herries, seconded by Catherine McGuire to approve the minutes of the January 22, 2019 Planning Board Regular Meeting as corrected on Page 1 adding Lorraine Mattes as an Aye vote under Professional Service Appointments. Eligible members voted as follows:

Vote: Ayes: Carol Cochi, Gayle Gerstein, Elizabeth Herries, Catherine McGuire, Lorraine Mattes, Catherine Parilla, Joyce Sonpal, Mayor Paul Tomasko

APPROVAL OF MINUTES OF JANUARY 22, 2019 EXECUTIVE SESSION MEETING:

Upon a motion by Catherine McGuire, seconded by Carol Cochi to approve the minutes of the January 22, 2019 Planning Board Executive Session Meeting. Eligible members voted as follows:

Vote: Ayes: Carol Cochi, Gayle Gerstein, Elizabeth Herries, Catherine McGuire, Lorraine Mattes, Catherine Parilla, Joyce Sonpal, Mayor Paul Tomasko

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS: None

NEW APPLICATION: ALPINE COUNTRY CLUB Block 55 Lot 3, Miles Street; Minor Subdivision

Richard A. Hubschman, Jr. Esq. of Hubschman & Roman, 460 Bergen Boulevard, Palisades Park, NJ 07650 appeared on behalf of the Applicant, Alpine Country Club, 80 Anderson Avenue, Demarest, NJ 07627 along with Applicant's engineer, Michael J. Hubschman, PE, PP of Hubschman Engineering, P.A., 263A S. Washington Avenue, Bergenfield, NJ 07621. Applicant's Representative, Board Member David Pletzer was present but did not comment.

Application is for a minor subdivision that would create a new approximately 40,000 square foot parcel off of Miles Street in Alpine. Attorney Hubschman noted Mr. Frenzel, in his February 25, 2019 review letter, had questioned if the proposed also required Demarest approval. Their position is that it does not being 300 – 400 feet away from Demarest. Originally founded as Aldecress Country Club in 1906, the club was purchased by the membership in 1960 and renamed Alpine Country Club. The proposed lot conforms to the area's zoning requirements.

Michael Hubschman was sworn and qualified as an expert in his fields. He referred to his plans to describe the proposed minor subdivision.

- Drawing No. 441.17-1 entitled “Overall Property Map” dated 11-9-2018 last revised 1-18-2019 shows the entire 175.33-acre tract spanning 142.65 acres in Demarest and 32.68 acres in Alpine. The new lot would be created at the southwest end of the Miles Street cul-de-sac located within the R-1 Zone. Most of Miles Street are smaller lots in the R-3 Zone.
- Drawing No. 441.17-2 entitled “Minor Subdivision Plan” dated 11-9-2018 last revised 1-18-2019 provides detail for the proposed new lot being 40,990.73 square feet. Engineer Hubschman also worked on an earlier subdivision about 20 years ago that created the lot to the north [Block 55 Lot 3.02]. The lot slopes down from Miles Street toward the golf course (about 22 feet).
- Drawing No. 441.17-3 entitled “Development Plan; Soil Erosion & Sediment Control Plan Profile. No development is proposed at this time however they do have to demonstrate this is a buildable lot. Test pits were performed and a potential site plan design shows a 2,612 square foot footprint dwelling. Engineer Hubschman noted this zone provides for 9% building coverage which would permit about a 3,600 square foot footprint.
- Drawing No. 441.17-4 entitled “Existing Conditions Plan; Steep Slope Plan” depicts steep slope areas. Engineer Hubschman stated it would be possible to construct a residence and septic systems outside of the steep slope area but would likely need to return to the Board for a soil moving permit.

Catherine McGuire noted confusion with lot numbering. The plans designate the proposed new lot as 3.02 and renames the remainder of Lot 3 as 3.01¹ however the northerly lot is already designated Lot 3.02. Engineer Hubschman acknowledged this error and recommended renaming the new small Lot 3.03. Lots are all in Block 55.

Catherine Parilla questioned the proposed access easement connecting the remainder lot to the cul-de-sac. Engineer Hubschman stated that would be contained within the new lot. Catherine McGuire recalled Applicant was concerned with encroachment onto an easement when the northerly Lot 3.02 was created which necessitated re-design of that lot’s septic system away from that area. Catherine Parilla asked if the purpose of the easement was to preclude landlocking the northerly part of the remainder lot. Engineer Hubschman responded it would provide access to the golf course and the remainder lot also has frontage on Hillside Avenue which access is blocked by a stream. Mayor Tomasko asked if the access easement would remain open. The proposed lot would contain the 40-foot-wide proposed easement access which adjoins an existing 20-foot-wide drainage easement which will be maintained. The Board recalled the area is currently fenced. Lorraine Mattes requested placement of corner markers which Engineer Hubschman stated they could provide.

Mayor Tomasko referred to Mr. Frenzel’s February 25, 2019 letter Recommendations Item #2 which noted the building envelope narrows to 30 feet at one location and requesting testimony as to the viability of constructing a conforming dwelling with regulated appurtenances within that space. Engineer Hubschman stated whoever bought the lot would have to work within that envelope. Mayor Tomasko questioned Mr. Frenzel’s February 25, 2019 letter Recommendations Item #3 to ask if there were any variances attendant to the application. It was clarified no variances are requested. Mayor Tomasko stated the Board’s preference would be that any future developer not seek variances. Lorraine Mattes and Mr. Frenzel noted they will likely have to return for a soil movement permit and possibly steep slopes.

Catherine McGuire asked if approval is contingent upon approval by the Borough of Demarest. Attorney Hubschman stated their position is they do not need approval from Demarest. Per a customized settlement with Demarest they are only required to maintain 140 contiguous acres. Their Demarest acreage remains unchanged. They comply.

Councilwoman Gerstein asked about the planned disposition of the new lot. Attorney Hubschman stated applicant intends to sell the new lot. She asked if the property could accommodate a pool. Engineer Hubschman stated the setbacks would accommodate. It was noted the new lot also maintains a ten-foot-wide access easement along the eastern property line which was granted years ago for the benefit of the neighbor [Block 53 Lot 1].

Attorney Kates noted Mr. Frenzel’s February 25, 2019 letter Recommendations Item #4 lists suggestions conditions to be incorporated into any resolution of approval. As to filing a Final Subdivision Map, Engineer Hubschman wished to file by deed rather than map as this is a minor subdivision. There were no objections. As to utility and drainage easements Engineer Hubschman agreed they would have to create these with the Borough as necessary. Attorney Hubschman stated they would submit to Mr. Frenzel for approval. The drainage easement drains Miles Street.

Upon a motion by Catherine McGuire, seconded by Gayle Gerstein to approve the application for minor subdivision.

Vote: Ayes: Carol Cochi, Gayle Gerstein, Elizabeth Herries, Catherine McGuire, Lorraine Mattes, Catherine Parilla, Joyce Sonpal, Mayor Paul Tomasko

¹ Subsequent to the meeting it was noted that a lot was already identified on the Tax Map as Block 55 Lot 3.01 and Engineer Hubschman acknowledged he would correct the lot numbering and confirm same with the Tax Assessor prior to any deed filing.

Mayor Tomasko commented that it should not be considered a given that developers need soil moving permit approval from the Board as they are exempted from Board approval for the septic fields. It behooves people to not spend time and money before our Boards if at all possible and that should be made known to them.

COMMUNICATIONS:

Letter dated 2/21/19 from Guliet Hirsch, Esq. requesting withdrawal of Alpine Three Application for Revised Preliminary and Final Site Plan. (Board of Health Resolution dated 2/19/19 attached.) They request return of escrow. Mayor Tomasko recommended due to the potential for litigation they discuss this matter in executive session.

EXECUTIVE SESSION A Resolution 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. 10:4-12.

Upon a motion by Mayor Tomasko, seconded by Elizabeth Herries and approved by all, the Board entered into a closed session at 7:57 PM pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-12(b)(7) for a discussion on Alpine Three LLC and that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Planning Board that the public interest will no longer be served by such confidentiality.

RESUME OPEN SESSION: Upon a motion by Catherine McGuire, seconded by Gayle Gerstein and approved by all to exit the executive session and resume the open session at 8:09 PM.

BILLS AND CLAIMS: A motion to approve the below referenced bill was made by Gayle Gerstein seconded by Catherine McGuire and approved by all.

BILLS: Huntington Bailey \$ 240.00 COAH Special Counsel

COMMITTEE REPORTS:

Northern Valley Mayors & Planners Assoc.: Mayor Tomasko reported last month's meeting hosted the County expert on Shared Services. This month's meeting is Thursday and they will host a County speaker on sharing IT.

Board of Health: Report is provided. Mayor Tomasko noted they met last Tuesday and concluded the hearing requested by Alpine Three. Approval was denied for the second field's septic system design.

Environmental Commission: Lorraine Mattes reviewed tree removal on properties. She noted the SUEZ letter sent to residents regarding potential for lead in pipes in some areas. Discussion followed. Mayor Tomasko noted the EC had expressed concern with a proposed natural gas-fired power plant (North Bergen Liberty Generating Station) in North Bergen, NJ and the Mayor and Council adopted a resolution opposing the project as did the BC League of Municipalities. NJ would get the pollution while NYC would get the power. The claim is it would create jobs but wind or solar could also.

Building Department: Report is on file.

2018 Zoning Board of Adjustment Annual Report Attorney Kates noted the annual report gives the Zoning Board an opportunity to alert the Planning Board if they receive so many applications for relief from a particular rule or ordinance where the exception becomes a rule that they deem it worthy to recommend review and change of the rule. If problems were revealed they would typically provide an accompanying narrative. However, during 2018 no issues were identified and so they simply provide a report summarizing the applications that transpired.

NJ Transit Update: Mayor Tomasko reported the County Executive has indicated he will request the County Freeholders to pass a resolution asking that the name "Hudson-Bergen Light Rail" be changed to "Hudson Light Rail" to express their frustration with lack of action and funding for an extension into Bergen to see if that would provoke some movement.

COAH Update: No new report.

ADJOURNMENT: A motion to adjourn the regular Planning Board meeting was made by Gayle Gerstein and seconded by Catherine McGuire. All were in favor. The meeting adjourned at 8:20 PM.

Respectfully submitted,
Marilyn Hayward, Recording Secretary