

**ALPINE PLANNING BOARD**

Alpine Borough Hall  
100 Church Street  
Alpine, New Jersey 07620

**MINUTES**

May 26, 2015

**CALL TO ORDER/PUBLIC ANNOUNCEMENT:** The Planning Board, Borough of Alpine, convened in regular session on Tuesday, May 26, 2015 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, May 26, 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:	Gayle Gerstein	David Kupferschmid
	Catherine Parilla	Ralph Mattes
	Lorraine Mattes	Mayor Paul Tomasko

Members Absent: David Andrews, Catherine McGuire, Jeff Fromm

Staff Present: John Phillips, Board Attorney  
Gary Vander Veer, Borough Engineer  
Marilyn Hayward, Recording Secretary

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES OF APRIL 28, 2015 REGULAR MEETING** A motion to approve the minutes of the April 28, 2015 Regular Planning Board meeting was made by Gayle Gerstein, seconded by Ralph Mattes and carried by those eligible to vote.

**APPROVAL OF MINUTES OF APRIL 28, 2015, 2015 EXECUTIVE SESSION:** A motion to approve the minutes of the April 28, 2015 Planning Board Executive Session meeting was made by Gayle Gerstein, seconded by Mayor Tomasko and carried by those eligible to vote.

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

**CONTINUED APPLICATIONS: SOIL MOVING – KIM RESIDENCE; BLOCK 79.03 LOT 3; 40 ALLISON ROAD.**

Matthew Capizzi, Esq. appeared on behalf of the Office of David M. Watkins, Esq. POB 304, 285 Closter Dock Road, Closter, NJ 07624, along with Applicant’s Engineer, Michael J. Hubschman, PE, PP, 263A South Washington Avenue, Bergenfield, NJ 07621. Mr. Capizzi explained this is a major soil moving application, no variances and one waiver to move soil in excess of 1,000 cubic yards.

For the record Attorney Philips noted the Board received a letter from Mr. Watkin’s office requesting the application be amended to include the correct information regarding the applicant’s address. The letter states that although Mr. Kim owns the property at 11 Graham St., Alpine, NJ, he resides at 30 Foster Road, Tenafly, NJ. Mayor Tomasko noted the Board has the benefit of having the owner, Mr. Kim, present in the audience.

Mr. Hubschman was sworn and accepted as an expert witness. Marked as Exhibit A-1 is the Site Plan/Septic System Plan prepared by Hubschman Engineering Revision 9 dated 4-16-2015 which addressed Mr. Vander Veer’s letter of 2-3-2015.

Mr. Hubschman referred to the Existing Conditions Plan which Attorney Phillips noted is Sheet 4 of the plans submitted with the application. The lot is 2 acres in size consisting of a single family dwelling in the approximate center of the lot, a large driveway on northerly side and an existing brook along the northerly line tributary to the Demarest Brook, a C-1 waterway. There was an existing pool on the south side of the lot, with lawn areas and the septic fields down towards the brook. Referring to the Site Plan/Septic System Plan, Mr. Hubschman stated currently the site has been cleared for two septic systems which have been installed and the existing house is 50% or more demolished. The property is within the 300 foot riparian zone and DEP permits have been obtained. They propose a seven bedroom dwelling along with driveway and turnaround areas. Building coverage is 8.03% where 9% is permitted. They are not requesting excessive soil moving or grades. They are filling the front area. They're moving quite a bit of pavement close to the stream as part of the DEP permit. They also propose construction of a swimming pool and small cabana in the rear. The total volume of soil to be moved is 4,760 cubic yards which includes about 3,200 cubic yards for the septic systems. There are about 1,500 cubic yards left to move. They received Bergen County Soil Erosion Control approval and a Zoning Permit thus this is their last step before construction. They stipulate to meet the tree mitigation requirements as set forth by DEP and the Borough. They filed the Conservation Easement Restriction as required by DEP. The property drains toward the brook and they propose six seepage pits where only three are required to ensure adequate drainage by lowering the concentration being on the upper end of the drainage area as shown on the second page of the plans entitled Soil Erosion and Sediment Control Plan.

Mr. Phillips questioned import and export as to whether the Board wished to impose any conditions i.e. not during school hours. Mr. Hubschman noted import of 1,659 cubic yards for the septic system. They still have to export about 1,200 cubic yards which is all foundation and pool. Mr. Vander Veer noted he had inadvertently overlooked review of this latest plan and thus had never sent a review letter to the Board but he can state that the technical issues raised in his February 3<sup>rd</sup> letter have been addressed. One of the items does need to be changed: the notation which currently states "pool to be drained to street every five years" should read "street drain" as you cannot discharge onto the street. Mayor Tomasko asked if the DEP provides opportunity to the public for comment on mitigation of the riparian zone and was advised property owners within 200 feet are notified along with the Borough Clerk's office. Ms. Mattes noted there appears to be a large area of disturbance in the riparian zone. Mr. Hubschman responded that much of it was already disturbed and those are the areas they're limited to which dictates the site design. The State permits 5,000 square feet for the house and there's really only one tree being removed in that area. Permanent disturbance consists of 13,596 square feet for the driveway, utility line, dwelling, shed, fields, pool and pool deck. They had an approval in 2011 but they changed the design of the house and had to go back to the DEP in 2014 to obtain a new permit. A lot of green will remain on site; they are under maximum improved coverage by almost 7% maintaining a nice buffer from the stream. They moved the septic fields away from the stream. Mayor Tomasko noted the house was partially demolished several years ago without a permit and asked for a stipulation on the record that there would be no recurrence; he did not believe a Demolition Permit has been issued and that a Stop Work Order was technically still in effect. Mr. Hubschman stated he was not aware of that. Attorney Capizzi stated they would take whatever steps are necessary to rectify that situation. Mr. Mattes noted the photos submitted with the plan are dated October 7, 2014 to confirm if there have been any changes on site since that time. Mr. Hubschman noted the septic fields are in and the house is partially demolished. Mr. Mattes noted Alpine prides itself on single family homes and assumes that as the applicant is seeking a seven bedroom home he has a large family. Mr. Capizzi replied Mr. Kim has a family and it is his intention to utilize the property in accordance with the Code and is respectful of the neighborhood.

**Upon a motion** by Mayor Tomasko seconded by Ms. Gerstein to approve the application of Mr. Kim subject to conditions as laid out by Attorney Phillips including compliance the Borough Engineer's letters of February 3, 2015 and March 24, 2015, the change of the notation on the pool drainage and restriction of soil movement to non-school hours.

*Discussion:* Mr. Vander Veer stated he will also be preparing an additional review letter with standard conditions such as notification prior to installation of drainage systems, erosion control measures and posting of appropriate insurance, bonds and guarantees. Mr. Phillips noted compliance with this forthcoming letter is also a condition of approval. Mr. Capizzi had no objections. The plans are clear this will be a single family residence.

**Vote: Ayes:** Gayle Gerstein, David Kupferschmid, Lorraine Mattes, Ralph Mattes, Catherine Parilla, Mayor Tomasko  
**MOTION CARRIED**

**NEW APPLICATIONS:****SOIL MOVING – CHO RESIDENCE; BLOCK 39.01 LOT 9.12; 28 GRAHAM STREET**

Attorney Jaclyn S. D'Arminio, Esq. of the Law Offices of Elliot W. Urdang, 19 Engle Street, Tenafly, NJ appeared. The Soil Moving Permit applicant, John Finan, of J. Finan Builders, Inc. 55 MacArthur Ave., Closter, NJ 07624 was also in attendance on behalf of Nicole Cho, P.O. Box 518, Alpine, NJ 07620 along with along with Applicant's Engineer, Michael J. Hubschman, PE, PP, 263A South Washington Avenue, Bergenfield, NJ 07621.

Mr. Hubschman was sworn and accepted as an expert witness. Mr. Hubschman referred to a colorized version of the Site/Septic System Plan dated April 30, 2015 submitted with the application to address comments of the Borough Engineer in his letter dated April 7, 2015. Mr. Hubschman described existing conditions: the septic systems are installed. A little less than half the lot is a restricted riparian zone being within 300 feet of the Cresskill Brook which is across the street. Page 3 of the plans "Existing Conditions Plan; Septic Field Profiles" depicts the existing home, driveway and septic fields proposed for demolishing. They went back to the DEP twice on this application pushing the house further back and making the driveway a little wider at the request of the fire official. DEP permits have been obtained and the Conservation Easements were filed as required prior to construction of the new septic fields. Mr. Hubschman referred to the "Riparian Area Disturbance Plan" to note the brook is actually located about 120 feet from the other side of Graham Street and to point out the disturbance areas most of which is for the driveway and septic fields. They propose moving 10,245 cubic yards of soil with most of that to cut for the basement where they had to push the house back into the slope and to create a level rear yard. They both excavated and imported about 1,400 cubic yards for the septic fields so about 3,000 cubic yards have already been moved on site. They are regarding the front for a 4:1 slope with construction of retaining walls and protection of trees included as part of the DEP approval.

Mr. Phillips questioned import and export remaining. Mr. Hubschman replied about 6,000 cubic yards for the rear yard. Ms. Mattes noted a definite drop between the existing house and the current street level to ask if they were importing soil in the front of the house. Ms. Parilla asked if the proposed house will be lower than the existing one. Mr. Hubschman stated yes as the existing first floor is at elevation 342 feet and the proposed is at 336 feet. The driveway slope is about 10%. The fill over the septic fields will be about a 1.5 feet higher than currently viewed. Mr. Mattes asked Mr. Vander Veer to clarify comments regarding the steep slopes in his letter of May 11, 2015. Mr. Vander Veer advised the new house is pretty close to where the existing house was; that vicinity will have flat areas surrounding the existing dwelling and you have that same situation here where most of the steep slopes are located in the front where the septic systems are. The ordinance does permit disturbance in those steep slope areas for grading of driveways. Mr. Vander Veer asked that they identify the types of walls on the plans where they've provided two different sets of details and calculations. Mr. Hubschman advised they originally proposed some keystone walls but now they only propose boulder walls. Mr. Vander Veer asked why they reduced the size of the drain line that runs overflow from the seepage pits towards the road, from ten inches to eight inches for about a five feet distance. Mr. Hubschman replied that will be changed to a continuous ten inch pipe. Ms. Mattes questioned the rear walls. Mr. Hubschman explained those will step down to the house and the owner will see those; it will not impact the neighbor. Ms. Mattes asked if the ten inch pipe is adequate to accept all that drainage. Mr. Hubschman responded yes with the ten inch pipe and the seepage pits. The driveway is curbed with basins to collect everything. There are drains behind the wall to pick up water from the neighbor to the rear and everything is piped to the street drainage through the seepage pits. Mayor Tomasko asked why this property requires a manhole in the street. Mr. Hubschman explained that's a better way to handle overflow because the nearest catch basin is upstream; the one downstream is pretty far; thus they'll connect directly to the storm piping. Mr. Mattes observed they are within .02% of maximum building coverage and also maxed out on height. Mr. Vander Veer explained how height is calculated. Mayor Tomasko asked when they first applied to DEP for permission to disturb the riparian zone. Mr. Hubschman estimated about a year ago noting it takes about six months to get that permit. Mayor Tomasko noted while it's within the applicant's right to go to the maximum building coverage he hopes they appreciate that this will be the extent of what they can do with their property except by variance which is never a sure bet. Ms. Mattes questioned means of protection of the few remaining trees in front. Mr. Hubschman noted they are planting trees in front as part of mitigating the riparian zone and they have to save the remaining trees in that area as part of their DEP permit. Grading should not affect existing trees in the tree buffer. Attorney D'Arminio noted per Mr. Vander Veer's letter that the Planting Schedule on the Site/Septic Plan will be revised to reflect the correct quantities of trees to be planted as correctly shown on the Riparian Area

Disturbance Plan; they are replacing 40 trees. Ms. Mattes noted they propose 20 white pines. Ms. Parilla advised they reconsider that considering recent reports of tree disease in that species.

Mr. Mattes noted that although not required he saw mentioned in Mr. Vander Veer's letter he would like an architectural plan. Mr. Vander Veer noted they have not yet had an opportunity to review the roof line. Attorney D'Arminio noted those plans will be provided in due course when they apply for the required permits.

**Upon a motion** by Ms. Gerstein seconded by Mayor Tomasko to approve the application of John Finan, J. Finan Builders, Inc. on behalf of Ms. Cho subject to compliance with Mr. Vander Veer's letters of April 7, 2015 and May 11, 2015, restriction on the hours of soil movement not during school hours, revision of the plan to indicate that all walls will be boulder walls and revise the size of the drain pipe.

**Vote: Ayes:** Gayle Gerstein, David Kupferschmid, Lorraine Mattes, Ralph Mattes, Catherine Parilla, Mayor Tomasko  
**MOTION CARRIED**

### **SOIL MOVING – DEGLOMINI RESIDENCE; BLOCK 22 LOT 14; 15 STONE TOWER DRIVE:**

Matthew Capizzi, Esq., 11 Hillside Ave., Tenafly, NJ appeared on behalf of the Applicant, Deglomini LI Enterprises, LLC, along with Applicant's Engineer, Michael J. Hubschman, PE, PP, 263A South Washington Avenue, Bergenfield, NJ 07621. Mr. Capizzi stated that this will be a personal residence for Mr. & Mrs. Deglomini. The family are long-time residents of Alpine; the Applicants currently reside in Cresskill. This is a major soil moving application and additionally involves two waivers; a waiver from the fence ordinance to allow a two-foot stone wall with a four-foot open fence above along Stone Tower Drive. Nominal disturbance within the tree buffer is proposed to complete the wall on the left and right side yards.

Mr. Hubschman was sworn and accepted as an expert witness. Marked as Exhibit A-1 is the Site Plan prepared by Hubschman Engineering, Revision 1 dated 5-12-2015 which addressed Mr. Vander Veer's letter of 5-5-2015. This is a two-acre site in Rio Vista. The existing residence has been demolished and a single-family residence with pool and cabana are proposed. No septic or riparian zones are involved. They have applied for a Soil Erosion Control Permit and should receive it in a week or so. Total soil to be moved is 2,599 cubic yards. Ms. Mattes asked why there is so much fill on the site already. Mr. Mattes added that there is a mound of crushed stone about 20 feet high. Mr. Capizzi remarked that DiStaulo Construction is the general contractor and he trusts that whatever is there is part of the demolition process. Mr. Mattes submitted two photos that he took three days ago and stated that they are an accurate representations of what they depict. The photos were marked as Exhibits B-1 and B-2. After some discussion, Mr. Capizzi asked for a brief recess in order to contact Mr. DiStaulo for clarification. On a motion by David Kupferschmid, seconded by Lorraine Mattes and carried by all members present, the hearing recessed at 8:24 PM. The board continued with its agenda.

**COMMUNICATIONS:** The Mayor commented that we have to be very careful to make sure that the information we are copied on by the DEP in regard to disturbance in the Riparian Zones is disseminated and made available to the Board. Mr. Vander Veer commented that the Borough Clerk, Planning Board and Construction Code Official receive notification. Attorney Phillips added that these notices would probably come in two years before the application comes before the board. They are included in the Planning Board packets as communications.

On a motion by Mayor Tomasko, seconded by David Kupferschmid and carried by all, the hearing was re-opened at 8:28 PM.

### **CONTINUATION OF HEARING - DEGLOMINI RESIDENCE; BLOCK 22 LOT 14; 15 STONE TOWER DRIVE:**

Mr. Capizzi stated that in regard to Exhibit B-1, he spoke with Mr. DiStaulo who explained that as a means of being environmentally conscious he arranged for Frank Mauro to crush all concrete materials from the demolition. A portion will be used as driveway base and the rest will be brought to a recycling plant.

Mr. Hubschman continued that they are filling 1,861 cubic yards of soil and exporting 738 cubic yards. They are requesting the minor fence waiver to bring the driveway up slightly and use the back of the decorative wall as a retaining

wall, so they will lose two feet in grade along the front wall. They are requesting a waiver in order to continue the wall within the tree buffer, so that the fence can continue along the front of the property instead of ending.

A tree removal permit will be required for removal of eighteen trees, eleven of which will require mitigation. Thirty-two replacement trees will be required. Mr. Capizzi remarked that they will submit a landscape plan with their tree removal permit application to address the mitigation.

Mr. Kupferschmid questioned the height of the proposed fence and gates. Mr. Vander Veer explained that the ordinance limits fence height to four feet if the fence is solid and open. Mr. Kupferschmid asked if the applicant would consider a five-foot fence instead of six feet. Mr. Capizzi felt that would not be an issue. The gate can extend to eight feet, or the applicants can scale it down in proportion to the decrease in fence height. The record will reflect that the application has been revised to indicate that Deglomini LI Enterprises, LLC is the applicant.

**Upon a motion** by Mr. Kupferschmid seconded by Ms. Gerstein to approve the application of Deglomini LI Enterprises, LLC subject to conditions as laid out by Attorney Phillips including compliance the Borough Engineer's letters of May 5, 2015 and May 26, 2015, reduction of fence height to three feet above two-foot wall, tree removal permit with plan submission and Cresskill sewer approval. *There was no discussion.*

**Vote: Ayes:** Gayle Gerstein, David Kupferschmid, Lorraine Mattes, Ralph Mattes, Catherine Parilla, Mayor Tomasko  
**MOTION CARRIED**

**BILLS:**            John Phillips, Esq.                            \$200.00                            April Meeting Attendance

A motion to approve the above referenced bill was made by Mayor Tomasko and seconded by Lorraine Mattes. All were in favor.

**COMMITTEE REPORTS:**

Northern Valley Mayors & Planners Assoc.: No report.

Board of Health: No meeting.

Environmental Commission: Ms. Mattes reported that they are meeting on Thursday and have two sites to visit, a bond return and a landscape plan. They are trying to get out more information on recycling and are upgrading the website. Ms. Gerstein noted that some towns have recycling bins and asked if we can get those. Ms. Mattes commented that this was brought up several years ago and it was put in the newsletter but only received one phone call in response. She fees that it would be expensive for the borough to purchase bins. She will bring it up at the next Environment Commission meeting.

NJ Transit Update: No report.

COAH Update: No report.

Building Department: The reports were distributed. There were no comments.

**ADJOURNMENT:** A motion to adjourn the regular Planning Board meeting was made by Ms. Gerstein and seconded by Ms. Mattes. All were in favor. The meeting adjourned at 8:54PM.

Respectfully submitted,

Marilyn Hayward  
Recording Secretary