

ALPINE PLANNING BOARD

Alpine Borough Hall
100 Church Street
Alpine, New Jersey 07620

MINUTES

March 26, 2024

CALL TO ORDER/PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE: The Planning Board, Borough of Alpine, convened in regular session on Tuesday, March 26, 2024 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, March 26, 2024 at 7:30 P.M. has met the requirements of the law by publication in The Record and was posted on the bulletin board of the lobby in the Borough Hall and filed in the office of the Borough Clerk.

SWEARING IN OF 2024 OFFICIAL: Mayor Tomasko administered the oath of office to Lorraine Mattes, Class IV Member for three-year term expiring 12/31/26.

ROLL CALL:

Members Present: George Abad, Jr., Carol Cochi, Brandt Cybul, Gayle Gerstein, Elizabeth Herries, Catherine McGuire, Lorraine Mattes, Catherine Parilla, Joyce Sonpal, Mayor Paul Tomasko
Members Absent: None
Staff Present: Douglas Bern, Esq. Board Attorney; Perry Frenzel, Borough Engineer
Marilyn Hayward, Board & Recording Secretary

APPROVAL OF MINUTES OF FEBRUARY 28, 2024 REGULAR MEETING:

Upon a motion by Ms. Gerstein, seconded by Ms. Herries to approve the minutes of the February 28, 2024 Planning Board Regular Meeting. Eligible members voted as follows:

Vote: Ayes: Mr. Abad, Ms. Cochi, Mr. Cybul, Ms. Gerstein, Ms. Herries, Ms. McGuire, Ms. Mattes, Ms. Parilla, Ms. Sonpal, Mayor Tomasko.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS: Dorothy Grayson, who resides at 9 Haring Lane, appeared with her neighbor Anna Holodny of 13 Haring Lane and reported that for several years she has been experiencing problems with water coming down the street. The town has tried to correct it thanks to the DPW, but over the past six months or so it has gotten out of hand. Every day there is water coming down across Ms. Holodny's property and across her driveway. During a rainstorm the water comes across the ballfield and into her driveway, down into the stream, along the edge of the stream, across Ms. Holodny's property, down the stairs and into her driveway. They are getting water from four different areas. The town has tried to stop it but it has gotten out of hand now. About a year and a half ago her husband had spoken with someone on the planning board who indicated that the town was aware of the water situation, and they were considering digging up the property across from her and putting in proper drains going down to the main drain on Haring Lane. Nothing was done, they haven't heard anything, and the water is getting worse and worse. Ms. Holodny added that she has water going down her steps and into her driveway. She has not been able to take her father to church. He is elderly and can't walk down the stairs if they are covered with two or three inches of ice. She distributed photos showing the conditions and stated that this is how it is every day. Ms. Grayson added that the problem is that they don't have curbs, so the water is going under the macadam. She is concerned that it will start to lift up a brand new driveway. They are getting desperate now.

Chairperson Parilla commented that with the rain we've been having lately the water table is outrageous. Ms. Grayson replied that it has gotten much worse since they started building the townhouses on Closter Dock Road. Ms. Parilla asked Engineer Frenzel to comment on the status of that project. Mr. Frenzel reported that the permanent drains have not yet been installed there. He is closely monitoring the project with the contractor. Once the project is completed the water will be captured and the problem should be resolved. Mr. Frenzel will take a look at the properties along Haring Lane. Ms. Herries asked if the drain installation can be expedited. Mr. Frenzel will talk to the contractor to see if anything can be done temporarily to improve the situation.

Richard Incontro, owner of 36 Schoolhouse Lane, stated that the original Alpine Three proposal misidentified the isolated wetlands and called it a well. The isolated wetlands extend to the property next door, so there is water coming off that property and onto the adjoining lot. He was told that one day the water was overflowing, and the detention basin was a swimming pool. It would behoove the planning board to review what has happened in the past. During the 35-year period of this development application the 100-year rainstorm was mentioned, and it was identified as having a 1% possibility of happening in a given year, or 3.65 times per year, but it can happen again next week and has been aggravated by global warming.

Councilman David Kupferschmid was in the audience and thanked everyone who is continuing to serve on the planning board and commended the members for volunteering their time in service to the borough.

There were no further comments from the public.

HEARING: NELA, 990-994 CLOSTER DOCK ROAD, BLOCK 43 LOTS 7 & 8, SUBDIVISION AND SITE PLAN WITH VARIANCES/WAIVERS:

Matthew G. Capizzi, Esq., Capizzi Law office, 205 Fairview Ave., Westwood, NJ appeared on behalf of the Applicant, along with Douglas W. Doolittle, P.E., P.L.S., P.P., McNally, Doolittle Engineering, LLC 169 Ramapo Valley Road, Oakland, NJ 07436. Mr. Capizzi stated that this application concerns two existing building lots, known as Lots 7 and 8, Block 43. He referred to the survey, which identifies Lot 7 as an interior lot with 60 feet of frontage along Closter Dock Road; Lot 8 is a corner lot with 58 feet of frontage along Closter Dock and fronts on DuBois Ave. as well. The two existing lots are undersized as to width. The R-4 zone requires 70 feet of width. The lots are long and narrow. Board Engineer Frenzel was sworn in by Attorney Bern in case his testimony is needed during this hearing. Mr. Capizzi continued that the two long narrow lots cannot be developed without the benefit of a variance. They are proposing to reconfigure the lots so that they both front on DuBois Ave. The lots will be wider as opposed to deeper to create a more conventional building in keeping with the neighborhood. The lots are fully conforming as to the R-4 requirements so there are no variances relative to the subdivision. The application also proposes development of both lots with new single-family homes. The existing lots have site constraints; the proposed lots have less site constraints. However, they still need the benefit of variances for front yard setbacks. Additionally, the R-4 zone has a 10% permitted maximum building coverage and they are proposing approximately 14 % for each lot. Permitted impervious coverage in this zone is 20%; they are proposing 20.81% for the corner lot and 29% for the interior lot.

Mr. Bern asked Mr. Capizzi to identify the plan he is referring to for the record. Mr. Capizzi stated that it is the Topographical Survey prepared by McNally Doolittle Engineering, LLC. The sheet below is the Subdivision Plan that depicts the lots and the proposed reconfiguration. Mr. Doolittle will discuss the drainage system and septic fields.

Douglas Doolittle was sworn in by Attorney Bern and accepted as an expert witness. Mr. Doolittle referred to a Boundary and Topographical Map of Block 43 Lots 7 & 8, prepared by McNally Doolittle Engineering, LLC and dated 6/2/23. The existing site is on the southwest corner of Closter Dock Road and DuBois Ave. It consists of two lots, 7 & 8. The corner lot is 56 feet wide by roughly 226 feet deep; the interior lot is 60 feet wide by roughly 224 feet deep. The interior lot is vacant, there is an existing dwelling and garage on the corner lot. Both lots are currently non-conforming as to width.

Mr. Doolittle referred to a drawing entitled Bulk Regulations, Nela, Block 43 – Proposed Lots 7.01 and 8.01, prepared by McNally Doolittle Engineering, LLC and dated 3/22/2024, which was marked as **Exhibit A-1**. The drawing shows the two existing lots which are long narrow lots. The existing corner lot (Lot 8) does not have a building envelope because of the setback requirements. Mayor Tomasko asked if the existing house can be expanded and upgraded instead of being demolished. Mr. Doolittle responded that it is a possibility, but he does not know the condition of the house. Mr. Doolittle stated that if the existing house was to be expanded, they would still need a variance.

Mr. Capizzi asked Mr. Doolittle to describe the building envelope on Lot 7. Mr. Doolittle responded that basically it is less than 40 feet wide. They are taking two long narrow lots and squaring them off. The proposed new corner lot will be 116' x 112', and the interior lot will be 116' x 111.97'. Proposed lot size would be 12,992 sq. ft for Lot 7.01 and 13,119 for Lot 8.01.

Mr. Capizzi asked about access to the two lots. Mr. Doolittle stated that the access for both lots would be from DuBois Ave., to eliminate access from a busy street for safety reasons. Mr. Capizzi asked Mr. Doolittle to describe the development plan for each lot. Mr. Doolittle referred to the Subdivision Plan Sheet SDP-1, dated 9/18/23 and last revised

2/1/24 and stated that for Lot 7.01 they are proposing a 4-bedroom home that is slightly over 3,000 sq. ft., the septic system is off of Closter Dock Road, with two septic tanks and a pump chamber. Front yard setback for Lot 7.01 is proposed at 53.6' from Closter Dock Road and 37' from DuBois Ave., so variances would be required. Mr. Doolittle distributed a drawing entitled Existing Front Yard Setbacks, prepared by McNally Doolittle Engineering, LLC and dated 3/22/24, which was marked as **Exhibit A-2**.

Ms. Parilla asked what the distance is between these two proposed dwellings and the townhomes that are under construction. Mr. Doolittle replied that the townhomes are approximately 20 feet from the property line and the proposed are 25 feet and 35 feet from the property line.

Mr. Capizzi asked Mr. Doolittle to comment on Exhibit A-2. Mr. Doolittle stated that they took an average of front yard setbacks along DuBois Ave. and came up with an average of 32 feet. They are at 37 feet for the corner lot and 52 feet for the interior lot, where 60 feet is the required minimum. Ms. Parilla asked if the dwellings depicted on the map are existing non-conforming. Mr. Doolittle replied that they are. This drawing was presented to demonstrate how the two proposed lots fit into the neighborhood. Mr. Doolittle stated that side yard setback for Lot 7.01 is conforming at 13.5 feet, where 10 feet is required.

Mr. Capizzi asked Mr. Doolittle to describe the proposed improvements for the interior lot (Lot 8.01). Mr. Doolittle stated that it has a septic system in the front, facing DuBois Ave. It is a pressure-dosed system as is Lot 7.01, which will be elevated. A four-bedroom home is proposed, a little over 3,000 sq. ft., with a two-car garage. Front yard setback is proposed at 52 feet where 60 feet is required; rear yard is proposed at 25 feet where 30 is required, so variances are required for both. Additionally, variances for building coverage proposed at 14.27 where 10% is maximum allowed, and improved lot coverage proposed at 29.03% where 20% maximum is allowed are required.

Test holes revealed very good soil, minimal rock, soil is very porous and septic systems and drainage should work without any question. Mayor Tomasko asked Mr. Doolittle to confirm that the test holes were done on February 27th. Mr. Doolittle confirmed. Mayor Tomasko noted that since then we have had two major rainstorms and asked what if they had done them in between or after the second downpour. Mr. Doolittle stated that they had minimal groundwater there. Mayor Tomasko commented that it strikes him as odd then that a considerable amount of water runs off that lot onto Schoolhouse Lane. Mr. Doolittle replied that they get a lot of water coming down Closter Dock Road and onto DuBois Ave. They want to block this with a berm and drainage systems in both driveways. Mayor Tomasko continued that one of the last times Mr. Doolittle appeared at this board was to provide testimony for a development application at 509 Hillside Ave., subsequent to which after construction was under way two neighboring lots have complained of ponding which they feel is a direct result of the construction that this board authorized thanks to your representation that the water would be contained and runoff would be picked up rather than transferred out. Mr. Doolittle responded that he believes that 509 Hillside is still under construction, and he doesn't think the retention systems have been installed yet. He hasn't been there to inspect; someone else from his office has been following it. The Mayor stated that we started off this meeting hearing from neighbors about water problems in this neighborhood. That is why this proposal seems to be quite an ask, for this much more density to be put on what is already a wet lot discharging water onto Schoolhouse Lane. Mr. Capizzi stated there is no evidence of that. The Mayor stated that he was at the site after the rainstorms this past weekend and there is no question that the water is being discharged at least partially from these lots. Mr. Doolittle stated that he was there yesterday with Perry and a lot of the runoff was due to the townhouses.

Mr. Doolittle stated that they are proposing to install two seepage pit systems to pick up the roof drains and the driveway runoff, and flattening the grade over the septic fields so there is more percolation into the ground rather than running off. Mayor Tomasko asked the size of the seepage pits. Mr. Doolittle replied that there will be two on the corner lot and three on the interior lot, each with at least a 1,000-gallon capacity.

Mr. Abad asked if these are spec houses or if the owner will be living there. Mr. Capizzi responded that Mr. Nela and his family will occupy one and his brother and family will occupy the other.

Mr. Doolittle reported the drainage calculations for proposed Lot 8.01. Three seepage pits will be installed, each with 870 feet of storage capacity, where 856 is required. Mr. Capizzi asked Mr. Doolittle if the design complies with stormwater management regulations. Mr. Doolittle responded yes, and if an additional seepage pit or two is needed for each lot they have no issue with that.

Mr. Capizzi had no further questions for Mr. Doolittle. Ms. Sonpal asked if it is possible to build a smaller house. Mr. Capizzi replied that what is before the board is what the applicant is requesting.

The hearing was opened to the public for questions.

Richard Incontro, owner of 36 Schoolhouse Lane, stated that changing the lots should go to the Zoning Board first. Attorney Bern advised that subdivisions are under the jurisdiction of the Planning Board. Mr. Incontro asked if the seepage pits can take care of 27,000 gallons of water, which he calculated based on recent rainfall amounts. Mr. Doolittle responded that he would have to run the calculations but as he stated earlier, they are willing to install additional seepage pits if necessary. Mr. Incontro continued that Mr. Capizzi had stated that the lots will fully conform, although they are asking for eight variances. Mr. Incontro asked how long the applicant's property is, from Closter Dock Road to DuBois Ave. Mr. Doolittle responded that it is 246 feet. Mr. Incontro stated that on the original deed map it is 210 feet. Mr. Doolittle stated that it is probably due to the access easement. Chairperson Parilla advised Mr. Incontro that only questions are allowed at this time, and that he will have an opportunity to make comments later.

Norma Noback of 57 Schoolhouse Lane stated that she has been walking on Schoolhouse Lane for forty years and has never seen so much water. She asked what the height of the houses will be. Mr. Doolittle answered that they are approximately 35 feet.

The hearing was closed to the public for questions.

Mr. Capizzi called Stanley J. Kufel, Jr., Registered Architect, of S.J. Kufel Associates, 337 Demarest Ave., Oradell, NJ. Mr. Kufel stated his credentials and was accepted as an expert. He distributed the following:

Architectural Drawing for Mr. & Mrs. M. Nela, Lot 7 (proposed 7.01) DuBois Ave., dated 10/2/23, marked **Exhibit A-3**.
Architectural Drawing for Mr. & Mrs. M. Nela, Lot 8 (proposed 8.01) DuBois Ave., dated 10/2/23, marked **Exhibit A-4**.

Mr. Kufel started with the corner lot (7.01) and stated that it is a four-bedroom dwelling with a two-car garage in front. The house is about 3,000 square feet. The rooms are an average size for a 3,000 sq. ft. house. There is nothing oversized. The basement level is unfinished. There are two full baths on the second floor, a powder room on the first floor and a full bath in the basement. It is a very basic design.

The interior lot (8.01) is also a four-bedroom dwelling, having a two-car garage on the side, a powder room on the first floor, two full baths on the second floor and a bathroom in the basement. The home also has a library/office and a family room and a homework/study area on the second floor.

Ms. Cochi noted that there is a window well shown on page 2 of the plan for Lot 8.01, but it is not shown on the exterior drawing. Mr. Kufel responded that the proposal was that down the road if they wanted to have a room for a nanny in the basement it would require a window well.

The board had no further questions for Mr. Kufel, and the hearing was opened to the public for questions.

Sandra Nudelman, a resident of 10 Cassandra Drive stated that she is hearing a lot about the size of these proposed homes, and asked how they compare to the other homes on DuBois Ave. Mr. Kufel was unable to answer that question, but Chairperson Parilla welcomed Ms. Nudelman to review the Existing Front Yard Setback drawing submitted with the plans.

Mr. Incontro asked what size septic fields are required for four bedrooms. Mr. Doolittle stated that it depends on a lot of different conditions. It is based on the number of bedrooms and has nothing to do with the number of bathrooms. It depends on the soil permeability and other restrictions within the site itself. If he were to go into the details of the design we would be here for a couple of hours, but they have designed it in accordance with state and borough codes and it has been signed off by the Borough Engineer.

Ms. Parilla asked Mr. Frenzel for comments. Mr. Frenzel commented that in his original review letter (dated January 11, 2024) he expressed concerns regarding the feasibility of seepage pits and septic fields on the property, so he convinced

McNally to do a much more intense soil testing program than what was required. There was some rock, but not extensive enough to need blasting or even hammering. The position of the septic systems and seepage pits shown on the plan appear to be acceptable. The seepage pits should be sufficient to capture a three-inch rainstorm. If another seepage pit were added it would probably capture four inches of rain. The septic fields are adequate, it is a pressure dosed system which gets a much more efficient use of the entire field. Ms. Herries asked what happens if there is a power outage. Mr. Frenzel replied that there is a 2,000 gallon septic tank, and an additional 1,000 or 1,500 gallon tank, so there are 3,500 gallons of capacity. The average household generates about 250 gallons a day, so the tanks should hold enough for about two weeks. Mr. Frenzel added that there is no question that there are serious drainage problems in this area. What is adding to the runoff is the fact that there are no curbs on Closter Dock Road, and the water runs down the hill and onto DuBois Ave. and then at the southeast corner of the property where it intersects with Schoolhouse Lane there is a small asphalt lip curb. In an intense rainfall he feels that the rain will go right over the top of that curb and down Schoolhouse Lane, so he suggests that consideration be given to berming at the edge of the property or curbing the property it would be a big help. There are also some alternatives for grading, possibly raising the top of the septic field and flattening out the property, which should be taken into consideration.

David Kupferschmid commented that he noticed that even though you are allowed 35 feet, in that area of smaller homes it seems so massive, and asked if the board should consider by policy. Mr. Doolittle stated that the building height of 35 feet comes from the lowest existing grade and since they are raising the grade, it will not be a full 35 feet from the raised ground level.

Mr. Cybul asked if both homes will be constructed at the same time, and when they are being built, how exposed are the neighboring properties during construction. Mr. Doolittle replied that he does not know when the construction will start for each of the homes, but during the construction they will put the seepage pits in so there is some temporary runoff to the pits, and when the driveway goes in, they will get leaders and roof drains. The important thing is keeping it stabilized at the same time is the bigger issue.

Ms. Mattes asked what percentage of the land is covered with buildings. Mr. Doolittle replied probably about fifteen to nineteen percent.

Andy Bhanderi of 41 Brenner Place asked how many fifteen-year storms have happened over the past fifteen years. Mr. Doolittle responded that he doesn't follow the weather. Mr. Bhanderi asked Mr. Doolittle if he was aware that New York City has one about every ten years. Mr. Doolittle stated that doesn't follow that; he follows the required drainage requirements for the state and the town.

Mr. Bhanderi stated that the pressure systems for septics are becoming more common; and what happens during a power outage. Mr. Doolittle replied that they have twelve to fourteen days of backup storage should the power go out. Mr. Frenzel.

Mr. Abad asked Mr. Doolittle when the regulations were last updated. Mr. Doolittle responded that the state regulations were just updated last June or July at the NJ DEP.

Mr. Abad stated that they were amicable to installing additional seepage pits. Mr. Doolittle stated that they could install one additional on the corner lot and one additional on the interior lot.

Mr. Capizzi asked for a brief recess. The meeting recessed from 9:04 pm to 9:15 pm.

When the meeting resumed Mr. Capizzi stated that he wishes to take the opportunity to incorporate some of the comments made by Mr. Frenzel and some other representations Mr. Doolittle made regarding additional seepage pit storage, adjusting the grading, to help with regional runoff, berming the site and tightening up some of the other aspects. He requested that the matter be carried to a further date, allowing them to do that. Mayor Tomasko made a motion to carry, seconded by Ms. Gerstein. After some discussion, it was agreed that the matter be carried to May 21st without further notice. All were in favor.

2024 PLANNING BOARD OPERATING BUDGET:

Upon a motion by Mayor Tomasko, seconded by Ms. Herries, to approve a \$5,000 Planning Board Operating Budget for 2024, with no increase from the prior year.

Upon a motion by Mayor Tomasko, seconded by Ms. Herries, to approve the 2024 Planning Board operating budget.

Vote: Ayes: Mr. Abad, Ms. Cochi, Mr. Cybul, Ms. Gerstein, Ms. Herries, Ms. McGuire, Ms. Mattes, Ms. Parilla, Ms. Sonpal, Mayor Tomasko.

COMMUNICATIONS:

- Bergen County Dept. of Planning letters (2) dated March 11, 2024 re: Nela Subdivision, 43/7&8
- (included with application submission)
- Borough Engineer letter dated February 28, 2024 re: 36 Buckingham Drive, Block 81.04 Lot 3.
- Notice of application for NJDEP Flood Hazard Area Individual Permit re:27 Warren Lane, Block 72 Lot 23.
- 200 ft Property Owners Lists re: 60/12, 121/5 & 74/9.

Duly notes, no comments.

BILLS AND CLAIMS: Upon a motion by Ms. Gerstein, seconded by Ms. Sonpal, to approve the bills listed below.

Vote: Ayes: Mr. Abad, Ms. Cochi, Mr. Cybul, Ms. Gerstein, Ms. Herries, Ms. McGuire, Ms. Mattes, Ms. Parilla, Ms. Sonpal, Mayor Tomasko.

Bern & Associates, LLC	\$ 1,093.75	11 Autumn Terrace, 81.04/19 (escrow)
Bern & Associates, LLC	\$ 25.00	11 Autumn Terrace, 81.04/19 (escrow)
Bern & Associates, LLC	\$ 1,218.75	Affordable Housing Services
Bern & Associates, LLC \$	\$ 693.75	36 Buckingham, 81.04/3 (escrow)
Clarke, Caton & Hintz	\$ 1,886.20	Appointed Court Master-March
Azzolina & Feury	\$ 64.00	990-994 Closter Dock-43/7&8 (escrow)

COMMITTEE REPORTS:

Bergen County League of Municipalities: Mayor Tomasko reported that our Special Affordable Housing Counsel Edward Buzak and Senators Holly Schepisi and Gordon Johnson were guest speakers about Affordable Housing, which at that time was still under way in the legislature.

Board of Health: No meeting. Next meeting is scheduled for May 14th.

Environmental Commission: Ms. Mattes reported that Arbor Day is coming up. A seedling given to Catherine Booth's granddaughter several years ago has grown to about three feet tall and will be planted at the Church Street Park at 1:30 pm on April 26th. All are invited to attend.

Building Department: Report on file.

NJ Transit Update: No update.

COAH Update: No update.

ADJOURNMENT: A motion to adjourn the regular Planning Board meeting was made by Ms. Sonpal and seconded by Ms. Gerstein. All were in favor. The meeting adjourned at 9:25 PM.

Respectfully submitted,

Marilyn Hayward
Recording Secretary