

ALPINE PLANNING BOARD

Alpine Borough Hall
100 Church Street
Alpine, New Jersey 07620
August 27, 2024

CALL TO ORDER/PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE: The Planning Board, Borough of Alpine, convened in regular session on Tuesday, August 27, 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, August 27, 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.

ROLL CALL

Members Present: George Abad, Jr. Gayle Gerstein, Lorraine Mattes, Sandra Nudelman, Mayor Paul Tomasko, Chair Catherine Parilla
Members Absent: Carol Cochi, Brandt Cybul, Elizabeth Herries, Joyce Sonpal
Staff Present: Douglas Bern, Esq. Board Attorney; Perry Frenzel, Borough Engineer
Marti Francis, Board Secretary

Item #6 was removed from the agenda.

APPROVAL OF MINUTES OF JULY 23, 2024, REGULAR MEETING

Upon a motion by Ms. Gerstein, seconded by Ms. Nudelman, to approve the minutes of the July 23, 2024, Planning Board Regular Meeting, eligible members voted as follows: Ayes: Mr. Abad, Ms. Gerstein, Ms. Nudelman, Ms. Parilla, Mayor Tomasko.

RESOLUTION: 990-994 Closter Dock Road subdivision and variance. Upon a motion by Mayor Tomasko, seconded by Ms. Gerstein, eligible members voted as follows: Ayes: Mr. Abad, Ms. Gerstein, Mayor Tomasko, Ms. Parilla.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS: Hearing none, the public portion was closed.

HEARING: 19 ALLISON ROAD SOIL MOVEMENT: Matthew Capizzi came forward to continue the hearing for a major soil movement application. Douglas Doolittle, still under oath, described the changes to the Site Plan, which was revised on 8/6/24 to include the updated drainage. The plan was marked A-3. A survey of the existing conditions of the site (wetlands and topography) dated 1/26/23 was distributed and marked A-4. Mr. Doolittle confirmed that currently some of the water is leaving the property and going onto Ms. Casagrande’s property. A trench drain has been put into the driveway. The 5 seepage pits planned for the back of the property were moved in response to neighbor comments and concerns. A sixth pit has been added to the plan and will be placed at the back of the property. Test holes were created and are identified on the plan as holes 5, 6, and 7. The permeability was very good. Supplemental information to the Soil Log was distributed and marked A-5. Mr. Doolittle had no objections to the Borough engineer’s review letter.

Mr. Frenzel, Borough engineer, stated that the material encountered in the test pits is good for drainage. He also spoke about the relocation of the test pits and the addition of the curb and trench drain that have been added and that are significant in water management.

Ms. Parilla asked for an explanation of these particular wetlands. Mr. Frenzel explained that these are basically flat, a shallow depression, and that the DEP considers such to be of marginal importance as they are not connected to any waterways.

Mr. Abad asked about the height of the seepage pits. Discussion of the placement of the seepage pits and the management of surface water. Ms. Nudelman asked whether the Borough or developer is responsible for the curb work. Mr. Frenzel felt that the developer is responsible.

Mayor Tomasko asked whether an additional pit could be added. Mr. Doolittle did not feel it was necessary to add pits as the plan is more than covering necessities and would prevent water from running off to the neighboring properties.

Ms. Nudelman asked whether a buyer has been identified and was told that was a question for the builder and not for this hearing.

The meeting was opened to the public for questions.

Gregory Pappas asked about the cabana and whether the water would go into the one seepage pit. He was told that the cabana is tied into the drainage system.

David Kurtz asked about the outdoor kitchens. He was told that there was an outdoor kitchen near the house and a kitchen in the cabana. There was a discussion. Mr. Capizzi stated that the application has zoning permission and that this is a soil movement application only.

Susan Roura (5 Birch Road) asked about the cabana and stated that it is not an empty shell.

David Kurtz asked about the cabana and was told that part of the resolution would require that no one ever lived there. If it were ever reported that the cabana was used as a living space this would be a violation and there would be remedies.

A member of the public asked if there was an ordinance against guest houses and was told that the zoning was single family residential.

Susan Roura asked what the impact of the cabana would be on the drainage system. She was told that it has been calculated into the system.

Mr. Frenzel explained that there are septic connections from the cabana. He said that septic systems are sized for the number of bedrooms and that if someone lived in the cabana it would overload the system and would be grounds for the activity to cease.

Roberta Costa, engineer, came forward to represent his client, Rosemary Casagrande. Mr. Capizzi objected to Mr. Costa questioning the engineer as Mr. Costa is not an attorney. It was decided that Ms. Casagrande had to ask the questions and that Mr. Costa could not cross-examine the witness. Mr. Costa told Ms. Casagrande the questions to ask. She asked whether there were waivers sought and was told that there were no zoning waivers sought. Mr. Costa told Ms. Casagrande to ask whether Mr. Doolittle was familiar with several parts of Chapter 185 section 3 of the Alpine Borough code. Dr. Pappas read part of the code suggesting that cross sections had to be on the plan. Mr. Doolittle said that the cross-sections had been done and accepted by the engineer.

A member of the public asked whether they should be uncomfortable about the fact that the plans were reviewed in one day.

Mr. Capizzi stated that the application was deemed complete. Mr. Frenzel stated that the cross-sections were submitted as part of the filing.

Mr. Kurtz asked about the cross-sections having to be on the plan.

Ms. Parilla stated that the Board had to rely on its experts.

Mr. Costa directed Ms. Casagrande to ask about Section B, which had to do about contours. Mr. Doolittle stated that the contours had been done but were not currently on the plans. They were on the survey and were removed from the exhibit. Mr. Capizzi stated that they could be added again as a condition of approval.

Upon a motion by Ms. Gerstein, seconded by Ms. Mattes, and supported by the Board, the meeting took a recess at 8:23 pm. The meeting resumed at 8:26 pm.

Someone asked about the location of the generator.

Mr. Costa directed Ms. Casagrande to ask for the total amount of disturbance and was told that the engineer believed that it was .98.

The meeting was closed to the public.

Ms. Nudelman said that a measure of assurance was needed that the developer could not make the borough liable for any subpar drainage work that was done. Mr. Capizzi stated that work in the right of way could be discussed in the Developers Agreement. This will be part of the resolution.

The meeting was opened for a question. David Sokolower asked about the test pits potentially leading to additional seepage pits. He said he felt that there should be more on the westerly side. Mr. Capizzi stated that the plan was 30% over-detained and that they were not at liberty to add another. Ms. Parilla asked whether another could be added. Mr. Doolittle said that he was comfortable with the plan as it stands. Vincent LaBarbieri, the builder (1 Homestead Road, Mahwah), was sworn in. He stated that he was already hard pressed to find places to plant the trees he was required to plant and that more seepage pits meant less area. Mr. Capizzi was asked whether the owner would agree to add one or two more. Discussion.

Mr. Frenzel said that the addition of trees would help the situation. He also said that he is satisfied with the plan as it has been presented.

Ms. Casagrande asked about the two-year guarantee for the trees. She asked who is responsible if water comes on her property and kills the trees. She was told that some kind of protection will need to be put into the resolution. The landscaping is part of the site plan approval. Mr. Capizzi said that it would be worked out with the shade Tree Commission.

Ms. Casagrande expressed concern that the property contains wetlands.

The Mayor strongly urged the applicant to add one more seepage pit. He also spoke about the positive changes that have been made to the plans.

The Board attorney listed the conditions that will be included: plan showing 25-foot topographical contours, the soil moving specifics being added to the plan, the approval of the Shade Tree Commission for the landscaping plan, the bonding for improvements in the municipal right of way.

The Mayor stated that it should be included in the resolution that the Board made an effort to have the applicant eliminate the second outdoor kitchen.

Mr. Capizzi received permission from the owner to add one more seepage pit.

The meeting was opened to the public for comments.

Susan Roura (5 Birch Road) made a comment about the full kitchen in the cabana and that there was no need for it. She also expressed concern that it lent itself to living in the cabana.

Ms. Nudelman suggested a future ordinance could ban stoves in accessory structures.

Mr. Kurtz asked whether the ordinance specified what could be in an accessory structure. Mr. Frenzel did not believe that it was specific. Mr. Kurtz suggested banning the kitchen in the cabana. Mr. Capizzi stated that the application is for soil movement and that the cabana is not before the Board. Discussion.

Mayor Tomasko stressed that the ideal is not to have to come before a Board at all.

Rosemary Casagrande introduced Robert Costa, who gave his background as a licensed engineer and planner. He spoke about the Alpine soil moving ordinance. He said that his client did not want to stop the development. He said that the plan needs cross-sections and contours. He also suggested that there are waivers. He suggested that the hearing was not advertised properly because these two things are not on the plans. He spoke about the landscape plan that is not present.

The Mayor said that the Planning Board has usually proceeded on the assurances that what is before it is satisfactory and sufficient. He also said that a lot of work has been done for the benefit of the residents.

Mr. Capizzi stated that Mr. Costa received all of the materials that were submitted to the Board.

Mr. Costa stated that the Board did not have the plan with all of the information.

Mayor Tomasko asked what would be the benefit of waiting. Mr. Costa said that a condition of approval could be that these items be provided.

Mr. Costa spoke about the area of disturbance and that it is important to know exactly what that amount is and that the requirements change drastically when it becomes 1 acre. He felt that it should be verified and put on the plans.

Mr. Capizzi summed up the application.

Upon a motion by Ms. Nudelman, and a second by Mayor Tomasko, the Board discussed the application.

Board members voiced that the .98 acres disturbance needed to be verified, that a lot of trees were coming down, that perhaps the pool house could be smaller, the bonding for stormwater work needed to be in place, a landscape plan was needed (to the approval of the engineer and Environmental Commission).

Eligible members voted as follows: Yes with conditions: Mr. Abad, Ms. Gerstein, Ms. Nudelman, Mayor Tomasko, Ms. Parilla.

Conditions: Adding a second seepage pit to the rear and five to the side, plans with the 25-foot contours need to be provided, the landscape plan must be submitted to the Environmental Commission and engineer, the curbing in the right of way needs to be bonded, the cross-sections need to be on the plans, the percentage of disturbance must be verified to be under an acre (.98), there is no living allowed in the cabana. The plans will need to reach the Board at least 10 days before the meeting.

COMMUNICATIONS

Public Notice of “Final Compliance Hearing” to consider the entry of a final judgment of compliance and repose Engineering letter concerning FWW TA waiver and FWW 10A for 36 Marie Major Drive

BILLS & CLAIMS

Azzolina & Feury	992.00	990-994 Closter Dock Road
Azzolina & Feury	1,184.00	27 Warren Lane
Azzolina & Feury	1,536.00	19 Allison Road
Douglas Bern	311.25	990-994 Closter Dock Road
Douglas Bern	150.00	19 Allison Road
Douglas Bern	500.00	General Services July
Douglas Bern	175.00	FE Alpine/Sylco
Douglas Bern	812.50	46 Tamarack Road
Burgis Associates	915.00	Housing Plan, Third Round
Clarke Caton Hintz	3,655.57	Appointed Court Master

Upon a motion by Ms. Gerstein, seconded by Mayor Tomasko, to approve the above bills and claims, eligible members voted as follows: Ayes: Mr. Abad, Ms. Gerstein, Ms. Mattes, Mayor Tomasko, Ms. Parilla. Ms. Nudelman was absent.

COMMITTEE REPORTS There were no reports.

- Bergen County League of Municipalities
- Board of Health
- Environmental Commission
- Building Department: The report is on file.
- NJ Transit Update
- COAH Update

ADJOURNMENT: Upon a motion by Mr. Abad, seconded by Ms. Gerstein and supported by the Board, the meeting was adjourned at 9:25 pm.

Respectfully submitted,

Marti Francis
Recording Secretary