

## **ALPINE PLANNING BOARD**

Alpine Borough Hall  
100 Church Street  
Alpine, New Jersey 07620

### **MINUTES**

January 24, 2017

**CALL TO ORDER/PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE:** The Planning Board, Borough of Alpine, convened in regular session on Tuesday, January 24, 2017 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, January 24, 2017 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.

**SWEARING IN OF 2017 OFFICIALS:** Prior to the meeting Attorney Phillips administered the oath of office to Gayle Gerstein, Class III member for a one year term expiring 12/31/2017. Catherine McGuire, appointed to a four year term 12/31/2020 was not present and will be sworn in at a later date.

### **ROLL CALL:**

Members Present: Gayle Gerstein, David Kupferschmid, Lorraine Mattes, Catherine Parilla  
Joyce Sonpal, Mayor Paul Tomasko Catherine McGuire @7:36 PM

Members Absent: Carol Cochi, Elizabeth Herries, Alt I Jeff Fromm,

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

**REORGANIZATION:** Upon a motion by Mayor Tomasko, seconded by Joyce Sonpal the following members were nominated and being no further nominations, carried unanimously

Chairperson:	Catherine Parilla
Vice-Chair:	Catherine McGuire
Secretary:	Joyce Sonpal
Recording Secretary:	Marilyn Hayward

**PROFESSIONAL SERVICE APPOINTMENTS:** Upon a motion by Gayle Gerstein, seconded by Joyce Sonpal to re-appoint the following professionals and to adopt the corresponding Professional Resolutions appended to these minutes for the positions of Board Engineer, Board Attorney and Borough Planner.

Board Engineer:	Gary Vander Veer, P.E. of Azzolina & Feury
Board Attorney:	John Phillips, Esq.
Borough Planner	Joseph Burgis, P.P. of Burgis Assoc., Inc.

Vote: Ayes: Gayle Gerstein, David Kupferschmid, Lorraine Mattes, Catherine Parilla, Joyce Sonpal, Mayor Paul Tomasko

**RE-ADOPTION OF PLANNING BOARD BY-LAWS:** Upon a motion by Mayor Tomasko and seconded by Gayle Gerstein to re-adopt the Planning Board By-Laws.

Vote: Ayes: Gayle Gerstein, David Kupferschmid, Lorraine Mattes, Catherine Parilla, Joyce Sonpal, Mayor Paul Tomasko

**MEETING DATES:** Upon a motion by Gayle Gerstein, seconded by Joyce Sonpal to approve 2017 meeting dates: The 4<sup>th</sup> Tuesday of each month except where otherwise noted: Jan.24, Feb. 28, Mar 28, Apr. 25, May 23, June 27, July 25, Aug. 22, Sep. 26, Oct. 24, Nov. 28, Dec, 19 (3<sup>rd</sup> Tues.).

**APPROVAL OF MINUTES OF NOVEMBER 22, 2016 REGULAR MEETING:**

Upon a motion by Joyce Sonpal, seconded by Lorraine Mattes to approve the minutes of the November 22, 2016 Planning Board Regular Meeting. Eligible members voted as follows:

Vote: Ayes: Gayle Gerstein, Lorraine Mattes, Catherine Parilla, Mayor Paul Tomasko

**OPEN TO PUBLIC (NON-AGENDA ITEMS):** There were no members of the public in attendance.

Mayor Tomasko that a new member has advised him she still does not feel comfortable voting on the matters before her even after completing the mandatory training course. Mayor Tomasko recommending asking the Borough Engineer to provide a tutorial on how to read a site plan, applicable ordinances and information on septic systems. Marilyn Hayward was asked to check when new members can attend and include this towards the end of a future meeting, perhaps in February. Attorney Phillips will contribute to the in-service.

Discussion of suggested changes to tree ordinance regarding references to "buffer zone" and "buffer area". (see John Phillips' Memorandum dated January 14, 2017). Chairwoman Parilla asked if the Board had any questions. Attorney Phillips noted Lorraine Mattes comments and having reviewed the ordinance advised there is a difference between buffer zone and buffer area.

**MEMORIALIZATION: Minor Subdivision: Minnetian/Gofman; Block 72 Lots 25.01 & 26.01; 35-39 Warren Lane.**

Upon a motion by Mayor Tomasko seconded by Lorrain Mattes to adopt a resolution memorializing action taken by the Planning Board of the Borough of Alpine on November 22, 2016 a copy of which is appended to these minutes.

Eligible members voted as follows:

Vote: Ayes: Gayle Gerstein, Lorraine Mattes, Catherine Parilla, Mayor Paul Tomasko

**COMMUNICATIONS:****12/17/2016 Houser Engineering Notice of Application for Treatment Works Approval (TWA)40 Schaffer Road**

**Block 81.08 Lot 1** Mr. Vander Veer explained applicant began development of this property about 15 years ago with partial construction of septic systems designed for a 4-bedroom house. Applicant subsequently submitted plans for an 8-bedroom house without altering the septic system design. The Borough requested additional testing as, although the fields are oversized for a 4-bedroom house, subsurface conditions including rock, would justify the need for additional proof.

The Borough has conducted multiple meetings with this applicant and his engineers. Although Applicant's engineer maintains the field sizes are adequate, Mr. Vander Veer is not comfortable with approval. Certain checklist items were not adequately addressed in the application to the Borough and the Applicant refuses further water testing citing it is not required under State regulations. They have instead opted to apply directly to the State. The Treatment Works Application requires them to notify municipal agencies including the Planning Board. Form WQM006A also requires the Borough's administrative authority sign off that the Borough approves. As the Borough does have concerns Mr. Vander Veer consulted with Borough Attorney Huntington and as a result Mr. Vander Veer signed the form but indicated the Borough's reservations on the form submitted to the State. Board members expressed concerns with a septic system installed that long ago; how can they be sure it will still function properly? Mr. Vander Veer explained if the State approves the waivers from the checklist requirements the Borough will have no alternative but to issue a septic system permit. However, their engineer will have to certify that the systems will function. If they fail the town is not responsible.

**12/7/2016 Land Systems LLC 11 Dogwood Lane Block 11 Lot 1 NJDEP-FWW-LOI Application**

Mayor Tomasko explained applicant wants to redevelop this property that currently has a small Cape Cod style home. They have requested a Letter of Interpretation. Historically the Board has taken positions to protect wetlands and open water courses which in this case is the Demarest Brook in close proximity, a Category I watercourse. The Board requested Mr. Vander Veer submit a letter of their concerns. Mr. Vander Veer noted at this stage they are just seeking the Letter of Interpretation to clarify location of the wetlands on site and are not seeking approval for waivers or to fill wetland areas. If they plan to develop they would have to then submit another application. Mr. Vander Veer will provide a letter to Marilyn Hayward. There were no objections from the Board; all were in favor of this course of action.

**Borough Ordinance 765 Establishing Historic Preservation Commission** Chairwoman Parilla asked if action was required at this time. Mayor Tomasko advised none at this time.

**FINANCIAL REPORT:** The Planning Board’s budget for the year 2016 was \$5,000; total expenditures were \$\_\_\_\_\_. A motion to propose a 2017 budget of \$5,000 to Mayor & Council was made by Catherine Parilla, seconded by Mayor Tomasko. All were in favor.

<b>BILLS:</b>	North Jersey Media Group	\$ 17.33
	Clarke, Caton, Hintz	\$110.00 COAH Court Appointed Special Master December
	Clarke, Caton, Hintz	\$ 99.07 COAH Court Appointed Special Master November
	John Phillips	\$200.00

A motion to approve the above referenced bills was made by Catherine McGuire and seconded by Joyce Sonpal. Mayor Tomasko noted Clarke, Caton, Hintz bills will be paid from the Affordable Housing Trust Fund and not the budget. All were in favor.

**COMMITTEE REPORTS:**

Northern Valley Mayors & Planners Assoc.: The Mayor advised there was no meeting this month. Last month’s meeting was a holiday gathering.

Board of Health: Report of the Health Department dated December 6, 2016.

Catherine Parilla questioned what can be done when projects are left unfinished for prolong periods leaving properties unsightly. Mr. Vander Veer noted 4-5 cases in the Borough where owners installed fields and subsequently left the sites in an unfinished state. Letters were sent to the developers requesting status of work and informing them of need to secure property, stabilize areas of disturbance and make sure vegetative erosion control measures are in place. Going forward a requirement to post a \$10,000 bond to install new septic systems is being enforced in keeping with an amended ordinance adopted a few months ago which the Planning Board had found to be in keeping with the Master Plan. Lorraine Mattes noted an increase in construction and the disturbing appearance of these sites while under construction. Catherine Parilla questioned properties that are vacant for prolonged periods. Mr. Vander Veer questioned whether this may be also be a property maintenance issue. Mr. Phillips explained the difference between cash and surety bonds. Paper bonds are more difficult to enforce.

Catherine Parilla questioned if the septic work being performed at the Alpine School was required due to the addition. Mr. Vander Veer’s understanding is that the septics were in disrepair and they are being replaced without expansion.

David Kupferschmid questioned a project on Birch Road involving mounding for the septics with a pump in the rear of the property emitting water 24/7. The property is mostly wetlands and transition areas. Mr. Vander Veer indicated they’ll build up a central area for the house and septics surrounded by a retaining wall; the bulk of the property will remain undisturbed. They have to install a curtain drain which was damaged during installation of the foundation. They are aware this must be restored in order for the septic systems to function. A TCO can not be issued until this work is complete. Mr. Vander Veer will re-inspect to assess the discharge.

Environmental Commission: Ms. Mattes advised the Environmental Commission submitted application for Tree City and Growth awards.

Building Department: The reports were distributed for November and December. It includes the Property Maintenance Officers report. Focus was on dangerous trees.

Board of Adjustment Annual Report: There was only one matter decided last year.

NJ Transit Update: No new developments.

COAH Update: The Supreme Court handed down a decision last week ruling municipalities must meet affordable housing needs that accumulated during the so-called "gap period" between 1999 and 2015, when the state's Council on Affordable Housing failed to produce housing quotas for towns. Alpine received an extension through February 28. The Court Appointed Master will make himself available to Alpine when his schedule permits. The Borough’s plan centers around a request for a vacant land adjustment very much in keeping with the 2000 plan that resulted in the initial Certificate of

Compliance from Superior Court Judge Jonathan Harris. Towns are very concerned with unrealistic expectations being imposed upon them.

**Alpine Three Update.** Mr. Vander Veer advised the first (gray water) field passed the water test which demonstrated acceptable permeability. Work was begun on the second (black water) field. Rock removal was completed, bottom stone installed and a water test began December 28. On January 4, the water test was abandoned as the water was rising a few inches every day and about to overflow. They have applied for a demolition permit to remove the accessory garage (not the house) located at the edge of the excavation so they can do some filling and add some elevation to that low point where it may then be feasible for water to permeate from the sides. Once that is completed and secured they will restart the water test. This process, particularly time needed to remove rock, has been ongoing since the end of June 2016. Some cracks were visible on the westerly side of the beds but both excavations revealed solid rock on the easterly side. The second bed is still over 100 feet from Schoolhouse Lane. The westerly corner of the lot has a persistent saturated condition. While monitoring the water test Mr. Vander Veer also inspects for bleeding out (dye test) through the embankment or excessive flows of water. Recent rains have contributed to the wet conditions. The applicant has increased security on the site to preclude tampering.

**ADJOURNMENT:** A motion to adjourn the regular Planning Board meeting was made by Ms. McGuire and seconded by Ms. Sonpal. All were in favor. The meeting adjourned at 8:15 PM.

Respectfully submitted,

Marilyn Hayward  
Recording Secretary