

ALPINE PLANNING BOARD
Alpine Borough Hall
100 Church Street
Alpine, New Jersey 07620

MINUTES

August 27, 2013

CALL TO ORDER/PUBLIC ANNOUNCEMENT: The Planning Board, Borough of Alpine, convened in regular session on Tuesday, August 27, 2013 at 7:30 P.M. Vice-Chair Catherine McGuire 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, August 27, 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: Vice-Chair Catherine McGuire
David Andrews
Gayle Gerstein

Paul Tomasko
Lorraine Mattes
Ralph Mattes

Members Absent: Chairperson Catherine Parilla
Jeff Fromm
William Robinson

David Kupferschmid, Atl. I
Martin Cybul, Alt. II

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

APPROVAL OF MINUTES OF JULY 23, 2013 REGULAR MEETING: A correction was made to add Gayle Gerstein to the roll call as an absent member. A motion to approve the minutes of the July 23, 2013 Regular Planning Board with this correction was made by Ralph Mattes, seconded by David Andrews and carried by those eligible to vote.

MEMORIALIZATION OF RESOLUTION: Amended Preliminary Site Plan and Soil Moving Permit Application: Alpine Three, L.L.C., Block 43 Lots 6.01, 6.02, 6.03. Attorney Phillips noted an addition to be made on page 12, section 20. The sentence beginning on line 5 should read "It was also confirmed that the proposed detention system has no overflow provision *other than the wier.*" A motion to accept the resolution as amended was made by David Andrews, seconded by Ralph Mattes and carried by those eligible to vote.

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

NEW APPLICATIONS: Soil Moving Permit: Nadjafian; Block 72 Lots 3 & 3.01; 70 Berkery Place.

Appearing on behalf of the Applicant is Matthew Capizzi, Esq. of Capizzi Law Offices, 11 Hillside Ave., Tenafly, NJ. Mr. Capizzi stated that the application is for a new single family residence which will comply with all applicable zoning requirements. The application requires a waiver from the soil movement ordinance which relates to a retaining wall on the

left side of the property. A proposed side loading two-car garage will necessitate the retaining wall, which will be three feet high and six inches from the property line, where six feet is required. The engineering plans submitted for this application were prepared by Hubschman Engineering. Since Michael Hubschman is not available this evening, Andrea Piazza of Piazza Engineering will testify. Attorney Phillips advised that normally the Planning Board will not hear a soil moving application until septic has been approved; therefore any action by the board is subject to septic approval as shown on the plans. Mr. Capizzi agreed to this stipulation. Andrea Piazza of Piazza Engineering, 2-14 Fair Lawn Avenue, Fair Lawn, NJ was sworn by Attorney Phillips, stated her credentials and was accepted as an expert witness. Ms. Piazza stated that she reviewed the plans with Mr. Hubschman and has visited the site. She referred to a rendered copy of Site Plan Drawing Number 2972-5 through 2972-7 dated June 13, 2013, last revised July 8, 2013, which was marked Exhibit A-1. She began by describing the Existing Conditions Plan, Sheet 3, which shows a single-family dwelling and driveway on property that slopes gently from east to west. There are existing septic tanks in the front and rear of the property. Ms. Piazza then referred to the proposed improvement plan shown on Sheet 1, which is basically an addition to the existing dwelling. One of the major changes will be a side-loading two-car garage. New septic fields are proposed to be located within the test pit areas. She reviewed the drainage calculations which appear to be in conformance. Because the driveway slopes down, the stormwater is collected in the trench drain before the garage doors and pumped up to the seepage pits in the rear yard. The seepage pits as shown are too close to the septic fields and will be relocated to the appropriate distance. There are no variances requested for this application. Since there is a side loading garage and there is a slight difference in grade between this property and the neighboring property to the west they are proposing a low retaining wall in order to have a level area. Because of the location of the existing house, they are requesting that the retaining wall be located six inches from the edge of the property to allow room for a backup area from the garage.

Mayor Tomasko asked for verification that a soil moving application requires notification to adjoining property owners. Mr. Capizzi confirmed that they were notified. Mayor Tomasko noted that none of the adjoining property owners were in attendance this evening. He remarked that he understood that the initial plans for this property were on a much larger scale, and commended the applicant for scaling it down to something more fitting and customary for the neighborhood. Mayor Tomasko added that he trusts the applicant is aware that any further development requested on this property would require a variance. Mr. Capizzi stated that his client is aware of that. Mayor Tomasko additionally commented that under the zoning notes on the site plan, the 'required' measurements make sense for the minimums but not the maximums. For example, for the maximum building coverage, 10% is not required; it is allowed. He asked Ms. Piazza to convey this to Mr. Hubschman.

Mr. Mattes commented that Engineer Vander Veer's letter dated July 23, 2013 noted that none of the technical issues raised in letter of July 16, 2013 were addressed. Mr. Capizzi stated that all technical issues will be addressed prior to commencing any construction.

Mr. Mattes referred specifically to the location of the black water seepage pits. Ms. Capizzi stated that the seepage pits for the drainage will be relocated to meet the minimum required distance from the black water disposal field. The distance will be 50 feet, which is the State requirement. The Borough code requires a 75-foot distance. Engineer Vander Veer clarified that 75 feet is desired; if it has to be brought down to 50 feet an impervious liner may be required between the seepage pit and the septic system so that there is no transfer of water. Ms. Piazza stated that Mr. Hubschman had indicated that the seepage pits would be relocated to the east side of the property, which is more than 50 feet but less than 75 feet from the field.

Ms. Mattes commented that she visited the site today and there is a line of beautiful trees on the neighbor's property to the easterly side and asked where the grading level would change. Ms. Piazza stated that there is virtually no change in grade within the 15 foot side yard setback. Ms. Mattes asked how far back the grading would go on the westerly side of the property. Ms. Piazza responded that the grading extends to the rear yard, but is minimal. Ms. Gerstein asked if the garage would be below or at ground level. Ms. Piazza stated that the existing garage is about two to three feet lower than the front yard and the proposed will be about two feet lower than existing. Mr. Mattes noted that the driveway slopes toward the neighbor on the westerly side and asked if there is a potential for runoff to the neighbor's property. Ms. Piazza stated that they are collecting the runoff into the trench drain in front of the garage doors, and the proposed driveway is not sloping toward the neighbor.

Attorney Phillips noted that there is no provision for overflow from the seepage pits. Ms. Piazza checked and verified that a concrete lid is shown on the plan. Mr. Phillips remarked that he does not recall the board ever approving a system that is completely closed. He also suggested that if the board acts favorably a provision should be added that the borough will have no responsibility in the event of a catastrophic failure of the sump pumps in the driveway.

Ms. Mattes questioned why we are reviewing soil moving before the septic system is installed. Mr. Capizzi explained that the septic system could not be accomplished without moving the soil. Mr. Phillips added that is why a stipulation was made at the beginning of the hearing that any action by the board is subject to septic approval as shown on the plan. In response to a comment by Mr. Vander Veer, Mr. Capizzi stated that if there is any disturbance on the adjacent property during construction, they will be responsible for whatever remediation is necessary. Mr. Vander Veer recommended that the borough obtain something in writing to that effect prior to the issuance of a building permit. Mr. Capizzi agreed to that condition.

Ms. Mattes expressed concern regarding the proposed location of the retaining wall, at six inches from the property line. Mr. Capizzi stated that there are existing railroad ties and they are working with existing grades in a portion of the proposed wall location. Clearly there will be an extension of the wall and a slight increase in height, but it will not be offensive. Ms. McGuire remarked that since this is a relatively small piece of property, they don't have as much area to work with. Ms. Piazza added that they are working with the existing footprint.

For Mr. Mattes, Ms. Piazza offered that the addition will add 574 square feet, plus a 22 square foot covered porch, which will be within the allowed maximum building coverage.

Ms. McGuire asked Mr. Vander for his opinion on the proposed closed seepage pits. Mr. Vander Veer commented that he would prefer an open grate cover to allow for overflow.

Mayor Tomasko commented that he senses that the neighborhood is aware that this property is going to change. They came out in force when the prior application was on the Board of Adjustment agenda. He would be more concerned about the retaining wall if the adjacent property owner was in attendance. We are dealing with a significantly scaled down project with no variances requested.

Since there were no further comments, Ms. McGuire called for a motion. Mayor Tomasko made the motion to approve with the conditions as discussed. The motion was seconded by Ms. Gerstein. Attorney Phillips read the conditions, as follows:

- 1) Revise the number of garage doors on the zoning table;
- 2) Add an overflow provision for the seepage pits;
- 3) Compliance with the requirements set forth in Engineer Vander Veer's letter dated July 16, 2013;
- 4) Relocation of the seepage pits;
- 5) Acknowledgment that catastrophic failure of the driveway pump system is the responsibility of the applicant;
- 6) Agreement with the adjacent property owner regarding possible disturbance during construction of the retaining wall.

A vote was taken. The motion was carried unanimously.

BILLS:

Sills Cummis	\$6,780.00	Alpine Three (escrow)
Azzolina & Feury	\$1,637.75	Alpine Three (escrow)
Sills Cummis	\$ 300.00	July meeting attendance
Chung, Nancy & Park, David	\$2,000.00	Release Planning Board escrow

A motion to approve the bills was made by Ms. Gerstein and seconded by Mayor Tomasko. All were in favor.

REVIEW OF INTRODUCED ORDINANCE 736 ENTITLED “ELECTRIC POWER GENERATOR SYSTEMS”.

On a motion by Mayor Tomasko, seconded by Ms. Gerstein and carried unanimously, the board agreed that the proposed ordinance is in keeping with the Borough Master Plan. A letter to this effect will be sent to the Governing Body.

COMMUNICATIONS: None.

COMMITTEE REPORTS:

Northern Valley Mayors & Planners Assoc.: No meeting.

Board of Health: No meeting.

Environmental Commission: No report.

Building Department: Report noted.

NJ Transit Update: No report.

COAH Update: No report.

OTHER MATTERS:

Ms. Mattes remarked that the property owners at 88 Church Street have removed all the trees and now have a stop work order on the property, and some neighbors are very unhappy. Mr. Phillips advised that the Governing Body can call on the performance bonds if necessary for tree replacement.

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 8:23 PM.

Respectfully submitted,

Marilyn Hayward
Recording Secretary