

ALPINE PLANNING BOARD

Alpine Borough Hall
100 Church Street
Alpine, New Jersey 07620

MINUTES

September 28, 2021

CALL TO ORDER/PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE: The Planning Board, Borough of Alpine, convened in regular session on Tuesday, September 28, 2021 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 Law the notice of this regular meeting held Tuesday, September 28, 2021 at 7:30 P.M. has met the requirements of the law by being published as part of the annual meeting notice in The Record posted continuously on the bulletin board of the lobby in the Borough Hall and a copy filed in the office of the Borough Clerk. Ms. Parilla advised if members of the public have not been vaccinated, they are strongly encouraged to wear a mask.

ROLL CALL:

Members Present: Carol Cochi, David Kupferschmid, Gayle Gerstein, Elizabeth Herries, Lorraine Mattes, Catherine McGuire, Catherine Parilla, Mayor Paul Tomasko
Members Absent: None
Staff Present: Michael Kates, Esq. Board Attorney; Perry Frenzel, Borough Engineer, Marilyn Hayward, Board & Recording Secretary

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

APPROVAL OF MINUTES OF JULY 27, 2021 REGULAR MEETING:

Upon a motion by Ms. Gerstein, seconded by Ms. Herries, to approve the minutes of the July 27, 2021 Planning Board Regular Meeting. Eligible members voted as follows:

Vote: Ayes: Ms. Cochi, Ms. Gerstein, Ms. Herries, Ms. Mattes, Ms. McGuire, Ms. Parilla, Ms. Sonpal, Mayor Tomasko
Abstain: Mr. Kupferschmid

APPROVAL OF MINUTES OF JULY 27, 2021 EXECUTIVE SESSION MEETING:

Upon a motion by Ms. Gerstein, seconded by Ms. Herries, to approve the minutes of the July 27, 2021 Planning Board Executive Session Meeting. Eligible members voted as follows:

Vote: Ayes: Ms. Cochi, Ms. Gerstein, Ms. Herries, Ms. Mattes, Ms. McGuire, Ms. Parilla, Ms. Sonpal, Mayor Tomasko
Abstain: Mr. Kupferschmid

Continued Hearing: Amended Preliminary and Final Site Plan and Soil Moving with Waivers - Alpine Three, LLC; Block 43 Lots 6.01, 6.02 & 6.03 carried to October 26, 2021

NEW HEARINGS

Soil Moving: 50 Allison Road Corp; 50 Allison Road Block 79.03, Lot 1

Exhibit marked during course of proceedings:

A – 1 Steep Slope Plan dated March 30, 2021 last revised April 8, 2021 prepared by McNally, Doolittle Engineering, LLC

Application seeks:

- Approval soil moving permit in excess of 1,000 cubic yards; export 3,680 cubic yards; total 4,627 cubic yards
- Steep Slope Construction within 15-24.9% slope range for proposed pool, wall and building construction where only transitional grading or road construction allowed and within 25-34.9% slope range for proposed wall where only transitional grading is allowed; proposed 40% grading limit where 30% grading limit is allowed.

Matthew G. Capizzi, Esq., Capizzi Law office, 11 Hillside Avenue, 2nd Fl., Tenafly, NJ 07670 appeared on behalf of Applicant Joseph LaBarbiera along with Douglas W. Doolittle, P.E., P.L.S., P.P., McNally, Doolittle Engineering, LLC 169 Ramapo Valley Road, Oakland, NJ 07436. Applicant seeks relief for redevelopment of property with a new single-

family residence and accessory structures. Relief required as property impacted by steep slopes rising up from Allison Road towards the rear.

Mr. Doolittle was sworn and accepted as an expert witness. He referenced Steep Slope Plan marked [A-1] and described existing conditions. Property fronts on east side of Allison Road whose cul-de-sac is on the north corner of the property. A new blackwater septic field was installed in front to the north about four years ago. They are in process of replacing the graywater septic field in front on the south side. Prior home was demolished and fill added relative to the septic system installations to level out those areas. The grade rises forty feet from the street to the rear with most of the steep slope in the rear as shown on the plan. Previous disturbance is noted from the prior development. They seek to work with the slopes while creating a more usable rear yard. Applicant proposes to construct an L-shaped house with a courtyard permitting garages to face south versus towards the street. House is setback behind the garages. A pool, patio, pool equipment and generator are proposed to the rear of the house. Retaining walls cut into the slope to the rear of the pool area consist of three tiers: six foot, six foot and two feet in height. As the walls face the interior of the lot they will not impact views by neighbors. Coverages are conservative being 7.49% building coverage (9% maximum) and 19.10% improved coverage (25% maximum). Drainage is addressed by a series of seepage pits around the north side of the property directed to two seepage pits in front and two seepage pits to the south to pick up water from the pool area. Mr. Doolittle reviewed Mr. Frenzel's letter of September 15, 2021 and has no objections to the conclusions and recommendations.

Mr. Frenzel reviewed soil moving. He noted the architectural plans provide six bedrooms while the septic systems are designed for an 8-bedroom house. Drainage calculations reviewed and found acceptable.

Ms. Parilla questioned the label "temporary" cul-de-sac. Mr. Doolittle explained that's how that type of easement was termed back in the 1960's in case the road would be extended later. He assured the cul-de-sac is permanent as there is no intent to extend the road.

Ms. Mattes raised concerns with disturbance of the topography and significant tree removal. Mayor Tomasko did not agree with Attorney Capizzi's assertion that the property cannot be developed without this relief. This applicant has appeared before the Board before and the message should be conveyed to limit these requests for relief. Attorney Capizzi appreciated the comment while noting only a small portion of the house and pool encroach. Mr. Doolittle and Mr. Zampolin worked hard to design a home with minimal intrusion and do not seek coverage or bulk variances. An adjoining property to the north sits substantially higher with a 15-20 foot high retaining wall visible from the cul-de-sac. Their wall will be landscaped and designed to blend in more. If they tried to push the house forward it would negatively impact septic field setbacks and the steepness and curve of the driveway. Ms. Herries questioned impact to the rear neighbor. Mr. Doolittle stated much of the slope and 80 – 90 feet of the rear yard is heavily wooded, will remain undisturbed and their lot is below the one to the rear. Ms. Mattes questioned the significant tree removal (40-60 trees) noting stormwater runoff such as occurred during Hurricane Ida makes these disturbances a concern. Mr. Doolittle replied that runoff is faster on steep slopes versus level areas where more water is retained and will be directed to seepage pits.

The hearing was opened to the public for questions or comments and being none closed.

Ms. Mattes and Ms. Parilla highlighted and commended Mr. Frenzel's letter calling for a Tree Removal and Mitigation Plan and detailing progress as-builts to ensure compliance with each step of construction prior to proceeding to the next. Ms. Mattes noted a detailed Landscape Plan should also be provided to outline mitigation. Ms. McGuire agreed rainstorms will only getting worse and the more trees and bushes to slow down runoff the better for all of Alpine. Mr. Kupferschmid questioned non-disturbance from the setback – the buffer zone. Mr. Doolittle clarified they are not disturbing the thirty-foot buffer zones.

Upon a motion by Ms. Herries, seconded by Ms. Gerstein to approve the application conditioned upon compliance with all of the conditions and statements in Mr. Frenzel's letter dated September 15, 2021.

Vote: Ayes: Ms. Cochi, Ms. Gerstein, Ms. Herries, Ms. McGuire, Ms. Parilla, Mayor Tomasko

Nays: Mr. Kupferschmid, Ms. Mattes, Ms. Sonpal

MOTION APPROVED

Soil Moving: Agrachov; 15 Old Quarry Road Block 81.04 Lot 7

Exhibit marked during course of proceedings:

A – 1 Colorized Steep Slope Disturbance Exhibit dated September 28, 2021 prepared by Piazza Engineering

Application seeks:

- Approval soil moving permit in excess of 1,000 cubic yards; cut 3,777 cubic yards, fill 3,266 cubic yards and export 551 cubic yards; no import.
- Steep Slope Construction within 15-24.9% slope range for proposed seepage pits, generator/generator pad and a portion of retaining walls ; 32,220 square feet
- Waiver for minor transitional grading in the tree buffer.

Matthew G. Capizzi, Esq., Capizzi Law office, 11 Hillside Avenue, 2nd Fl., Tenafly, NJ 07670 appeared on behalf of Applicant Thomas Agrachov along with Massimo Piazza, PE PLS, Piazza Engineering 11-15 River Road, Fair Lawn, NJ 07410 and John M. Montoro, AIA The Montoro Architectural Group, 15- West Saddle River Road, Saddle River, NJ 07458. Applicant seeks relief for redevelopment of property with a new single-family home and accessory structures including pool, patio and cabana.

Mr. Piazza was sworn and accepted as an expert witness. The property is located on the northerly end of the Old Quarry Road cul de sac. The property slopes down 63 – 64 feet from the street to the rear. The prior home was demolished over a year ago. Referencing his Site Plan, Details and Notes, Sheet C-1 last revised August 26, 2021 Mr. Piazza noted twenty-foot-wide drainage easements place constraints on the location of the driveway and home. Two septic systems have been installed in the rear along with associated retaining walls. The driveway curve and length is dictated by the slope to achieve a safe 10% grade down to the garages on the north side of the building. The lot complies to coverage and bulk requirements. Retaining walls are proposed to support driveway areas. Referencing Steep Slope Disturbance Exhibit marked [A-1] Mr. Piazza explained about 44,000 square feet of the 87,143 square foot property is comprised of steep slopes. Slopes were disturbed for the septic systems and further disturbance is required to accommodate the safe slope for the driveway and for the proposed pool and cabana in the rear. The red area on his exhibit (not retained for the file) outlines the structures proposed within steep slope areas. Mr. Piazza referenced a Demolition Plan for the prior dwelling to show prior disturbances to the slopes and how they tried to locate the new dwelling within that raised plateau area while staying within the setbacks and constraints. Mr. Piazza referenced the Grading and Drainage Plan Details and Notes Sheet C-2 last revised August 26, 2021 to review the drainage plan comprised of a series of oversized seepage pits that exceed what is required. The applicant installed 110 linear feet of new pipe to replace a cracked pipe in the drainage easement that caused water to be trapped in the inlet, overflow the curb and run down the existing slope. Attorney Capizzi highlighted this was a public improvement done at the applicant's expense. The drainage plan also includes water quality treatment devices to comply with NJDEP requirements for a major redevelopment. The proposed drainage plan represents an improvement over existing by collecting runoff and directing it to seepage pits. They have Bergen County Soil Conservation District approval. Mr. Piazza also explained Cross Section details of the plans Sheet C-4. Applicant has retained an Arborist and Landscape Architect to prepare landscaping, tree removal and mitigation plans for submission to the Environmental Commission. Mr. Piazza reviewed Mr. Frenzel's letter of September 9, 2021 and has no objections to the conclusions and recommendations.

Ms. Mattes questioned the height of the retaining wall to the rear of the septic systems. Mr. Piazza responded this is a decorative boulder wall ranging in height from 3 to 4 feet and they maintained the twenty-foot buffer. They also installed a Hypalon liner behind the septic system to prevent leaching. Ms. Parilla questioned the slope from the septic field retaining wall to the rear of the property. Mr. Piazza responded that is a natural slope that won't be disturbed. Ms. Parilla noted part of the driveway is located atop the drainage easement which Mr. Piazza noted was another reason why they replaced the reinforced concrete pipe. Mr. Frenzel confirmed the Class 5 RCP used is strong enough for this purpose. If the pipe were to crack in future the owner knows they would have to permit removal of driveway as needed for access.

Mr. Frenzel noted the proposed represents a cooperative effort noting the constraints of the site and drainage issues to be addressed. Repair of the cracked pipe benefitted not only this property but those further downhill. Attorney Kates offered approval should be conditioned upon satisfactorily addressing any issues related to tree removal which, if not resolved, would require the applicant to return to the Board. Ms. Mattes stressed again that prior to any permits being issued they want a detailed tree inventory (species, size, etc) prepared by a Certified Tree Expert or Arborist and the mitigation plan.

They also want to see a Landscape Plan. Mr. Frenzel noted there are a few very minor intrusions into the tree buffers with the grading but no trees in the buffer will be impacted.

Mr. Montoro was sworn, testified to his credentials and accepted as an expert witness to address Mr. Kupferschmid's question regarding the cabana. Mr. Montoro noted the location and concept of the cabana has changed several times and has not yet been designed. Based on multiple discussions with the applicant he believes the design will be some type of a mancave to include a bathroom, changing area, television and bar space. There is no intention to include a bedroom space. The size would not exceed 450 square feet.

Ms. Parilla opened to the public for questions or comments and being none closed.

Upon a motion by Mayor Tomasko, seconded by Mr. Kupferschmid to approve the plan subject to conditions

- as noted by Attorney Kates to return to the Board for any unresolved issues regarding trees
- as noted in Mr. Frenzel's letter dated September 9, 2021
- as noted by Ms. Mattes regarding provision of the tree inventory, mitigation and Landscape Plan, and
- as noted by Mr. Kupferschmid that the cabana contain no bedrooms and will not be used as a guest house.

Vote: Ayes: Ms. Cochi, Ms. Gerstein, Ms. Herries, Mr. Kupferschmid, Ms. Mattes, Ms. McGuire, Ms. Parilla,
Ms. Sonpal, Mayor Tomasko

MOTION APPROVED

Site Plan: Church of the Lord; 47 Lot 2 995 Closter Dock Road Block (Church) & Block 48 Lot 1.01 (5 Old dock Road Community House / 1003 Closter Dock Road Parsonage); - Parking Lot Expansions and Additions

Attorney Capizzi noted upon closer review it was determined the above application requires a D(3) use variance which falls under the jurisdiction of the Zoning Board of Adjustment. The application is hereby withdrawn from the Planning Board and they will submit their proposal to the Zoning Board.

COMMUNICATIONS: So noted as follows:

- Notification of Certification of Soil Erosion and Sediment Control Plans: Block 31 Lot 4; Block 81.01 Lot 3
- Notification of Application for Flood Hazard Area Individual Permit & Verification: Block 71 Lot 24
McGuire questioned the tiny schematic provided that did not show locations of the septic systems. This is 5 Marie Major Drive. Mr. Frenzel offered a faint area looks like a field to the front of the house with a second field to the left.
- Withdrawal Letter - Freshwater Wetlands General Permit & Transition Area Waiver Application Block 81.05 Lot 2
Ms. Herries questioned the letter is dated August 19 yet they seem to provide a substantive response to a July 22 letter and provides a letter of interpretation withdrawn to question what that means. Attorney Kates opined it was in the process of being responded to and frankly should not have been mailed. It is withdrawn.
- 200-foot lists: Block 51 Lot 7, Block 22 Lot 10, Block 71 Lot 24, Block 78 Lot 4, Block 55 Lot 3.03, Block 49.08 Lot 8, Block 75 Lot 13, Block 2406 Lot 10 (Closter) Mayor Tomasko noted eight lists indicative of an uptick in matters likely to come before the Planning or Zoning Boards.

Tree Ordinance: Ms. Parilla questioned status of revision to the Tree Ordinance. Mayor Tomasko advised it was introduced at the September 22nd meeting of the Mayor and Council.

Borough Policies: The Employee Handbook of policies including anti-harassment and civil rights as applicable to volunteer Board members has been distributed as required.

BILLS AND CLAIMS: A motion to approve the below referenced bills was made by Ms. Gerstein, seconded by Ms. McGuire and approved by all.

Clarke, Caton & Hintz	\$ 655.50	Appointed Court Master	COAH
Clarke, Caton & Hintz	\$ 1,989.50	Appointed Court Master	COAH
Burgis Associates	\$ 750.00	Alpine Housing Plan	COAH
Azzolina & Feury	\$ 693.00	Alpine Three (43/6.01,6.02,6.03)	Escrow
Azzolina & Feury	\$ 519.00	Alpine Three (43/6.01,6.02,6.03)	Escrow

COMMITTEE REPORTS:

Northern Valley Mayors & Planners Assoc.: No meeting.

Board of Health: Mayor Tomasko advised the Board met September 14 and heard a presentation from Bergen County eliciting the Borough’s interest in having a nurse come to the Borough Hall periodically to take blood pressures and provide other preventative health maintenance measures. The Board is considering this. The Department of Health report is provided.

Environmental Commission: Ms. Mattes reported the Environmental Commission has posted information regarding bamboo on their website and in the lobby. They’ve been extremely busy with site visits. She explained the tree ordinance as introduced included revisions to clarify enforcement and definitions.

Building Department: Monthly report distributed.

NJ Transit Update: Ms. McGuire offered there could be movement on this issue if a pending bill passes.

COAH Update: Mayor Tomasko explained there is no need for an executive session this evening on this matter and referred Board members to this month’s newsletter blurb: The Borough remains in mediation with the Richard Kurtz interests over their plans for a high-density housing project to include market rate as well as affordable housing units on what had been the Frick estate on Closter Dock Road. The Borough seeks to resolve this issue in a way that will minimize the impact on our town and prevent other such attempts to break our town’s zoning.

ADJOURNMENT: A motion to adjourn the regular Planning Board meeting was made by Ms. Gerstein and seconded by Ms. McGuire. All were in favor. The meeting adjourned at 8:51 PM.

Respectfully submitted,
 Marilyn Hayward
 Recording Secretary