

ALPINE PLANNING BOARD

Alpine Borough Hall
100 Church Street
Alpine, New Jersey 07620

MINUTES

August 22, 2023

CALL TO ORDER/PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE: The Planning Board, Borough of Alpine, convened in regular session on Tuesday, August 22, 2023 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 22, 2023 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.

ROLL CALL:

Members Present: Carol Cochi, Brandt Cybul, Gayle Gerstein, Elizabeth Herries, Catherine McGuire, Lorraine Mattes, Catherine Parilla, Mayor Paul Tomasko

Members Absent: George Abad, Joyce Sonpal

Staff Present: Douglas Bern, Esq. Board Attorney; Perry Frenzel, Borough Engineer; Marilyn Hayward, Board & Recording Secretary

APPROVAL OF MINUTES OF JUNE 27, 2023 REGULAR MEETING:

Upon a motion by Catherine McGuire, seconded by Mayor Tomasko to approve the minutes of the June 27, 2023 Planning Board Regular Meeting. Eligible members voted as follows:

Vote: Ayes: Ms. Gerstein, Ms. Mattes, Ms. Parilla, Mayor Tomasko.

Abstain: Ms. Cochi, Mr. Cybul, Ms. McGuire, Ms. Herries.

Absent: Mr. Abad, Ms. Sonpal.

APPROVAL OF MINUTES OF JUNE 27, 2023 EXECUTIVE SESSION:

Upon a motion by Gayle Gerstein, seconded by Mayor Tomasko to approve the minutes of the June 27, 2023 Planning Board Executive Session. Eligible members voted as follows:

Vote: Ayes: Ms. Gerstein, Ms. Mattes, Ms. Parilla, Mayor Tomasko.

Abstain: Ms. Cochi, Mr. Cybul, Ms. McGuire, Ms. Herries.

Absent: Mr. Abad, Ms. Sonpal.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS: No comments.

HEARING: Soil Moving – Tee, Barine, 59 Robin Lane, Block 31 Lot 4.

Exhibit marked during course of proceedings:

A – 1 Rendering of Landscape Planting Plan submitted with the application; prepared by HKla, LLC; last revised 8/8/23.

Application seeks:

- Approval of soil moving permit in excess of 1,000 cubic yards; total volume 1,750.45 cubic yards.
- Swimming Pool waiver to exceed maximum height of walls surrounding the proposed pool.

Matthew G. Capizzi, Esq., Capizzi Law office, 205 Fairview Ave., Westwood, NJ appeared on behalf of Applicant Barine Tee, who was also in attendance, along with Douglas W. Doolittle, P.E., P.L.S., P.P., McNally, Doolittle Engineering, LLC 169 Ramapo Valley Road, Oakland, NJ 07436, and Paul Keyes, Landscape Architect, HKla, LLC, 44 Cortland Place, Tenafly, NJ. Applicant seeks redevelopment of property with a new single-family residence, in-ground pool, patio and other associated improvements. The property drops off drastically from Robin Lane in a downward slope as you head toward the rear property line. There is an existing pool on plane with the existing basement level of the house, poorly in view from the first or second floor. The proposed new

pool will be almost on plane with the first floor for better flow and to allow parents to keep an eye on activities when children are in the pool. Only two trees are being removed for the development; Paul Keyes has prepared an extensive landscape plan. The applicant desires to heavily landscape the property for privacy purposes and for ecological benefits associated with the lot.

Mr. Doolittle was sworn and accepted as an expert witness. Mr. Doolittle referenced the drawing entitled 'Site Plan, Soil Erosion and Sediment Control for Site Construction', Tee, Block 31 Lot 4, 59 Robin Lane, Alpine, NJ dated 5/26/22 and last revised 7/19/23. The property is not totally rectangular and is on a curve with the street. They are proposing a new dwelling, pool and cabana. They propose taking the existing pool and raising it to match the finished first floor of the new home. The rear yard is heavily wooded and on wetlands and also a riparian buffer; therefore, no trees may be removed from that area. They are improving drainage by installing six new seepage pits in the front and six additional pits in the rear for the patio and pool. The walls are necessary to increase the grade of the pool. The pool is unique as it is a vanishing edge pool. The pool will not be visible to adjoining neighbors.

The new septic system is in and working now for the existing home, and they have Bergen County Soil Conservation approval as well. The Mayor noted that he only saw one septic system. Mr. Doolittle replied that there is only one field, with three tanks.

Two trees are being removed in the front where the seepage pits will be installed. Nothing will be disturbed in the rear and there is no grading in the buffers.

Ms. Herries asked if the design of the pool's vanishing edge necessitated the waiver. Mr. Doolittle responded yes, due to the three feet and more than 30% of pool above existing grade. Ms. Herries asked if the waiver would be necessary if there wasn't a vanishing edge. Mr. Doolittle replied that it probably would because it is above existing grade being over three feet, but the specific need for the three feet of pool being out of the ground is because of the vanishing edge. Mr. Capizzi asked if the vanishing edge pool would help in stepping down the grade change. Mr. Doolittle responded yes because the back two sides, to the rear and south, have the trough where the water cascades off into the trough which is anywhere from three to five feet below the coping of the pool, so that can't be backed up against. It has to be left open to catch the water as it comes off and collects it and pumps it back into the pool.

Mr. Frenzel clarified that if the pool was set down further it would be below the top of the septic system. There were constraints in the ground that caused them to raise the septic system. What this creates is an almost level graded area throughout the rear yard.

Ms. Cochi asked how high up the pool is. Mr. Doolittle responded that it is nine to ten feet higher than the existing pool, so that is why the walls are there. The walls are less than six feet high and are terraced more than six feet.

Ms. Mattes commented that she has never seen a house of this size with only one septic field, and asked if this is going to be adequate. Mr. Doolittle replied yes, they do these all the time. It is a pressure dose system, so they are allowed to go smaller.

Mr. Cybul asked if the six seepage pits in the rear are in the right spot to catch all the water runoff toward the southwest corner. Mr. Doolittle stated that they will pick up the roof runoff, the patio area, pool and cabana. The rest of the home and driveway will go to the six seepage pits in the front. There is really no drainage in the rear area now; this will bring it up to today's code.

In response to Ms. Parilla's question, Mr. Doolittle stated that the new structure will have an underground basement.

Ms. Parilla asked Engineer Frenzel for his comments. Mr. Frenzel remarked that they are awaiting DEP approval. The septic system is in; it is a pressure dose system which distributes the liquid waste more evenly than a gravity system, better treatment capability and probably a longer life. There was no room for two full-sized systems on

this property, but the one system fully meets the all the criteria for DEP. Mr. Doolittle added that they do a lot more of these pressure dose systems in other towns. This is becoming the new technology, as there is more flexibility in where they can place the systems. There will be a generator on this property so the system will operate without power, and Mr. Frenzel added that each tank has about a 4,500-gallon capacity, so with the three tanks there is enough storage for about seven days.

Mayor Tomasko asked what vacant property Mr. Frenzel referred to in his review letter. Mr. Frenzel responded that it is on the northwest corner of Church and Graham Street.

Mr. Capizzi called Paul Keyes, who was sworn and accepted as an expert witness. Mr. Keyes referred to the Landscape Plan on display (Exhibit A-1) and confirmed that it is a rendered copy of the plan submitted with the application. Mr. Keyes stated that they took a different approach for this property. There are only two trees being removed, and they are using a lot of large plantings of different sizes and species. They are using ground cover around the trees to stabilize as much as possible which will require low maintenance and less water. The pachysandra as ground cover will keep the leaves in at the end of the year and use less mulch. In response to Mr. Capizzi's inquiry, Mr. Keyes responded that they are planting about 80 trees. Most of the trees will take in groundwater which will help to improve the drainage. Ms. Parilla asked if the majority of the trees are native. Mr. Keyes responded that he uses them when he can, but he tries to use plants that don't have significant pest problems and require pesticides.

The meeting was opened to the public. There were none.

Mayor Tomasko stated that he had already welcomed the applicant to the town, and he wondered what brought him to decide to totally rebuild an already sizable and nice house to the extent of six bedrooms. Mr. Tee responded that he has lived in the house since 2019 and intended to renovate but after living there he realized that there were so many issues with the house that it would make more sense to rebuild. He has three children and hosts his extended family often and anticipates that some extended family members will eventually move in with them.

Ms. Mattes commented that she is impressed with the Landscape Plan. She has seen large trees planted in Utah and it is remarkable because it looks like they've been there for a long time. Also, leaving the natural leaves in the pachysandra is wonderful.

Mr. Frenzel commented that a lot of thought went into this plan, and it goes beyond the property lines. The board recently heard an application for 14 Church Street where there were water conditions. They are hoping that the proposed tree plantings will help to mitigate any water runoff from this site and should help to make the Church Street property self-sustaining even quicker than anticipated.

Upon a motion by Mayor Tomasko, seconded by Ms. Herries to approve the application subject to the usual and specific conditions and those outlined in Borough Engineer's review letter dated July 31, 2023 and revised August 1, 2023.

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

MOTION APPROVED

COMMUNICATIONS:

- Notice of Application for Flood Hazard Area Individual Permit submitted to DEP re: Block 55 Lots 25.01, 26, 27, 28, 29 and 30 (Alpine portion). *Borough Engineer Frenzel reported that this is an amended application based on the reduction in the number of units.*
- Notice of Bergen County Soil Erosion and Sediment Control Plan Certification re: Block 42 Lot 3, 1006 Closter Dock Road. *Duly noted; no comments.*
- Notice of Bergen County Soil Erosion and Sediment Control Plan Certification (Septic System) re: Block 49.02 Lot 5, 11 Pike Street. *Duly noted; no comments*

- Notice of DEP Soil Erosion and Sediment Control Plan Certification re: Block 31 Lot 4, 59 Robin Lane. *Duly noted; no comments*
- Notice of Bergen County Soil Erosion and Sediment Control Plan Certification re: Block 39.02 Lot 16.07, 14 Church Street. *Duly noted; no comments*
- Notice of Bergen County Soil Erosion and Sediment Control Plan Certification re: Block 81.04 Lot 3, 36 Buckingham Drive. *Duly noted; no comments*

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

Burgis Assoc.	\$1,395.00	Housing Plan 2015 – June services
Bern & Assoc.	\$ 125.00	14 Church St., 39.02/16.07 (escrow)
Bern & Assoc.	\$ 375.00	General Planning Board Services – May
Bern & Assoc.	\$ 375.00	General Planning Board Services - June
Clarke Caton & Hintz	\$1,667.50	Court Appointed Master – June
Clarke Caton & Hintz	\$1,050.00	Court Appointed Master – July
North Jersey Media	\$ 10.56	Notice of Decision – 39.02/16.07 (escrow)

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

Absent: Mr. Abad, Ms. Sonpal.

COMMITTEE REPORTS:

Bergen County League of Municipalities: Mayor reported that no meeting was held due to summer recess. Next meeting will be held on September 21st. One of the County Commissioners, Tracy Zur, will speak at this meeting.

Board of Health: Next meeting will be held on September 19th.

Environmental Commission: Ms. Mattes reported that they’ve been looking at trees to be removed, but all have been on small properties. The Mayor commented that the Environments Commission has done a fantastic job of heightening awareness of the Spotted Lantern Fly.

Building Department: Reports distributed; no comments.

NJ Transit Update: No report.

COAH Update: Immunity extended to September 29th. Further discussion was deferred to Executive Session.

Upon a motion by Mayor Tomasko, seconded by Ms. Gerstein to enter into Executive Session. All were in favor. The Board entered into Executive Session at 8:18 PM and returned to Open Public Session at 8:24 PM.

EXECUTIVE SESSION:

Resolution: Executive Session A Resolution providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

OFFERED BY: Mayor Tomasko, **SECONDED BY:** Ms. Gerstein.

at a regular meeting of the Planning Board of the Borough of Alpine held on Tuesday, August 22, 2023

WHEREAS, the Planning Board of the Borough of Alpine is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Planning Board of the Borough of Alpine to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b subsection designated below:

(b)(8) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Affordable Housing

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Alpine, assembled in public session on Tuesday, August 22, 2023, that an Executive Session closed to the public shall be held for the discussion of matters relating to the specific items designated above; and

BE IT FURTHER RESOLVED, that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Planning Board that the public interest will no longer be served by such confidentiality.

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

Absent: Mr. Abad, Ms. Sonpal.

MOTION APPROVED

ADJOURNMENT: A motion to adjourn the regular Planning Board meeting was made by Ms. Herries and seconded by Ms. McGuire. All were in favor. The meeting adjourned at 8:24 PM.

Respectfully submitted,

Marilyn Hayward
Recording Secretary