

ALPINE ZONING BOARD OF ADJUSTMENT
Reorganization and Regular Meeting
Thursday, January 18, 2024 - 7:30 P.M.
(This meeting taped in its entirety)

CALL TO ORDER/PLEDGE OF ALLEGIANCE/PUBLIC ANNOUNCEMENT

This reorganization and regular meeting of the Alpine Zoning Board of Adjustment was called to order by Mr. Glazer at **7:36 P.M., Thursday, January 18, 2024** 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, notice of this Zoning Board of Adjustment meeting has met the requirements of the law as part of the Borough of Alpine's annual meeting notice published in The Record, posted on the bulletin board in the lobby and on the Borough website and a copy filed in the office of the Borough Clerk.*

Swearing-In Ceremony The Oath of Office was administered by Mayor Paul H. Tomasko to:

- Anthony Clores as Board Member for a four-year term
- Richard Bonhomme as Board Member for a four-year term
- Bruce Pomerantz – as Alternate II Board Member for a two-year term

ROLL CALL

Richard Glazer (C)	Present	Tony Clores (VC)	Present	Amy Lerner	Absent
George Abad, Jr.	Absent	Richard Bonhomme	Present	Robert F. Policano, Alt I	Present
Anthony Barbieri	Present	Elizabeth Herries	Present	Bruce Pomerantz, Alt II	Present

Staff Present:

Board Engineer Perry Frenzel, Sandra Barsoum, Esq. present for Board Attorney, Acting Secretary Stephanie Wehmann

Appointments: The following appointments were made by unanimous vote of all those present:

Chairman: Upon a motion by Mr. Barbieri seconded by Mr. Clores to appoint **Richard Glazer** as Chairman.

Vote: Ayes: Mr. Barbieri, Mr. Bonhomme, Mr. Clores, Mr. Glazer, Ms. Herries, Mr. Policano Mr. Pomerantz **Motion Approved**

Vice Chairman: Upon a motion by Mr. Glazer, seconded by Ms. Herries to appoint **Anthony Clores** as Vice Chairman.

Vote: Ayes: Mr. Barbieri, Mr. Bonhomme, Mr. Clores, Mr. Glazer, Ms. Herries, Mr. Policano Mr. Pomerantz **Motion Approved**

Acting Secretary: Upon a motion by Mr. Glazer, seconded by Ms. Policano to appoint **Stephanie Wehmann** as Acting Secretary until such time as a replacement is hired. .

Vote: Ayes: Mr. Barbieri, Mr. Bonhomme, Mr. Clores, Mr. Glazer, Ms. Herries, Mr. Policano Mr. Pomerantz **Motion Approved**

Board Attorney: Upon a motion by Mr. Glazer, seconded by Mr. Bonhomme at the 2024 reorganization meeting of the Zoning Board of Adjustment of the Borough of Alpine held on Thursday, January 18, 2024;

WHEREAS, the Zoning Board of Adjustment has a need to acquire the professional services of **Michael Kates, Esq.** of the law firm **Kates, Nussman, Ellis, Farhi & Earle, LLP** for Attorney to the Zoning Board of Adjustment of the Borough of Alpine without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) to be provided as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and/or 20.5; and,

WHEREAS, the term of this contract is for one year; and

WHEREAS, Attorney Kates has submitted a proposal indicating he will provide services for the prices as approved in his letter of agreement; and

WHEREAS, these professional services may exceed the aggregate threshold set by N.J.S.A. 19:44A-20.4 and/or 20.5, Attorney Kates has completed and submitted a Business Entity Disclosure Certification certifying neither he nor his firm have made any reportable contributions to a political or candidate committee in the Borough of Alpine for the elected officials in the Borough of Alpine in the previous one year, and acknowledging this agreement will prohibit he or his firm from making any such reportable contributions through the term of the contract, and

WHEREAS, this contract is subject to the Chief Financial Officer of the Borough of Alpine, County of Bergen, State of New Jersey, certifying funds are available in the 2024 municipal budget;

NOW THEREFORE, BE IT RESOLVED that the Zoning Board of Adjustment of the Borough of Alpine approves the letter of agreement; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value, as required, be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of the award of this Professional Service Agreement will be published in the Record

Vote: Ayes: Mr. Barbieri, Mr. Bonhomme, Mr. Clores, Mr. Glazer, Ms. Herries, Mr. Policano Mr. Pomerantz **Motion Approved**

MEMORIALIZATIONS: RAFFERTY 23 DUBOIS AVENUE BLOCK 41 LOT 8

Upon a motion by Mr. Glazer, seconded by Mr. Barbieri to memorialize a resolution for Gerard Rafferty approving an application for a two-story addition in the left side yard encompassing a two-car garage with an elevator to facilitate access, family room above the expanded garage, and expansion of front porch. Application maintains pre-existing nonconforming conditions of deficient lot size and front yard setback, expands nonconforming building and lot coverage and adds a variance for side yard setback. This approval is subject to conditions as outlined in the resolution for this property located at 23 DuBois Avenue designated as Block 41 Lot 8 on the Tax Assessment Map of Alpine, New Jersey, Bergen County. A copy of this resolution as attached is on file at the Borough of Alpine, 100 Church Street, Alpine, NJ for review.

Discussion: Attorney Barsoum reviewed the resolution including conditions. Mr. Frenzel has reviewed the resolution and conditions which conform to the hearing and his review letter. He recommends approval of the resolution. Mr. Glazer recalled his concerns regarding the deficient side yard were assuaged by the neighbor saying she did not object.

Vote: In favor: Mr. Barbieri, Mr. Bonhomme, Mr. Pomerantz, Mr. Glazer **MOTION APPROVED**

Note of clarification: Per MLUL 40:55D-10g(2) Mr. Abad (absent), Ms. Herries and Mr. Policano voted no on the application and therefore are not eligible to vote on the memorialization.

PROCEDURAL MOTIONS

Resolution: Approval of Minutes: Regular Meeting December 21, 2023

Upon a motion by Ms. Herries, seconded by Mr. Policano and approved by all those eligible to vote to approve the minutes of the regular Zoning Board of Adjustment meeting held on December 21, 2023

Note: Mr. Clores abstained.

Resolution: Bills & Claims

Upon a motion by Mr. Clores, seconded by Ms. Herries to approve the following bills and claims:

Vendor	Block/Lot/Address	Escrow/ Account No.	Invoice No.	Amount
Kates, Nussman, Ellis et al	Meetings Sep, Oct, Dec'23	3-01-21-185-021	31183	\$600.00
Azzolina & Feury Eng.	41/8 – 23 DuBois Avenue	Escrow	78490	\$184.50

Vote: Ayes: Mr. Barbieri, Mr. Bonhomme, Mr. Clores, Mr. Glazer, Ms. Herries, Mr. Policano Mr. Pomerantz **Motion Approved**

COMMUNICATIONS: None

OTHER BUSINESS:

2024 Annual Report

Upon a motion by Ms. Herries seconded by Mr. Clores and approved by all to vote to approve submission of the 2023 list of resolutions as the Board’s Annual Report and hereby direct the Acting Secretary to submit a copy of the report to the Planning Board and Mayor and Council in compliance with N.J.S.A. 40:55D-70.1.

NJDEP Mandatory Stormwater Training Chairman Glazer reminded Board members of the requirements for initial training and continuing education available online. The affidavit forms are available from the Board office.

Chairman Glazer welcomed audience members Andy Banderi and Emma Abraham.

Mayor Tomasko commended Chairman Glazer. The newsletter went out in December. Mayor Tomasko, Chairman Glazer and Mr. Frenzel updated the Board on affordable housing legislation and local issues.

ADJOURNMENT

Upon a motion by Mr. Policano, seconded by Ms. Herries, and approved by all those present, the meeting was adjourned at 8:01 PM.

Respectfully submitted,

Stephanie Wehmann, Acting Secretary