

ALPINE PLANNING BOARD

Alpine Borough Hall
100 Church Street
Alpine, New Jersey 07620

MINUTES

April 23, 2013

CALL TO ORDER/PUBLIC ANNOUNCEMENT: The Planning Board, Borough of Alpine, convened in regular session on Tuesday, April 23, 2013 at 7:30 P.M. Chairperson 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, April 23, 2013 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.

Hearings end at 10 PM.

ROLL CALL:

Members Present:	Chairperson Catherine Parilla	Catherine McGuire
	David Andrews	Gayle Gerstein
	Lorraine Mattes	Ralph Mattes
	Mayor Paul Tomasko	Martin Cybul, Alt. II @7:47 pm

Members Absent:	Jeff Fromm	David Kupferschmid, Atl. I
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Staff Present:	John Phillips, Board Attorney	Gary Vander Veer, Borough Engineer
	Marilyn Hayward, Recording Secretary	Rob Kasuba, Special COAH Counsel

APPROVAL OF MINUTES OF MARCH 19, 2013 REGULAR MEETING: A motion to approve the minutes of the March 19, 2013 Regular Planning Board meeting was made by Gayle Gerstein, seconded by Catherine McGuire and carried by those eligible to vote. Mayor Tomasko abstained as the bulk of the minutes concerned a matter he had recused from. Having not attended David Andrews and William Robinson did not vote.

OPEN TO PUBLIC (NON-AGENDA ITEMS): No comments.

CONTINUED APPLICATIONS: Amended Preliminary & Final Site Plan and Soil Moving Permit Approval: Alpine Three, L.L.C., Block 43 Lots 6.01, 6.02, 6.03 (Carried from March 19, 2013).

As per the prior hearings Mayor Tomasko recused. The Board received documents from the Applicant prior to this hearing as noted in a letter from Michael Hubschman of Hubschman Engineering dated 4-12-2013.

Exhibits marked during the course of tonight's hearing:

Board's Exhibits:

B-7 Letter dated 4/21/2013 to the Board from Gordon Meth, P.E., P.P., PTOE, PTP, of The RBA Group, Inc. Traffic Consultant to the Board

Applicant's Exhibits:

A-10 Engineering plans prepared by Michael Hubschman, PE, PP dated 7-13-1999 latest revision 4-5-2013 with colored renderings of selected sheets.

Appearing for the Applicant is Lloyd H. Tubman, Esq. of Archer & Greiner, PC, Plaza One, 1 State Route 12, Suite 201, Flemington, NJ 08822 along with witness Michael Hubschman, PE, PP, Hubschman Engineering, 263 A. S. Washington Avenue, Bergenfield, NJ and Louis Luglio, PE, L2Group, LLC, 160 Hillcrest Avenue, Leona, NJ 07605 (Traffic Engineer)

Appearing as the Board's Traffic Consultant was Gordon Meth, PE, PP, PTOE, PTP of The RBA Group, Inc. 7 Campus Drive, Suite 300 Parsippany, NJ 07054-4495

Ms. Tubman reviewed the three issues before the board:

1. Sanitary Sewer Line. Relocation to avoid going through municipal property
2. Stormwater Management. Compliance with new regulations.
3. Architectural Elevations. Modifications required by DEP SHPO for consistency within historic district.

Applicant's Traffic Engineer, Louis Luglio, PE, reviewed the items laid out by the Board's Traffic Consultant, Mr. Meth in his Traffic Report [B-7]:

1. Traffic Counts: To comment on variations Mr. Luglio needs to exchange traffic count data with Mr. Meth.
2. Peak Hour Factor: He actually has a range of 0.94 – 0.97 which has no bearing on the final analysis.
3. Traffic Counts Provided Do Not Match Turning Movements Used for Analysis. He double checked and has provided his counts to Mr. Meth. He does not believe they vary that much.
4. Level of Service for Different Approaches: He printed out the analysis for the Main Street approach. It has very little traffic volume indicating Level of Service C which would not have a detrimental effect on the analysis.
5. Eastbound Traffic Queues Blocking Driveway During Morning Peak Hour and Effect on Traffic Operations and Safety: Mr. Luglio acknowledged traffic queues back up during AM and PM peak hours, at times it stopped or formed a rolling queue in front of Main Street. Seven units represent very low intensity in terms of traffic coming to and from the site. Any place on Closter Dock Road will have some queuing. The queue for their site builds up on their property and they will have to wait for a courtesy or acceptable gap in traffic.
6. Trip Generation Should Be Computed Using Low Rise Townhouse Category: He reviewed the Institute of Transportation Engineers Land Use Code. Peak hour traffic coming in or out = 3 vehicles for AM hour, 4 vehicles for PM hour. Even doubling this to six or seven would not be a substantial increase.
7. Crash History Double the Statewide Average: He would need to review each report's details. The Church Street intersection, about 1,500 feet to the west, has higher volume as everyone uses Church Street to pick up their mail. Traffic there would far exceed this site and the turn movement there is equivalent to their driveway.
8. Driveway Alignment with Main Street: The offset is 13 feet which he feels is *de minimus*. RSIS say alignment is preferable if it can be done but it is more important to have proper alignment entering the site than between the driveway and Main Street. Safety or operation will not be affected if the driveway is relocated or realigned. Main Street does not have high traffic volume. They have a conditional County approval for the driveway as located.

Attorney Phillips interrupted to note the arrival of Mr. Cybul. [7:47 PM]

9. Parking. RSIS requires 0.5 spaces per unit for visitors and common area. They have one ADA accessible space. The proposed site has 28 parking spaces for residents: two in the garage and two outside. The common driveway is 25 feet wide; wider than some Alpine roads. Even if the Planning Board restricts parking in the common driveway aisle he opines they still have enough parking. They are technically short one parking space but RSIS uses that as an example of a *de minimus* exception.

Mr. Luglio presented site distance information requested by the Board at the last hearing.

Stopping Site Distance. There are three components: Stopping site distance for people traveling on Closter Dock Road in each direction and the site distance for people making a left turn or right turn from the site.

Posted speed 35 MPH/design speed 40 MPH requires stopping site distance 305 feet and left / right turns 445 / 385 feet.
 Posted speed 40 MPH/design speed 45 MPH requires stopping site distance 350 feet and left / right turns 500 / 430 feet.
 Posted speed 45 MPH/design speed 50 MPH requires stopping site distance 425 feet and left / right turns 555 / 480 feet.
 Posted speed 50 MPH/design speed 55 MPH requires stopping site distance 495 feet and left / right turns 610 / 530 feet.

The hearing was opened for questions from Board Members.

Alignment: For Mr. Cybul, Mr. Luglio reviewed his earlier testimony that 13 feet is *de minimus*. A 20 or 30 foot offset would be a concern but even 15 feet is basically aligned based on the low traffic volume from Main Street and the driveway. The main reason for alignment is so motorists can visualize the entire intersection. You can for this site.

The RSIS says to align if you can but in this instance it would not matter. Ms. Parilla felt 13 feet was a lot. Mr. Luglio used the Site Plan, [A-10] to opine the distance is very small. There are probably thousands of intersections in Bergen County with greater offsets and the County did not see this as an issue. He does not anticipate a lot of cross traffic from the driveway to Main Street or vice versa and opined it is more important for the site to be aligned internally and not to have to make a turn coming in.

Mr. Cybul noted Main Street comes out at an angle and he is concerned that a car exiting the site would be almost head on to a car exiting Main Street. Mr. Luglio does not foresee many vehicles approaching from the driveway and Main Street at the same time. He offered the site distance from Main Street is more of a concern where you have to be all the way out onto Closter Dock Road to see in either direction. Ms. Tubman stated this issue was not raised during the prior application. Mr. Cybul was sorry if the prior Board did not address this but he recognized this as a potential hazard at the last meeting and felt it important to address.

Ms. Mattes noted the traffic count did not include turns off Main Street. Mr. Luglio replied it did but they put it in the wrong column. During the three times he has been to the site during AM peak hour they counted 0 to 4 or 5 vehicles making a turn from Main Street. Even if Mr. Meth said there were 20 vehicles coming from Main Street he maintains a 13 foot offset is not significant. Mr. Luglio will provide Mr. Meth with the corrected data sheet.

Traffic Count Variations: For Mr. Cybul, Mr. Luglio cannot comment until he and Mr. Meth exchange data.

For Attorney Phillips Mr. Luglio acknowledged he did not perform the traffic study for the last application (2002/2003) and did not know the projected rate of growth from that year forward. He can obtain the predicted growth rate for a Bergen County urban arterial roadway. He estimates it will be 1% or less per year and believes overall traffic volumes have decreased. Ms. Tubman had requested new traffic counts due to the passage of time. Mr. Luglio explained peak hour traffic volume won't change because there is only so much traffic that can get through during the peak hour. If the traffic exceeds capacity the queues are longer and the peak hour may be extended beyond 60 minutes. Peak volume here starts at 6:30 AM and does not ease up until almost 9:30 AM. Mid day traffic may have increased but he doesn't think this reached 1% a year since 2003.

Crash History: For Mr. Cybul, Mr. Luglio would have to look at individual reports. He does not think site traffic will be a problem.

Trip Generation Should Be Computed Using Low Rise Townhouse Category: For Mr. Cybul, Mr. Luglio repeated his earlier testimony. He used a generic townhouse category because it has more data samples. Even if his findings doubled it would still be a low intensity and not have a measurable effect.

Ms. Parilla questioned his estimate of 7 vehicles as she assumes the number would likely be more than 14. Mr. Luglio explained they rely on the Institute of Transportation Engineers and base their analysis on a peak hour average. The assumption is that not all cars will enter or leave the site during peak hour.

Turn Around Feasibility for Delivery Trucks: For Mr. Cybul, Mr. Luglio opined delivery trucks like UPS/FEDEX will be able to turn around on site even when all the common parking spaces are occupied by using the cut out at the very southern end. He will provide a turning radius to demonstrate how this is done.

Left Hand Turn Issues: For Mr. Cybul, Mr. Luglio would be more concerned with restricting left hand turns if 30-50 vehicles were going in or out. Site distances are similar to the Church Street intersection and can be found in the small eye chart on page 4 of his traffic report. They'd need five times the number of units to be concerned. Closter Dock Road is the major east-west access connecting 9W and the Northern Valley. Significant west bound traffic could back up behind someone making a left hand turn. At peak flow vehicles may opt to travel down to Church Street to find a place to turn around and come back to make the right turn into the site. Queues that form would be self-governing as to what works for the motorist and what they determine to be a comfortable and acceptable gap in traffic. Considering changes in grade and bends or curves, Mr. Cybul asked for verification of site distance data. Mr. Luglio will provide a scale drawing with the information posted on it.

Ms. McGuire lives on and is familiar with Closter Dock Road. Motorists are rude and trying to turn left out of the site during peak hours will be a nightmare. Southbound 9W traffic turning onto westbound Closter Dock Road only has a yield sign and therefore that traffic is constant with no predictable gaps. Cars often exceed the speed limit because of the slopes where they just naturally pick up speed. The police work to enforce but it's a constant battle. They take traffic safety on the road very seriously. When she had construction work done the police asked her to wait until school was out, schedule during off-peak days/hours and she had to hire police detail to manage the traffic. Mr. Luglio observed both kinds of drivers, those who allowed a gap and those who did not. He acknowledged Closter Dock Road is not a perfect roadway being narrow and a major connector. This is an existing condition and 7 townhouses will not change its operation. Ms. McGuire recalled there is a prohibited left turn into the Borough's affordable housing complex. Mr. Vander Veer noted that was a D.O.T. requirement.

Parking: Ms. Parilla felt the loss of a parking spot was significant and not *de minimus* when you only have four and one of those is designated for handicapped. They are looking at where RSIS only counts the driveway and the garages as 3.5 instead of 4 so on paper they are one short but in reality there is enough parking on the site. Ms. Gerstein questioned what happens if several families have company, like for holiday dinners, and yield 6-7 additional cars per unit. Mr. Luglio explained codes are based on averages, not the maximum exception. He offered if all parking spaces on site are utilized they will park on the aisle whether legal or illegal; they're only talking about 2-3 times a year and they cannot design for that; they'd need 50 spaces for infrequent use; this would not be practical. Ms. Gerstein offered based on the townhome size it is likely each unit will have three drivers totaling a lot more than 7 vehicles. Mr. Luglio replied that based on historical Bergen County related data that may change. Some may have three and some one. That becomes the average they try to design for and RSIS tried to regulate.

Potential for Widening Closter Dock Road: Bergen County required contribution of an easement for future widening as part of their conditional approval. There is a dedicated setback leaving enough room for a right of way or buffer. The purpose of road widening can be to add a lane or shoulders to provide better line of sight, space for disabled vehicles, snow storage, utilities or stormwater. Regulations regarding shoulders vary by road width and volume. Establishing shoulders on both sides of Closter Dock Road is tough from a property acquisition standpoint.

Stopping Site Distance: Mr. Vander Veer asked at what point the stopping site distance will fail. Mr. Luglio stated the site distance looking right or east was 480 feet and to the left or west was 460 feet. This is a combination of the visual line of site and grade changing of the roadway. Mr. Vander Veer offered at 45 MPH you have a left turn at 500 feet but you only have 480 feet so even at that small of an increase over the speed limit, it fails. Mr. Luglio replied that's a designed speed of 50 MPH and posted speed of 45 MPH; taking the speed limit up 10 MPH which he doesn't see happening. Mr. Luglio added neither he nor this applicant can govern how people speed along the roadway or design a site worrying about whether people will obey the signs. That becomes an enforcement issue.

County Conditions of Approval: Mr. Vander Veer noted Condition #13 reserves the County's right to restrict left turn movements. Mr. Luglio was not aware. If instituted for a left turn in, people will need to drive on and find a place to turn around in order to make the right turn approach and for a left turn out they'll need to turn right and then turn around at some point to come back west on Closter Dock Road. This is not uncommon in Bergen County.

The hearing was opened to the public for questions of Mr. Luglio.

Richard Incontro, Schoolhouse Lane, asked when the last traffic analysis was done. Mr. Luglio did not know. Mr. Incontro asked if he reviewed a major fire in Closter in May 2007 that impacted traffic on Closter Dock Road. Mr. Luglio replied no. Mr. Incontro asked if truck traffic on Closter Dock Road has increased, decreased or stayed the same. Mr. Luglio did not have that information. Mr. Incontro asked if it would be safe to make a turn into the site going west on Closter Dock Road. Mr. Luglio replied yes.

Mark Wellington, Closter Dock Road & Church Street, asked what year the traffic flow studies are from. Mr. Luglio responded January of this year.

Paul Tomasko, 87 Church Street, asked if Mr. Luglio had read the 2010 Borough Master Plan Update, specifically page 8 entitled "Circulation Deficiencies." Mr. Luglio replied no. Mr. Tomasko asked if Mr. Luglio knew of the efforts by the

Borough of Alpine over the last decades to mitigate or at least not add to ever increasing traffic on Closter Dock Road. Mr. Luglio did not understand the question.

The Board's Traffic Engineer, Gordon Meth, P.E., P.P., PTOE, PTP, of The RBA Group, Inc. was sworn. Ms. Tubman had no questions on qualifications. Attorney Phillips recalled Mr. Meth previously testified in 2002 or 2003.

Mr. Meth expressed confusion that the site plans he reviewed showed only three common parking spaces, not four. Ms. Parilla clarified there are only three but should be four; one of the three is ADA. That's what he based his review letter on.

Level of Service Impacts. He reviewed Mr. Luglio's February 13, 2013 traffic study and plans finding them incomplete. He contacted Mr. Luglio and received copies of his calc sheets. They did not provide traffic counts leaving Main Street thus the capacity analysis only shows traffic from Closter Dock Road into the driveway and not any level of service from the driveway or Main Street. The Board does not have the information it needs to determine traffic impact. He can't tell the Board what the level of service impacts are until he sees a properly performed analysis.

Trip Generation. Mr. Meth advised the Trip Generation Manual gives equations or average rates for various types of units. The average rate is designed for developments of 200-300 units and may not be appropriate for small projects. He recommended using Low Rise Townhouse, a relatively new category, to provide appropriately conservative trip generation rates comparative to a single family house. Although true 14-20 cars may not all leave at the same peak hour, half may and that number should be the basis of the analysis.

Traffic Counts. Mr. Meth reported independent traffic counts on Closter Dock Road found 6 vehicles left and 2-3 vehicles entered Main Street in the AM peak hour. Closter Dock Road volumes were about 1,200 vehicles per hour in each direction in both AM and PM peak hours and few gaps in traffic for turning movements. A proper analysis is required to see if the level of service is appropriate.

Safety Issues. Mr. Meth noted more crash data is available now than in 2002/2003. The NJS database of reportable accidents accurately codes crash data allowing a good analysis of all crashes within a tenth of a mile of Main Street, about 500 feet in each direction. From 2009-2012 there were consistently 6-8 crashes per year which may not seem like a lot given the volume but is double the statewide average for a two lane road without shoulders. This should be studied further particularly in relation to the proposed intersection design. Where a T-intersection such as Church Street has a certain number of conflicting movements for vehicles or points where people can hit each other, adding a fourth leg quadruples the risk going from 8 conflict points to 32 points where people are interacting and moving in different directions. This make the offset critical particularly when you have one vehicle turning left into Main Street while another vehicle is trying to make the left into the townhouse complex. They can't get around each other. When they're leaving they are lined up perfectly across from each other and after you've been sitting around waiting for a gap in traffic people have a tendency to forget who came first. Alignment is important for safety to make certain they don't face each other and have room to maneuver and make turns. Since the road is narrow there is reason to study this in further detail as to the potential impact; the onus is to make the intersection as safe as you can.

Parking. Mr. Meth explained in 1997 the State imposed rules, Residential Site Improvement Standards, which usurped the power of local ordinances to deal with parking. While sections of the RSIS say you can round down a fraction of 0.5 or less, it doesn't say this for visitor parking. For this site RSIS requires 0.5 per unit or 3.5 spaces for 7 units which may not be enough for holidays but that's the way it goes; that's what happens when the state usurps local authority and creates one standard for developments ranging in size from 1,000 units down to 3. In any event his interpretation of the guideline requires they round up to 4 spaces, particularly since there's no parking on Closter Dock Road. Also under Title 39 you're not allowed to park where you can't leave more than 14-15 feet of road open. Main Street is only 20 feet wide and you cannot legally park there even though he did see cars parked there for one of the houses. Because there is no alternative parking in the area the Board should strictly enforce a minimum of three and a half spaces per guest and since you can't have half a space, this means four spaces.

The hearing was opened for questions from Board Members.

Parking. Attorney Phillips asked if RSIS calcs give credit for garage spaces. Mr. Meth replied yes but that doesn't apply to visitors and guests and assumes residents use their garage space for parking. In Mr. Meth's experience they've had to go back and create extra parking to accommodate vehicles parked all over the common aisles and roads. However, RSIS rules are what they are and every garage and driveway combination with two cars each gets counted as 3.5 parking spaces per unit. Attorney Phillips asked if in his opinion it would not be unreasonable to impose a restriction in the condominium documents that the garages shall be maintained as garages. Mr. Meth replied that is an issue for the attorneys to work out.

Line of Sight. For Mr. Cybul, Mr. Meth agreed with Mr. Luglio's assessment that there is an adequate line of sight for safety. He consistently saw that you could see a car coming for at least 8 – 9 seconds which is sufficient.

Turn Around Feasibility For Delivery Trucks: Mr. Cybul recalled Mr. Luglio's testimony that they could turn a 40 foot box truck on the site to ask if Mr. Meth agreed. Mr. Meth had not reviewed the site plan for that but noted it's not uncommon for delivery trucks to create chaos for a brief amount of time in residential areas. Mr. Cybul's concern is trucks backing out onto Closter Dock Road which he feels is unsafe and should not to be condoned. Mr. Meth deferred to the Borough engineer. He can review but had not interpreted that as being part of his assignment.

Mr. Meth affirmed Mr. Cybul's summation of his primary concerns were:

1. the alignment of Main Street with the internal road,
2. the number of parking spaces supplied for visitors in conformance with basic criteria and
3. his inability to comment on traffic without provision of more documentation.

Crash History. Ms. Parilla recalled Mr. Luglio's testimony that crash details matter. Mr. Meth agreed noting that crash data is usually accurate to within a tenth of a mile or 500 feet. The type of crash also matters. For example, the traffic count videos they shot demonstrated queued traffic often blocks this driveway in the morning so if someone is exiting to the left and the car to the right is a large SUV, they might not see oncoming traffic in time even if someone leaves them a gap. So if obstructed views are a factor it's important to know the site can work that way. That doesn't mean you take away everyone's right to develop their land but you have to be smart about how you develop it. Rear end crashes are also very common and you have to look at their causes. Is it from a lot of turning movement into and out of driveways and now you're potentially adding turning movements in and out of a driveway. Is it because someone comes to a sudden stop when the person behind them isn't expecting it? It is important to understand the nature and location of crashes to assess the potential impact of the development. What struck him was that the area in question has a crash rate that is double what it ought to be. Asked what he would do to make the proposed safer Mr. Meth stated right off the bat revising the driveway design and alignment comes to mind to minimize impacts. In a worst case, signage, mirrors and other visuals could be added although they might not seem to fit this neighborhood.

Left Turn Restrictions. Responding to Ms. Gerstein, Mr. Meth opined left turn restrictions improve traffic flow and safety which is good but you also have to look at the reality in this situation. Does the restriction mean people will go all the way to 9W to turn around so they can come back to the post office? This is more realistic when there is a grid of streets. Ms. Parilla questioned restricting left hand turns only during peak hours. Mr. Meth opined this would not be easy to enforce. It was noted cars so restricted could still go straight across to Main Street. Mr. Meth observed that's his biggest fear because that would defeat the purpose of a left turn restriction. Ms. Mattes asked if it were a County restriction wouldn't they be obligated to abide by it. Mr. Meth replied yes but, and this is the first he heard of it, they haven't required it yet but only retain the right to impose it if necessary. Mr. Meth acknowledged for Ms. Tubman that the problem with left hand turns applies to all driveways on Closter Dock Road but noted this is only one of the issues that can potentially lead to crashes. The alignment to Main Street, where cars can interfere with each other, is not common to all driveways on Closter Dock Road. Ms. Tubman countered that is common to every four way stop. Mr. Meth stated no, because if roads are not offset vehicle paths don't interfere with each other. Although the intersection is visible from the driveway, the concern occurs when vehicles approach Closter Dock Road from either side to make left hand turns. Mr. Meth affirmed prior testimony on traffic counts for Ms. Tubman and acknowledged he had not studied the crash types in detail. The data is available and can be reviewed. Congestion is not a factor when looking at crash rate as it is taken into account when you calculate the amount of vehicle miles traveled.

Attorney Phillips asked, since Mr. Meth stated that the problem with left turns applies to all driveways on Closter Dock Road, is his answer impacted by the queues coming from 9W west, and does that impact the ability to make a left turn in or out of the driveway? Mr. Meth responded that when he looked at the videos he did not notice traffic backing up in the westbound direction; only eastbound.

Mr. Cybul opined that the traffic on Main Street would be similar to the traffic coming in and out of the site. Mr. Meth answered that the Main Street traffic would be slightly higher than the site but close.

The hearing was opened to the public for questions of Mr. Meth.

Richard Incontro, Schoolhouse Lane, asked the source of crash data. Mr. Meth explained police departments submit TR-1 reportable crash reports to the state which are used to compile crash statistics and summary reports. They only include reportable accidents. If an ambulance was called it would be a reportable accident. The individual crash records have to be reviewed for diagram and more description detail but not all of that is available to everyone. Mr. Incontro asked if he was aware of any other cross roads on Closter Dock Road between 9W and Anderson Avenue to question if this 4 leg intersection would be a very unique situation on Closter Dock Road. Mr. Meth observed only T intersections on this section of road until you get to Anderson which is signalized.

Harold Shaw, Closter Dock Road, asked if they are considering a traffic analysis for the installation of a force main in front of Borough Hall in view of the problems that will cause with residents picking up their mail; what will be the length of disturbance? Ms. Parilla explained they haven't gotten to that point yet.

Being no further questions this portion was closed to the public.

The hearing paused at 9:09 PM to permit the court reporter a 5 minute break, resuming at 9:14 PM.

Parking. During break Ms. Tubman reviewed Table IV of the RSIS NJAC 5:21:4.16 specifically note "a." at the bottom: "*when determination of the required number of parking spaces results in a fractional space for the entire development any fraction of one half or less may be disregarded while a fraction in excess of one half shall be counted as one parking space.*" It was noted this could be an older version. Mr. Meth's interpretation is that the formula is only applicable to the count for the entire development, not specifically visitor or guest parking. He offered an easy way to resolve this issue is to send a letter to the DCA asking for clarification.

Mr. Cybul maintained a loss of 25% of your spaces when you have no other means available to handle overflow parking is no longer *de minimus*. *De minimus* means no impact. There is an impact. There is no way to handle that fourth car and thus it is no longer *de minimus*. Attorney Phillips noted the requirement for visitors is not the same as that for the entire site; it's a requirement for an aspect of the site established for other reasons which would support Mr. Meth's argument. Mr. Luglio agreed it's a matter of perspective but it's still one parking space. Mr. Cybul stated they are looking at the practicality of the site. The need to come as close as possible to accommodating the rational use of the site because there is no other alternative where people can legally park. If there were he would accept their argument that it is *de minimus*, but without that he can't.

Michael Hubschman, PE, PP, Hubschman Engineering was sworn at a prior hearing. Mr. Hubschman advised he submitted revised plans and reports [A-10]. They added two major items to the plan as requested by the Board and the Fire Department: a small concrete stairway in the rear and a fire hydrant in the front. Mr. Hubschman's written responses to the list of 30 Required Revisions / Supplements in Mr. Vander Veer's letter dated March 7, 2013 are laid out in Attachment I of his response letter to the Board dated April 12, 2013. He read the items virtually verbatim from the document which may be referenced thus only topic headers and additional comments are laid out here:

1. ADA Compliance.
2. Generator Compliance.
3. Design Calculations for Operation of Wastewater Pump Station and Pump Station Specification.
4. Off-site Sanitary Sewer Location. Ms. Tubman maintained this matter is for the Governing Body, not the Board. Attorney Phillips pointed out then that if they are claiming the Governing Body must decide, then the Board

cannot grant such a waiver. Therefore that notation should be removed from the plans at this juncture. Mr. Hubschman acknowledged it does not yet apply.

5. Drainage / Stormwater Management Construction Details.
6. Manufactured Treatment Device. Mr. Hubschman pointed to the feature on sheet 495-3 near the generator pad adding the manhole has a weir that bypasses the lower flow to the storm filters.
7. Drainage Report Revisions.
8. Stormwater Management System Overflow Erosion Control.
9. Capacity Analysis for Drainage Ditch.
10. Confirmation Water Main Extension Provides Adequate Water Pressure/Volume for Firefighting. Mr. Hubschman noted United Water is in the middle of a major project on Closter Dock Road. They will do hydroflow testing once that project is complete.
11. Hydrant Location per Alpine Fire Department.
12. NJDEP Application to Rip Rap Ditch. Ms. Tubman affirmed if a permit is required they will obtain it.
13. Existing Conditions Plan. Show 20 foot wide easement for former Schoolhouse Lane.
14. Soil Logs.
15. Trench Detail - Restoration of Pavement. Mr. Hubschman advised they will provide as required by statute.
16. Force Main Detail.
17. Force Main Utility Crossing Test Pits.
18. Traffic Control Plan.
19. Underground Fuel Storage Tank.
20. Fencing.
21. Safety Railing.
22. Light Fixture Detail.
23. Seepage Pit Detail.
24. Storm Water System Detail.
25. Force Main Off-site Route Impact Abutting Property Owners. Ms. Tubman stated this is not a site plan issue. It is a construction issue for the governing body.
26. Force Main Off-site System Proposed Utility Crossing.
27. Pressure Cleanout Manhole Maintenance and Construction Detail.
28. Traffic Report.
29. Wet Wall Vent Outlet.
30. Licensed Wastewater System Operator.

The hearing was opened to the public for questions of Mr. Hubschman

Occupancy Classification/Height. Mr. Cybul asked the occupancy classification used for the units. Mr. Hubschman replied, per the architect, they are considered Attached Single Family Dwellings. Mr. Cybul questioned if it's one building or individual townhouses. Mr. Hubschman reminded they calculated as both and applied the worst case scenario to comply with the height ordinance. Mr. Cybul pointed out there has been no testimony regarding classification. If R-1 or R-2 attached townhouses, they have to be ADA compliant, if single family they do not. Ms. Tubman noted that is a technical question for the architect. The Board will accept his written response. Mr. Cybul remains confused about testimony regarding the height. Ms. Tubman will review the meetings where Mr. Virgona provided detailed information about height.

Dry well. Mr. Cybul recalled testimony that the dry well will have capacity of two feet above seasonal high water to ask what they are using as the seasonal high elevation. Mr. Hubschman extrapolated using the top ring measurement: Top ring of seepage pit in front of Unit 7 is at 426.39', seasonal high water would be 422.39'. Existing grade is 425'. Mr. Cybul deduced that would be into the seasonal high water table. Mr. Hubschman responded the water level will change during construction after curtain and footing drains are installed. They're excavating eight feet down. The top ring of the other seepage pit is 424.8', seasonal high water would be 422'. Existing grade is about 426'. They're just picking up water from the roof leaders. These locations are flexible and they can move them if conditions require. This is one of the minor requirements for the stormwater management plan. Mr. Cybul questioned recharge if they're relying on curtain drains to divert water into the ditch. He assumed Mr. Vander Veer's comment was designed to ensure seepage pits were placed above the water table to permit recharge. Mr.

Hubschman countered it is really for contamination purposes that you want to remain above the ground water. Mr. Cybul repeated you can't recharge if you're already in the water. Mr. Hubschman agreed adding the two foot limit provides some filtering.

Generator. Ms. Mattes asked if they have some idea of the noise factor prior to installation. Mr. Hubschman advised they have the manufacturer's data and design. After installation they have to test it to ensure compliance. If for some reason it doesn't meet the criteria they would have to change the enclosure. Attorney Phillips asked if they test after the buildings are up to include any sound reflection. Mr. Hubschman responded yes because that would reveal the worst case, right at the wall or the property lines. Mr. Mattes noted generators are noisy. Mr. Hubschman noted there all different types of sound proof enclosures they can employ.

DEP Flood Hazard Area Approval. Mr. Vander Veer has not had time to review the most recent revisions. At this time he questions their claim they might not need DEP Flood Hazard Area approval relative to the drainage basin size. Mr. Hubschman affirmed. He does not believe a Special Water Resource Protection Area is applicable because they're not within 300 feet of a blue or black line stream. Mr. Vander Veer reviewed the regulations and this is not dependent on the size of the detention basin. They have a drainage ditch directly adjacent to woods tributary to the Cresskill Brook, a Category I watercourse, and that's where the requirement for a Special Water Resource Protection Area comes into play. Mr. Vander Veer emphasized the Special Water Resource Protection Area has to be part of the consideration. Mr. Hubschman responded that the Flood Hazard Area people do not give a SWRPA determination. He just did one in Closter and based on his understanding you have to be near a blue or black line stream. The 300 foot riparian zone is different and that's the Flood Hazard Area regulations. Mr. Vander Veer acknowledged FHA is different from SWRPA. Mr. Hubschman agreed to apply for an applicability determination.

Ms. Parilla opened the meeting to the public for questions of Mr. Hubschman.

Richard Incontro, Schoolhouse Lane, questioned the staircase setback. Mr. Hubschman explained it's behind the wall which is 10.5 feet from the property line at the center of Schoolhouse Lane. Mr. Incontro felt that line only marks the easement and they should measure from the edge of the pavement/easement for setback purposes. Attorney Phillips explained legally you measure from your property line which in this case is the center of Schoolhouse Lane.

Mr. Incontro asked if they determined the amount of stormwater coming from the site. Mr. Hubschman referred to his drainage report. Curtain and footing drains will drain towards the ditch.

It was determined **Mark Wellington** only had comments. He was advised to hold them to the end of the hearing.

Ms. Tubman explained in light of all the varied questions that have come up over several hearings regarding stormwater management they plan a comprehensive presentation for the next meeting.

Ms. Tubman agreed to extend the time for hearings on this matter through to the next meeting scheduled for Tuesday, May 21, 2013 at 7:30 PM. As per the other meetings she will provide an electronic transcript to the Board.

Date of Continued Hearing Upon a motion by Dr. Andrews seconded by Ms. McGuire and approved by all those eligible to vote to continue this matter to the next regular meeting date Tuesday, May 21, 2013 at 7:30 PM. Attorney Phillips noted no further public notice is required.

COMMUNICATIONS:

Notice of Certification of Soil Erosion & Sediment Control Plan: Chung: Block 49.02 Lot 12; 88 Church Street. Duly noted: no comments.

BILLS:

Sills Cummis	\$1,220.00	Alpine Three (escrow)
Sills Cummis	\$ 200.00	Appearance
Azzolina & Feury	\$2,279.75	Alpine Three (escrow)
RBA Group, Inc.	\$ 519.95	Alpine Three (escrow)
Staples Advantage	\$ 135.54	(supplies)

A motion to approve the bills was made by Ms. Gerstein, seconded by Ms. McGuire and approved by all those eligible to vote.

COMMITTEE REPORTS:

Zoning Board of Adjustment Annual Report: Ms. Mattes noted the last comment in the report about generators. Ms. Parilla feels that is important. Discussion carried to the next meeting.

Northern Valley Mayors & Planners Assoc: Mayor Tomasko advised the last meeting was routine. Topic was the Sustainable Energy Meeting and savings municipalities realize from reverse bid auctions of natural gas and electricity.

Board of Health: No meeting.

Environmental Commission: Ms. Mattes advised they'll celebrate Arbor Day this Saturday, April 27. The Alpine School children have prepared posters about recycling Christmas trees to rebuild the beaches which will be on display in the lobby. They will give out seedlings to the children and residents at Borough Hall from 10 AM – 12 Noon.

Building Department: Report noted.

NJ Transit Update: No report.

COAH Update: Mr. Kasuba had put together a summary memo with nine background documents designed as a historical overview of the matter before them for distribution to the Board. The intent is to help clarify what has changed in the last decade. He tried to focus on issues raised in this application. Attorney Phillips noted they intend to enter this as an exhibit.

ADJOURNMENT:

A motion to adjourn the regular Planning Board meeting was made by Ms. Mattes and seconded by Ms. McGuire. All were in favor. The meeting adjourned at 10:29 PM.

Respectfully submitted,

Marilyn Hayward
Recording Secretary