# **CAPIZZI LAW OFFICES**

MATTHEW G. CAPIZZI, ESQ. N.J., N.Y., & D.C. Bars

11 Hillside Ave., Second Floor Tenafly, NJ 07670 Q. 201 266 8300 (o) 201 266 8301 (f) Capizzilaw.com

New York Office: 1 Blue Hill Plaza Lobby Level, Suite 1509 Pearl River, NY 10965 Reply to New Jersey Office

April 5, 2022

### Submittal for the April 21, 2022 Hearing

### Via Overnight Mail

Jo Anna Myung – Secretary Borough of Alpine Zoning Board of Adjustment 100 Church Street Alpine, NJ 07620

Re: Marrow – Alpine ZBA (the "Applicant") 92 Ruckman Road; Block 90, Lot 6 (the "Property")

Dear Ms. Myung:

As you know, this office represents the above Applicant regarding their variance application before the Alpine Zoning Board of Adjustment seeking an in-ground pool and covered patio at the Property. To that end, enclosed please find the following for consideration at the April 21, 2022 hearing:

- 1. Board of Adjustment Application, Rider to the Application/Reasons for Relief, and Letter of Denial dated December 13, 2021 attached hereto (13 copies);
- 2. Photo Exhibit (13 copies);
- 3. Prior Borough of Alpine Zoning Board of Adjustment Resolution dated March 20, 2014 (13 copies);
- 4. Soil Moving Calculations prepared by McNally, Doolittle Engineering, L.L.C., dated December 17, 2021 (13 copies);
- 5. Storm Drainage Report prepared by McNally, Doolittle Engineering, L.L.C., dated December 20, 2021 (13 copies);
- 6. 200FT. Vicinity Map prepared by prepared by McNally, Doolittle Engineering, L.L.C., dated April 1, 2022 consisting of one (1) sheet (13 copies); and
- 7. Pool, Septic Plan, & Soil Erosion and Sediment Control Plan prepared by McNally, Doolittle Engineering, L.L.C., dated October 23, 2021 and last revised as of December 20, 2021 consisting of one (1) sheet (13 copies).

Jo Anna Myung – Secretary April 5, 2022 Page 2 of 2

This letter shall also confirm this matter is scheduled to be heard before the Alpine Zoning Board of Adjustment, in-person, on Thursday, April 21, 2022, at 7:30 pm.

Thank you.

Very truly yours,

Gloria Duby

Gloria Duby, Paralegal

MGC/gd Enclosures

### **SCHEDULE E**

#### APPLICATION TO BOROUGH OF ALPINE BOARD OF ADJUSTMENT

FOR OFFICIAL USE ONLY:	
Date Application filed:	
Fee Paid: Amount	Date
Date file complete:	
Time period expires:	
Application received by:	

### SECTION 1. APPEAL FROM DENIAL OF BUILDING PERMIT:

If this application has arisen as the result of the denial of a zoning permit, applicant shall secure from the administrative officer an appeal form giving reasons for denying the zoning permit and shall submit it with this application.

#### SECTION 2 INFORMATION REGARDING THE APPLICANT:

A) The Applicant's full legal name is

### Tracy Marrow

B) The Applicant's mailing address is <u>c/o Matthew Capizzi, Esq.</u>

11 Hillside Ave., 2nd Fl Tenafly, NJ 07670

C) The Applicant's telephone number is 201-266-8300

	(Business telephone number)		
D) The Applicant is a: CORPORATION _	PARTNERSHIP	INDIVIDUAL _	/
OTHER (please specify)			

E) If the Applicant is a corporation or a partnership, applicant shall attach a list of the names and addresses of persons having a 10% interest or more in the corporation or partnership.

F) The relationship of the Applicant to the property in question is: OWNER \_\_\_\_\_ TENANT OR LESSE \_\_\_\_\_ PURCHASER UNDER CONTRACT \_\_\_\_\_ OTHER (please specify) \_\_\_\_\_

G) If the Applicant is not the owner of the property in question, the Applicant must obtain and submit a copy of this application signed by the owner in the space provided in <u>Section 9</u>.

### SECTION 3 INFORMATION REGARDING THE PROPERTY:

A) The address of the Property is <u>92 Ruckman Road</u> , Alpine NJ 076200
B) The location of the Property is approximately 288 feet from the intersection of and Route 9W
C) The tax map Block number (s) is 90 ; the lot number (s) is
6 (See tax bill or deed or call tax office for this information).
D) The zone in which the Property is located is <u><b>RA</b></u> (The Zoning Official's Office can help determine this information.
E) The dimensions of the Property are 243.75' x 369.9'
F) The size of the Property is 71,289 square feet.
G) The Property is located: (check as applicable)
1) within 200 feet of another municipality
2) adjacent to an existing or proposed country road $\underline{xx}$ 9W Palisades Boulevard
3) Adjacent to other country land
4) Adjacent to a State highway  9W Palisades Boulevard
H) Have there been any previous Board of Adjustment or Planning Board hearings involving this Property? YES <u>V</u> NO <u>NO</u>
I) If the answer to "H" is YES, attach a copy of the written decision(s) adopted by the applicable Board and a copy of the Application(s) presented to such Board. See attached prior Zoning Board of Adjustment resolution dated March 20, 2014

SECTION 4. INFORMATION ABOUT REQUESTED RELIEF:

A) "PROPOSAL" – Attach a narrative statement entitled "PROPOSAL" setting forth the particulars of the existing or proposed use of the PROPERTY and a narrative description of the proposed physical changes to the PROPERTY. (Include all physical improvements such as structures, additions, landscaping, etc.)

See attached.

B) "REASONS FOR RELIEF" – Attach a narrative statement entitled "REASONS FOR RELIEF" setting for the facts relied upon to support Applicant's claim of right to relief. See attached.

### C) NATURE OF APPLICATION, check appropriate items.

<ul> <li>3) variance: "C" - variance xxx</li> <li>"D" - use variance xxx</li> <li>"D" - non-use variance</li> <li>4) a. subdivision</li> <li>b. subdivision application to follow</li> <li>5) a. site plan</li> <li>b. site plan application to follow</li> <li>6) waiver of lot to abut street requirement</li> <li>7) exception to the official map</li> </ul>	, <b>,</b>	on of development ordinance or mapaction of administrative officer	
"D" – non-use variance			
<ul> <li>4) a. subdivision</li></ul>		"D" – use variance xxx	
<ul> <li>b. subdivision application to follow</li></ul>		"D" – non-use variance	
<ul> <li>5) a. site plan</li></ul>	4) a. subdivisi	on	
b. site plan application to follow	b. subdivis	ion application to follow	
6) waiver of lot to abut street requirement	5) a. site plan		
	b. site plai	n application to follow	
7) exception to the official man	6) waiver of le	ot to abut street requirement	
<i>i</i> j exception to the official map	7) exception t	o the official map	

D) The proposed use, building, or subdivision is contrary to: (List the specific Articles and Sections of the ordinance from which a variance is ought, the requirement itself and the proposed variation. If additional space is needed, please attach a list to this application.)

Art.	Section	Required	Proposed
Art.	Section	Required	Proposed
Art.	Section	Required	Proposed
Ruckman Road (75' Mir	n, Reg. v. 73.1'), Minimum Rea	r Yard Setback as to Access	imum Front Yard Setback as to ory Structure (30' Min. Req. v.
(1) use variance for alte SECTION 5.	an Side Yard Setback as to Art rations proposed in the Buffer INFORMATION ABO	ccessory Structure (30' Min. ) Zone <u>UT EXPERTS:</u>	Réq. v. 25.8' Proposed), and a D

The following information, although not required; is respectfully requested to enable the Board to facilitate the processing of this application:

- A) Applicant's Attorney: Telephone Number 201-266-8300 Name: Matthew G. Capizzi, Esq. Address: 11 Hillside Ave., 2nd FL, Tenafly, New Jersey 07670
- B) Applicant's Engineer: Telephone Number 201-337-9051 Name: McNally, Doolittle Engineering, L.L.C. Address: 169 Ramapo Road, Oakland NJ

- E) Other Experts: Telephone Number

Name:		
Address:		

#### SECTION 6 INFORMATION ABOUT REQUIRED EXHIBITS

A "complete application" requires the following submissions.

Please check if item is submitted with this form:

- A) \_\_\_\_ Copies of this application
- B) \_ Plot plans.
- C) \_\_\_\_ Copies of 200-foot radius map.
- D) \_\_\_\_\_ Copy of "authorized" application form if Applicant is not the property's owner.
- ✓ List of property owners within 200 feet of the Property. E)\_\_\_\_
- F) Copy of owner's notice and newspaper notice.
- G) \_\_\_\_\_ List of others served, e.g. County, State, etc.
- H) \_\_\_\_ Proof of payment of real estate taxes.
- Application fee. (Ord. 16-18A, 18-7). I) \_\_\_\_

(Note: The above submissions must be prepared and submitted in a accordance with Zoning Board instructions number(s)

### SECTION 7 NOTICE:

Applicant is responsible to publish and serve notice of this application in accordance with Zoning Board instruction number : however, notice may not be effected until this application is certified as complete by: 

Borough Engineer

Board Attorney

#### SECTION 8 VERIFICATION AND AUTHORIZATION:

### A) APPLICANT'S VERIFICATION

I hereby certify that the above statements made by me and the statements and information contained in the papers submitted in connection with this application are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

12-29-21 Date

Applicant's Signature

**B) OWNER'S AUTHORIZATION** 

I hereby certify that I reside at 92 Ruckman Road in the County of Bergen , and State of New Jersey and that I am the owner of all that certain lot, piece or parcel of land known as Block(s) 90 Lot(s) 6 on the Tax Map of Alpine , which property is the subject of the above application, and that said application is hereby authorized by me.

12-29-21

Juce d. Manon Owner's Signature

Date

## **CAPIZZI LAW OFFICES**

### 11 Hillside Ave., Second Floor

MATTHEW G. CAPIZZI, ESQ. N.J., N.Y., & D.C. Bars

Tenafly, NJ 07670 201 266 8300 (o) 201 266 8301 (f) Capizzilaw.com

New York Office: 1 Blue Hill Plaza Lobby Level, Suite 1509 Pearl River, NY 10965 Reply to New Jersey Office

January 5, 2022

### **Rider to the Application**

Members of the Zoning Board of Adjustment Borough of Alpine 100 Church Street Alpine, NJ 07620

Re: **Proposal and Reasons for Relief** Marrow – Alpine ZBA 92 Ruckman Road, Block 90, Lot 6

Dear Members of the Board:

The Property is a corner lot with frontage along 9W to the East and Ruckman Road to the North. The Property is located in the Borough's R-A Zone which requires a lot area of 87,120, where the property only provides 71,289 sf. The Property is also irregularly shaped.

The Property is also located in the B Buffer Zone, which requires that the first 200' off of 9W remain as open space, subject to limited exceptions. This results in approximately 38,000 sf (53%) of the lot area remaining as open space.

The Buffer Zone restrictions resulted in the existing home being located along the westerly portion of the lot, outside of the buffer zone. Prior variance was required to create the existing improvements.

In 2014, the Zoning Board granted variance relief as to construct a new singlefamily dwelling. The variance relief included: (1) use variance relief to construct a circular driveway, timber guide rail, Belgium block curb, planting island, walkways, drainage appurtenances, and well; (2) bulk variance relief as to front yard setback along Ruckman Road, side yard setback, and rear yard setback.

The Applicant now proposes to further improve the Property by: (1) slight modifications to the driveway turnaround, (2) covered terrace over existing patio, (3) new stone patio, and (4) inground pool with slide.

Members of the Zoning Board of Adjustment January 5, 2022 Page 2 of 2

The driveway improvements will require (d)(1) variance relief as we are proposing additional modifications within the buffer zone that do not fall within one of the enumerated exceptions. The covered terrace, new stone patio and inground pool with slide will require variance relief as to front yard setback along Ruckman and rear yard setback, both caused by roofing an existing patio and accessor structure setback at the westerly and southerly property lines triggers by the inground pool and associated slide.

The variances are all triggered by the hardships imposed on the light by virtue of the Buffer Zone consuming more than 50% of the lot requiring all improvements to be located on the westerly half of the lot, the shape of the lot and the undersized nature of the lot.

The granting of the variances will not have any substantial negative impact upon the neighborhood. The pool updates woodlands, the pool slide abuts a commercial parking lot and covered terrace provides a setback greater setback than the existing house. Moreover, the Southerly property line will be buffered with evergreen landscaping to screen the house from the commercial parking lot.

Therefore, we request the application be granted.

Respectfully Submitted, Matthew G. Capizzi, Esq.

MGC/gd

## **SOIL MOVING CALCULATIONS**

For

## MARROW

# **92 RUCKMAN ROAD**

Lot 6 - Block 90

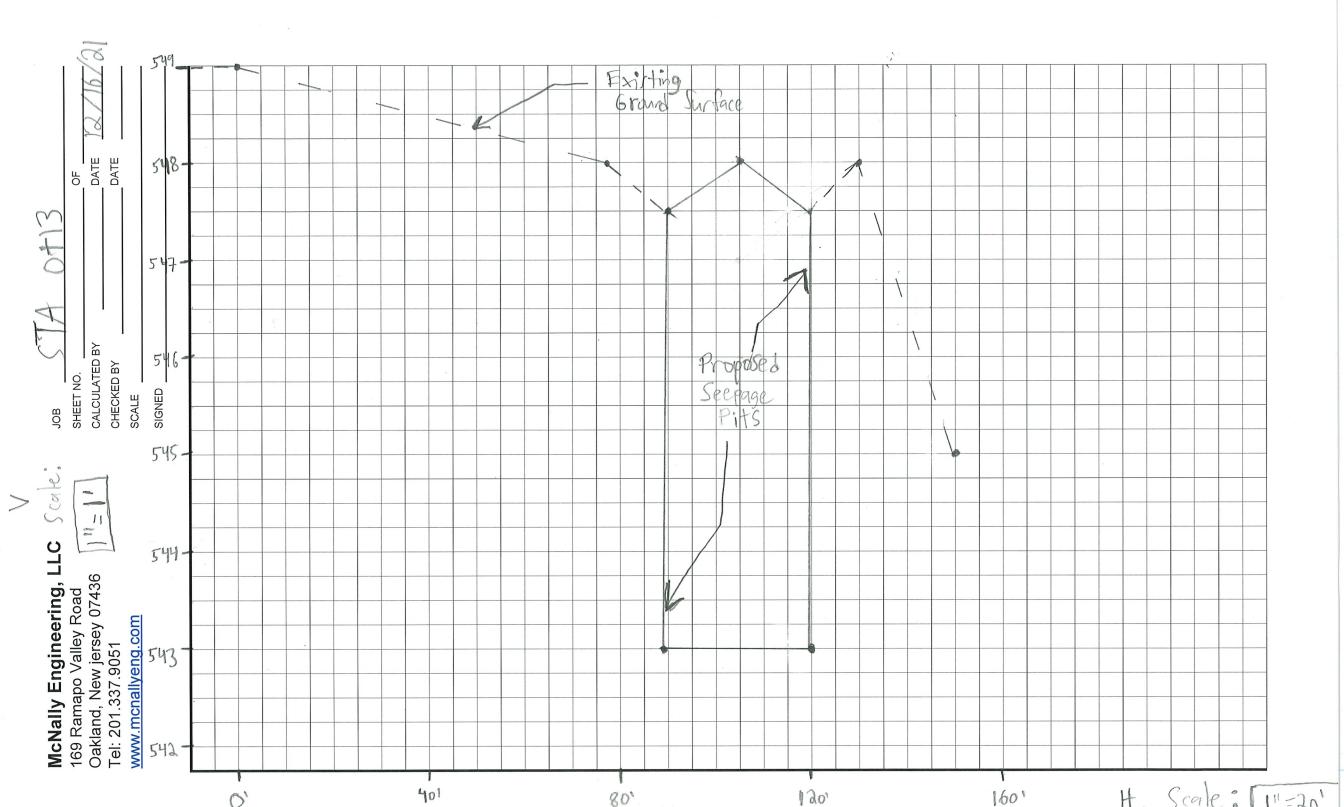
## ALPINE

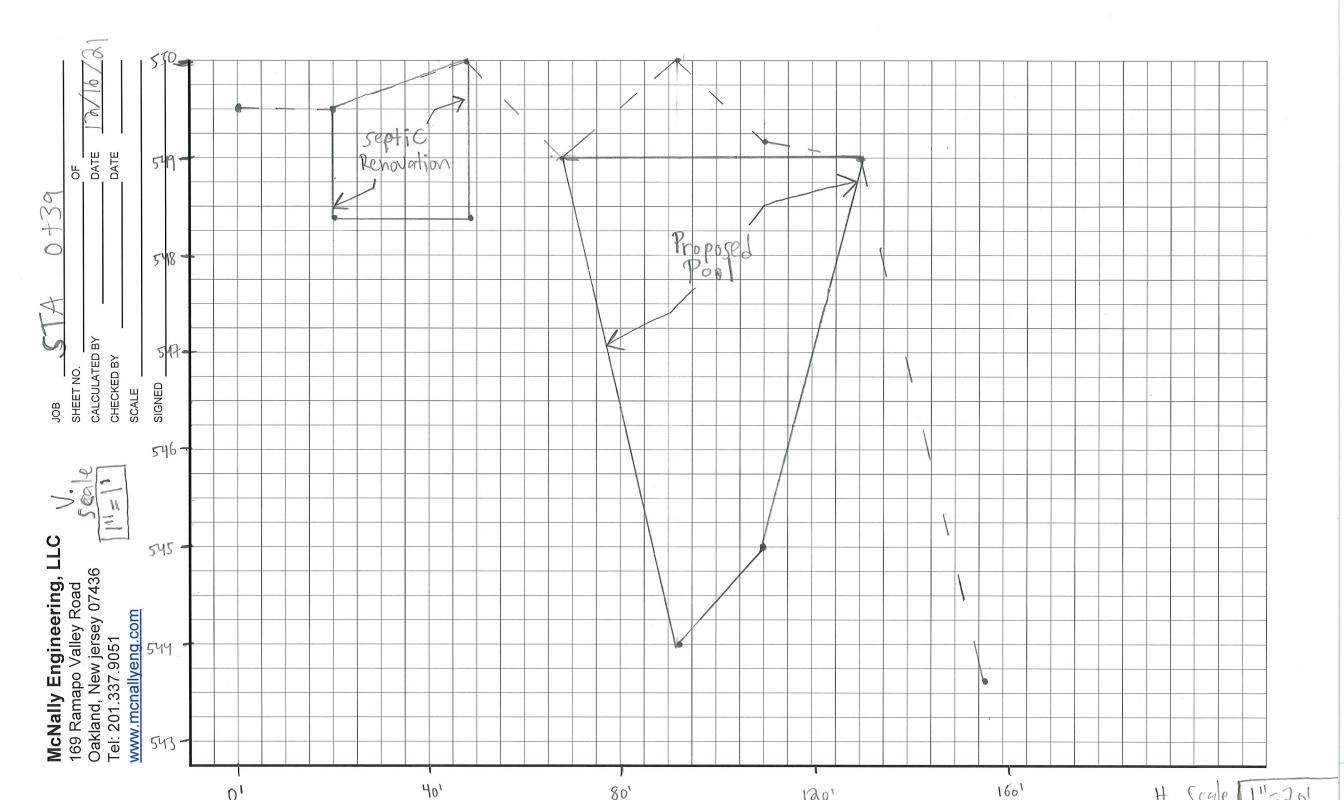
**Bergen County, NJ** 

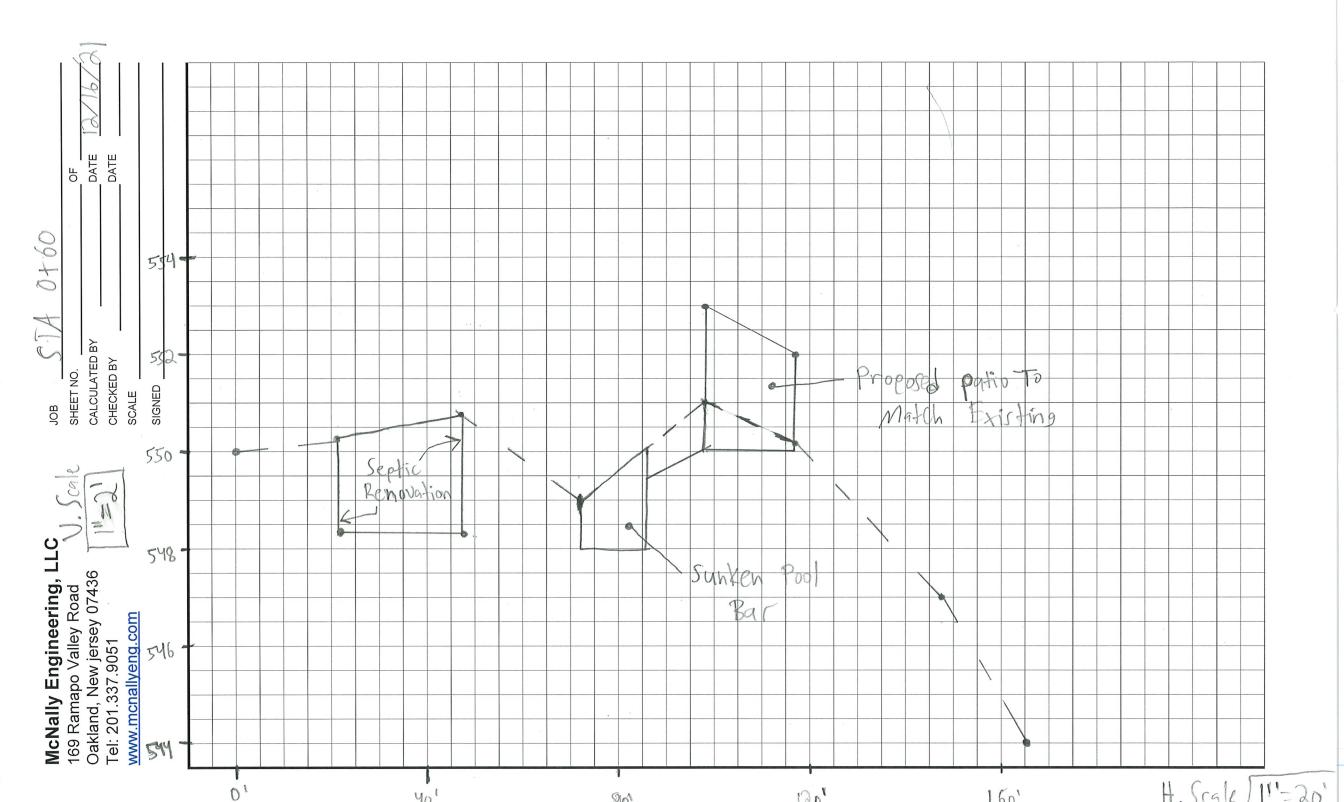
**DATE:** 12/17/21

Prepared By:

Matthew/ Greco, P.E. License #46966 McNally, Doolittle Engineering, L.L.C. 169 Ramapo Valley Road Oakland, NJ 07436 Certificate of Authorization 24GA27928700







## **CUT & FILL ESTIMATE**

### TOTAL FILL

### TOTAL CUT

			IOTAL OUT				
STATION	FILL	FILL	VOL.		CUT	CUT	VOL.
	AREA (sf)	AVG.(sf)	(cy)		AREA (sf)	AVG.(sf)	(cy)
0+00	0.00	0.00	0.00		0.00	0.00	0.00
0+13	0.00	0.00	0.00		149.00	74.50	35.87
					0.17.00	100.00	400.07
0+39	0.00	0.00	0.00		247.00	198.00	190.67
0+60	9.00	4.50	3.50		25.30	136.15	105.89
0+84	0.00	4.50	4.00		0.00	12.65	11.24
			7.50				343.68

SUBTOTAL 7.50 SUBTOTAL

343.68

FILL/CUT(C.Y) NET -336.18

## **STORM DRAINAGE REPORT**

For

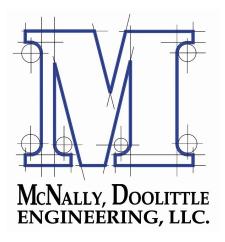
## MARROW

Lot 6 - Block 90

## ALPINE

**Bergen County, NJ** 





Prepared By:

Matthew A. Greco, P.E. License #46966 McNally, Doolittle Engineering, L.L.C. 169 Ramapo Valley Road Oakland, NJ 07436 Certificate of Authorization 24GA27928700

This drainage report is prepared pursuant to the requirements of the Borough of Alpine.

### EXISTING DRAINAGE

The existing runoff from the site generally travels as sheet flow in an easterly direction and releases onto U.S. Route 9W. The area of the existing site is approximately 71,289 square feet or 1.637 acres. The increase in improved lot coverage is approximately 0.06 acres, which our drainage analysis was prepared upon.

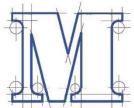
### PROPOSED DRAINAGE

The storm drainage analysis uses the 3 inch/hour storm event with 60 minutes of storm duration as the design storm to compute the required storage volume. The proposed site will have increased runoff due to impervious coverage from the new pool, patio, and driveway modification.

Based on the calculations, the required storage volume is 648 cubic feet. The total storage provided by the three (3) proposed seepage pits to accommodate stormwater runoff is 804 cubic feet. Therefore, the design meets the stormwater quantity control regulations.

Refer to the appendix for calculations regarding the above data.

## APPENDIX



### MCNALLY, DOOLITTLE ENGINEERING, LLC ENGINEERING • SURVEYING • PLANNING

169 RAMAPO VALLEY ROAD, SUITE 1 OAKLAND, NJ 07436 TEL: 201.337.9051 FAX: 201.337.3391 WWW.MCNALLYENG.COM

31 UNION AVENUE CRESSKILL, NJ 07626 TEL: 201.266.8260

MANAGING PARTNERS MATTHEW A GRECO, P.E. JOHN A. GALDI, R.E.H.S. DOUGLAS W. DOOLITTLE, P.E., L.S., P.P.

12/20/2021

Job: Marrow - 21060 Calculated By: EVA

#### STORMWATER RUNOFF CALCULATIONS

Intensity = 3 inches/hour Duration = 60 minutes Increase in impervious coverage = 2,674 ft<sup>3</sup>, 0.06 Ac. A=0.06ac Q= CIA = (0.99) \* (3in/hr) \* (0.06 ac.) = 018 ft<sup>3</sup>/secOne hour of storage =  $0.18ft^3/sec * 3,600s = 648ft^3$  required

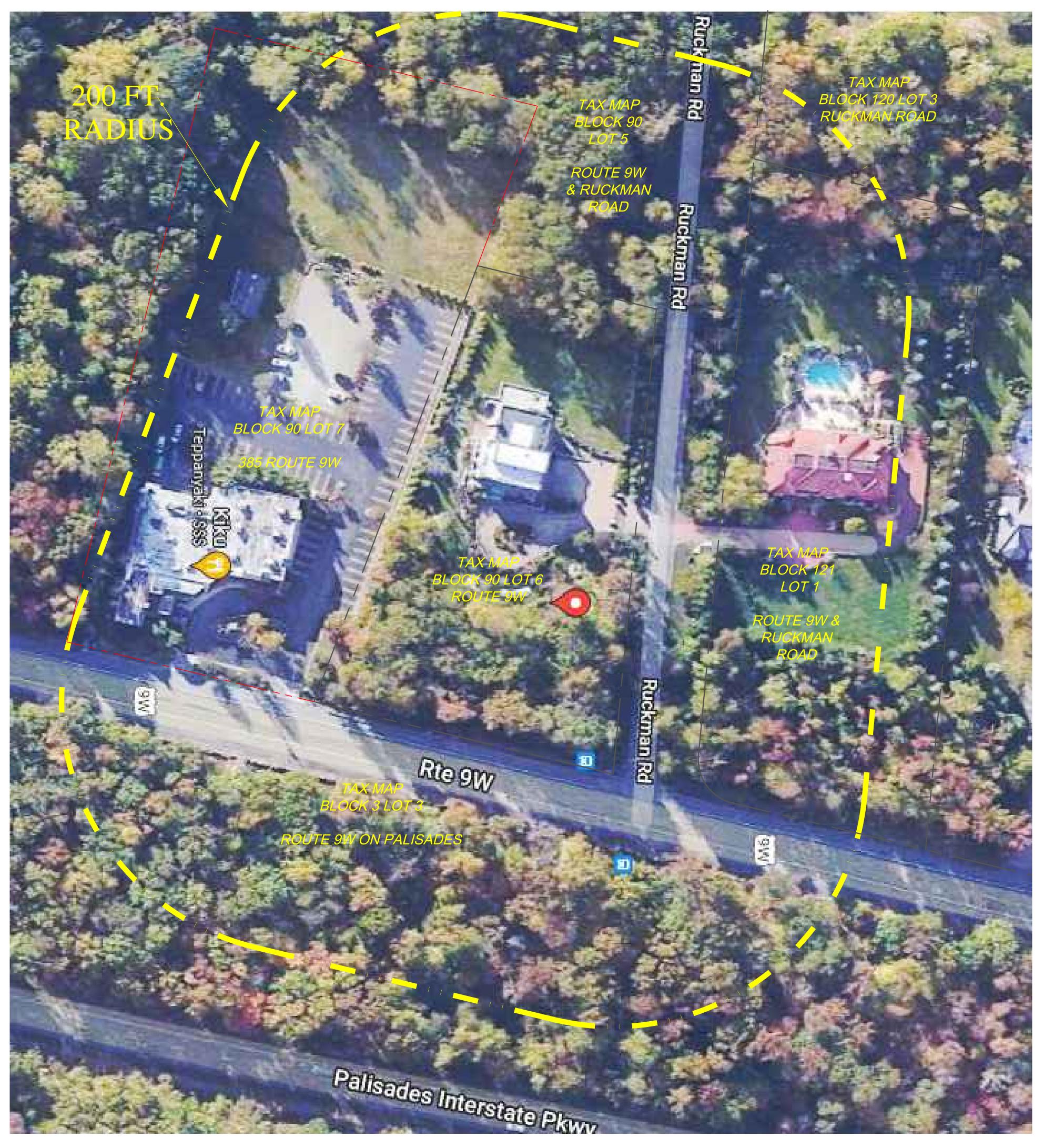
 $\frac{3' 6'' \text{ Lo-profile seepage pit:}}{\pi (3.67')^2 (3') = 127 \text{ft}^3}$ <u>Stone underneath pit</u>: n= 0.4 (40% void ratio) 0.5 \* 12' \* 12' \* 0.4= 29 \text{ft}^3
<u>Stone around pit:</u> [(12' \*12' \*3') - ( $\pi$ ) (4')<sup>2</sup> (3')] \*0.4 = 112 \text{ft}^3

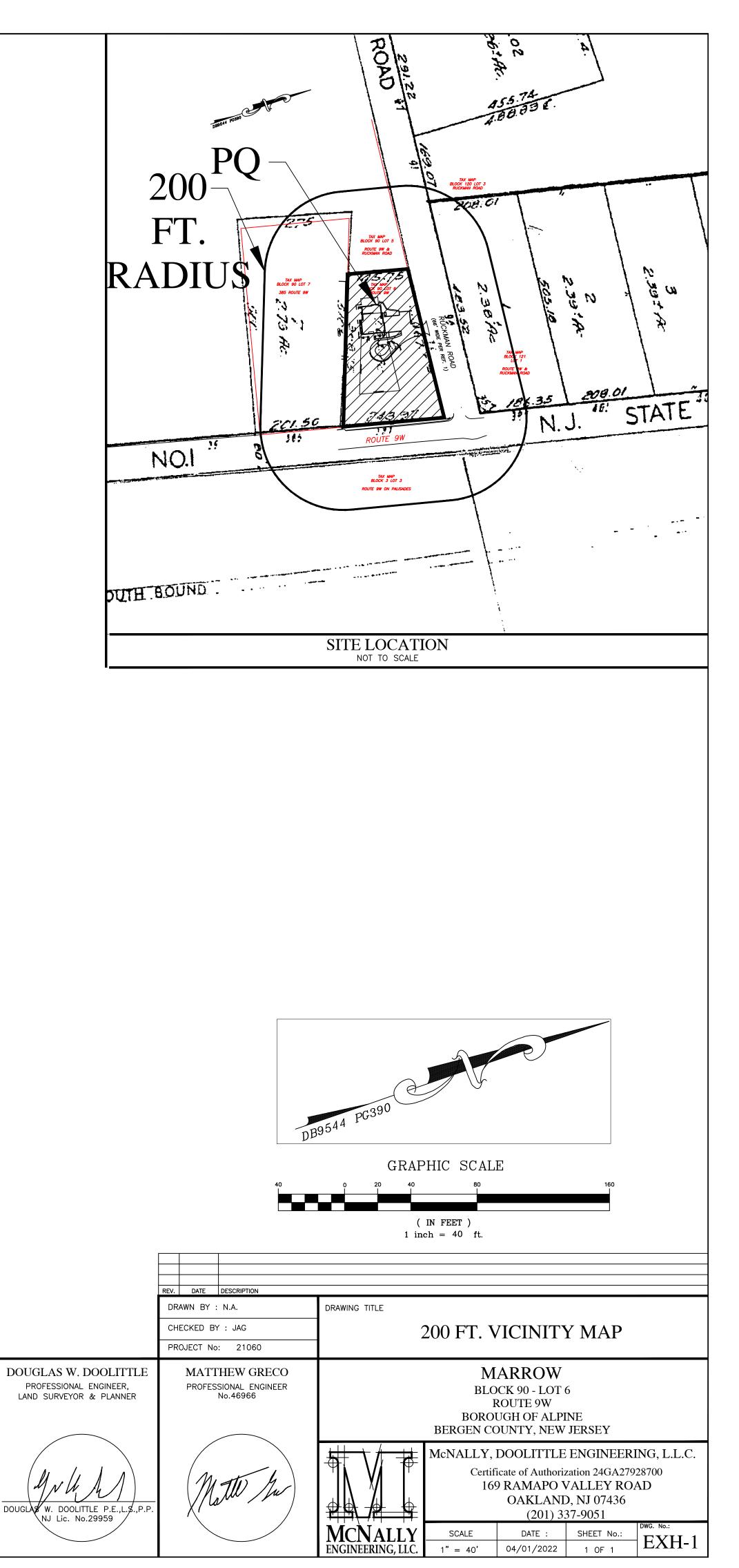
Total storage provided = 127 ft<sup>3</sup> + 29 ft<sup>3</sup> +112ft<sup>3</sup> = 268 ft<sup>3</sup>

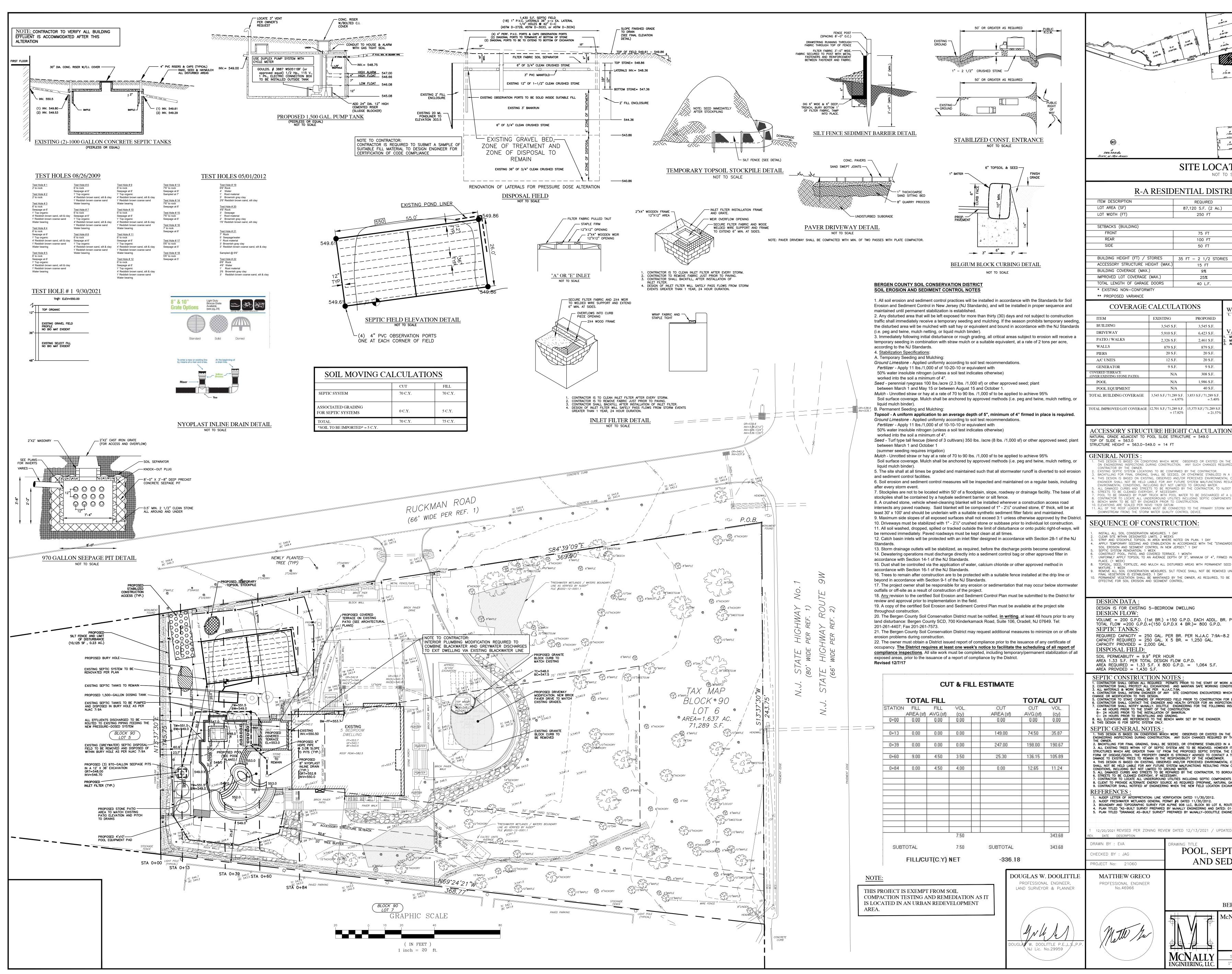
3 pits = 3 \* 268 ft<sup>3</sup> = 804 ft<sup>3</sup>

### <mark>804 ft<sup>3</sup> >648 ft<sup>3</sup></mark>

Storage provided exceeds storage required







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SCALE	(201) 33 DATE :	37-9051 Sheet No.:	DWG. No.:	
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