

ALPINE ZONING BOARD OF ADJUSTMENT

Regular Meeting

Thursday, September 15, 2022 - 7:30 P.M.

(This meeting was held in person and taped in its entirety)

CALL TO ORDER/PLEDGE OF ALLEGIANCE/PUBLIC ANNOUNCEMENT

This regular meeting of the Alpine Zoning Board of Adjustment was called to order by Vice-Chairman Clores at 7:30 p.m., Thursday, September 15, 2022 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 regular Zoning Board of Adjustment meeting held on Thursday, September 15, 2022 at 7:30 PM has met the requirements of the law as part of the Borough of Alpine's annual meeting notice published in The Record on January 10, 2022, and emailed to The Suburbanite on January 6, 2022, posted continuously on the bulletin board of the lobby of Borough Hall, and on the Borough website (<http://www.alpinenj07620.org>). Instructions for how the public can participate and access the meeting and documents has been included in the posted agenda; with a copy filed in the Borough Clerk's office.

ROLL CALL

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

Staff Present:

Cara Landolfi, Esq. for Board Attorney Michael B. Kates, Esq., Borough Engineer Perry Frenzel, Board Secretary Jo Anna Myung

COMMUNICATIONS:

- Board received request on 9/15/2022 to adjourn Church of the Lord hearing to November 17, 2022 zoning board meeting; due to Board composition (applicant seeking D variance and 5 votes needed for approval), and unavailability of one of the applicant's witness for the October meeting.
- Mr. Policano inquired about the date on the letter referring to November 18th. Mr. Capizzi answered that the letter is dated November 18 because the Board has 120 days to rule on a complete application. If the Board does not make a determination within that period of time, there is a potential for an automatic approval. In order to avoid that from happening, this extends the Board's time to render a decision, in the event it did not get approved on the 17th, for the Board to carry.
- Honorable Mayor Tomasko in audience.

Motion to Adjourn: Church of the Lord (995 Closter Dock Road, 47/2 & 10 Old Dock Road, 48/1.01)

(Carried from 4/21/22; 5/19/22, 6/16/22, 7/21/22, 8/18/22, re-noticed 9/1/2022)

Upon a motion by Mr. Abad, seconded by Ms. Herries and approved by all eligible to vote, this matter will be adjourned to the regularly scheduled meeting on November 17, 2022 at 7:30 PM with no need for further notice.

Vote: Ayes: Mr. Abad, Mr. Clores, Ms. Herries, Ms. Lerner

Abstain: Mr. Policano

Absent: Mr. Barbieri, Mr. Bonhomme, Mr. Glazer

MOTION APPROVED

PROCEDURAL MOTIONS

Resolution: Approval of Minutes from the regular meeting on August 18, 2022, upon a motion by Mr. Policano, seconded by Mr. Clores and approved by all those eligible to vote.

Vote: Ayes: Mr. Abad, Mr. Clores, Ms. Lerner, Mr. Policano

Abstain: Ms. Herries

Absent: Mr. Barbieri, Mr. Bonhomme, Mr. Glazer

MOTION APPROVED

Resolution: Approval of Bills and Claims Upon a motion by Ms. Herries, seconded by Mr. Abad at the regular meeting of the Alpine Zoning Board of Adjustment held on September 15, 2022 to approve the following Bill and Claim:

NJ Planning Officials	Mandatory Training & Guide Book	PO-01725113	\$181.00
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Vote: Ayes: Mr. Abad, Mr. Clores, Ms. Herries, Ms. Lerner

Abstain: Mr. Policano

Absent: Mr. Barbieri, Mr. Bonhomme, Mr. Glazer

MOTION APPROVED

MEMORIALIZATION: None.

HEARING

- **Dorf: 116 Miles Street** (carried from 8/18/22).

Attorney for the Applicant: Attorney Matthew G. Capizzi, Esq. 11 Hillside Avenue 2nd Floor, Tenafly, NJ 07670 appeared on behalf of Applicant Barbara Dorf. At 116 Miles street.

Mr. Capizzi provided a summary of the applicant's proposal. This is a single-family ranch style home that was recently renovated. It had a small, raised deck off the left, rear of the dwelling that was in poor condition and has since been removed. The applicant is seeking to create a new, larger raised deck, and grade level walk out

These minutes have been approved by the Zoning Board of Adjustment on October 20, 2022.

basement to provide recreational space off the 1st floor. This proposal is for an approximately 400 square foot raised deck over the existing patio at grade. The patio is being replaced in kind.

Variance relief initially requested was for building coverage (10% maximum, 26.87% existing, 31.23% proposed), and improved coverage (20% maximum, 41.27% existing, 41.42% proposed); impervious coverage was increasing by approximately 350 square feet over existing conditions after calculating back in the former raised deck. Depth would be slightly over the boundary of the existing back rear patio.

Mr. Capizzi stated the Borough Engineer had clarified that the raised deck did not have to be included in the building coverage, as the definition of building coverage does NOT include decks; definition of improved coverage does include decks. Thus, the only bearing before the Board is a slight increase in the overall improved coverage of about 15 – 20 square foot, and right side-yard setback variance setback (8' required, 7' existing and proposed).

Mr. Frenzel highlighted that the Board is asked to approve improved coverage of approximately 0.15% and not building coverage. This is a continuation of an existing side-yard setback of 7' on one side, carrying throughout the deck, and an expansion of an improved area of approximately 13 – 14 square feet. Many jurisdictions consider decks in building coverage but our regulation does NOT; Alpine includes decks in improved coverage.

Chris Blake, A.I.A., was sworn and, having testified before this Board, he was deemed qualified as an expert testimony in architecture.

Attorney Landolfi requested exhibits that were received to be marked for tonight's meeting.

The following exhibits were received and marked for tonight's meeting:

- A- 1 Proof of Publication in The Record September 1, 2022
- A - 2 Certified Mailing to Residents within 200' on 8/23/2022
 - o Updated 200' Property Owners list dated June 23, 2022
 - o Tax Collector's Proof of Tax Payment dated June 20, 2022
- A - 3 Initial Submittal for Completeness Review: Cover Letter from Matthew Capizzi dated April 7, 2022 with Application – signed and dated by owner on February 21, 2022 with rider and attachments:
 - o Proposals and Reasons for Relief dated April 4, 2022
 - o Zoning Officer's Review letter dated December 6, 2021
 - o 200' Property Owners list dated March 3, 2022
 - o Tax Account Detail report dated April 1, 2022
 - o Photo Exhibit – set of 3 color photos not dated and not signed
 - o Architectural drawing set (A1, A2 and A3) signed and sealed by Chris Blake Architect dated December 11, 2020; revised Rear Deck, Updates dated 11/15/2021, Zoning Updates dated 12/15/2021)
- A - 4 Engineer review letter dated May 31, 2022
- A - 5 Submittal for the September 15, 2022 Hearing: Cover Letter from Matthew Capizzi dated August 24, 2022 with Application – signed and dated by owner on February 21, 2022 with rider and attachments:
 - o Rider to Application cover letter regarding Proposals and Reasons for Relief dated April 4, 2022
 - o Zoning Officer's Review letter dated December 6, 2021
 - o Photo Exhibit – set of 3 color photos not dated and not signed
 - o Architectural drawing permit set signed and sealed by Chris Blake Architect dated December 11, 2020 (Rev: Rear Deck, Updates dated 11/15/2021; Rev: Zoning Updates dated 12/15/2021):
 - A1 - "Site Plan, Legend + Zoning"
 - A2 - "Proposed Floor Plans"
 - A3 - "Elevations"

Mr. Blake summarized the rear deck proposal and referred to Exhibit A – 5 Architectural plan sets: A1, A2 and A3. He explained that the existing house is an irregularly shaped 184' deep x 50' wide, long and narrow house. There is a 20-foot setback to the garage where the lot is two car width in the front. The property is on a hill with the front being higher than the rear so to get any usability of the house is to replace what was there before, building it slightly bigger over the existing patio that is being upgraded. The improved coverage is increased slightly with a little sidewalk and terrace in the back. They are replacing it with a larger terrace of an additional 14 square feet. In regards to the location of the raised deck to septic systems in the rear of the yard where the deck starts, there will be careful placement of columns supporting the deck; as not to interrupt or compromise the septic system, they are adhering to all the requirements and will work out number and size of columns. It does look like a two-story building due to the walk out basement.

Mr. Policano inquired about deck stairs that exits off the top, second floor. Mr. Blake answered that stairs are added.

No further questions from the Board.

PUBLIC COMMENTS None.

Motion to Approve. Upon a motion by Mr. Abad, seconded by Ms. Herries to approve the application to construct a raised deck in the rear yard and right side-yard setback variance for improved coverage. This approval is subject to conditions as outlined in the resolution for this property located at 116 Miles Street designated as Block 53 Lot 6 on the Tax Assessment map.

Vote: Ayes: Mr. Abad, Mr. Clores, Ms. Herries, Ms. Lerner, Mr. Policano

Absent: Mr. Barbieri, Mr. Bonhomme, Mr. Glazer

MOTION APPROVED

ADJOURNMENT at 7:47 p.m. upon motion by Ms. Herries, seconded by Mr. Policano.

Vote: Ayes: Mr. Abad, Mr. Clores, Ms. Herries, Ms. Lerner, Mr. Policano

Absent: Mr. Barbieri, Mr. Bonhomme, Mr. Glazer

MOTION APPROVED

Respectfully submitted,

Jo Anna Myung
Board Secretary