

**ALPINE PLANNING BOARD**

Alpine Borough Hall  
100 Church Street  
Alpine, New Jersey 07620

**MINUTES**

June 25, 2019

**CALL TO ORDER/PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE:** The Planning Board, Borough of Alpine, convened in regular session on Tuesday, June 25, 2019 at 7:30 P.M. Chairperson 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, June 25, 2019 at 7:30 P.M. has met the requirements of the law by publication in The Record, posting on the bulletin board of the lobby in the Borough Hall and filing in the office of the Borough Clerk.

**ROLL CALL:**

Members Present: Carol Cochi, Gayle Gerstein, Elizabeth Herries, Lorraine Mattes, Catherine McGuire (@7:35), Catherine Parilla, Joyce Sonpal (@7:35), Mayor Paul Tomasko  
Members Absent: David Kupferschmid, Alt I Jeff Fromm  
Staff Present: Michael Kates, Board Attorney, Perry Frenzel, Borough Engineer  
Marilyn Hayward, Board & Recording Secretary

**APPROVAL OF MINUTES OF APRIL 23, 2019 REGULAR MEETING:**

Upon a motion by Carol Cochi, seconded by Lorraine Mattes, to approve the minutes of the April 23, 2019 Planning Board Regular Meeting. Eligible members voted as follows:

Vote: Ayes: Carol, Cochi, Gayle Gerstein, Catherine McGuire, Lorraine Mattes, Catherine Parilla, Mayor Paul Tomasko  
Abstain: Elizabeth Herries, Joyce Sonpal

**APPROVAL OF MINUTES OF APRIL 23, 2019 EXECUTIVE SESSION MEETING:**

Upon a motion by Gayle Gerstein, seconded by Catherine McGuire, to approve the minutes of the April 23, 2019 Planning Board Regular Meeting. Eligible members voted as follows:

Vote: Ayes: Carol Cochi, Gayle Gerstein, Lorraine Mattes, Catherine McGuire, Catherine Parilla, Mayor Paul Tomasko  
Abstain: Elizabeth Herries, Joyce Sonpal

**OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:** None

**NEW APPLICATION: SOIL MOVING: Kurtz, David & Michelle, Block 73 Lot 10, 6 Birch Road**

Joyce Sonpal recused. She is a neighbor.

Matthew G. Capizzi, Esq. of Capizzi Law Offices, 11 Hillside Ave., Second Floor, Tenafly, NJ 07670 appeared on behalf of Michelle and David Kurtz (no relation to owners of the Frick Estate). Also appearing for the Applicants is Michael J. Hubschman, P.E., P.P., of Hubschman Engineering, P.A. 263A So. Washington Avenue, Bergenfield, NJ 07621.

The Board previously approved a soil moving permit application in 2016 for the prior owner. The current plan is similar but for a home with a smaller footprint. The pool has been relocated to the east. Soil moving volumes are about 200 cubic yards less. Waivers requested are the same, albeit slightly diminished, addressing minor grading into the tree buffer and fill in excess of five feet above original grade. Neighbors participated in the 2016 hearing to address concerns primarily with drainage. The same drainage plan has been carried over to this application and plan with the exception of some Cultech chambers that were omitted in error which will be re-incorporated.

**Michael J. Hubschman** was sworn and accepted as a licensed engineer and planner.

The following were marked as exhibits:

A – 1 colorized version of “Site Plan/Septic System Plan: No. 6 Birch Road” prepared by Hubschman Engineering, PA dated April 22, 2019 with no revisions.

Mr. Hubschman described the property as a 45,828 square foot (sf) lot sloping diagonally from elevation 446 feet in the east corner to 414 feet at the west corner. The house’s footprint was reduced from 4,000 sf to 3,208 sf. The driveway configuration is similar to the prior approval with access from both Allison and Birch Roads. The pool was moved from the west corner to the rear yard. As for the prior application, three Cultech chambers will be added in the northwest corner to address the neighbor’s drainage concerns as this property slopes down towards their property. In addition, they moved a rear wall ten feet and the side wall five feet from the property line. Runoff will enter the drainage system and be piped to the stormwater system in Birch Road; no runoff will flow to the neighbor’s property. Soil moving calculations: cut 1,568 cubic yards (cy), fill 1,371 cy, export 197 cy, import 1,056 cy for a total of 1,568 cy; most of the soil is staying on site. They need a variance from the steep slope ordinance to permit the retaining walls along the driveway. They would not need a variance for grading but believe the walls are a better solution to reduce the area of disturbance. The septic fields were installed two years ago.

The hearing was opened to the Board for questions.

Ms. McGuire recalled the Board’s prior discussion regarding the access points for the driveways for safety purposes.

Ms. Mattes questioned prior approvals. The former resident appeared before the Planning Board and obtained one extension. This applicant has applied for a zoning review as noted in Mr. Blackwell’s May 15, 2019 letter. Attorney Kates focused on Mr. Blackwell’s notation that a waiver is required for disturbance of the ten foot tree buffer for the retaining wall, drainage and grading. Mr. Hubschman explained the wall was required to level the area around the septic field and also for purposes of the drainage system that will pipe water away from the neighbor and out to the street.

Ms. Mattes questioned tree replacement. She noted Mr. Frenzel’s letter [5-31-2019] states “*No additional trees appear to be scheduled for removal, and those which are to be removed fall within the footprint of the septic systems, the proposed dwelling and its appurtenances.*” She noted the Engineer’s letter for the prior application [8-3-2015] stated “*The plan has also been revised to provide the required quantity of mitigation plantings due to the proposed tree removal. The plan now provides for forty-five replacement trees of the size required by the Tree Ordinance. Thirty conifers and fifteen deciduous trees are to be installed. The plan indicates forty-six trees but appears to be short one of the conifers. Regardless, the number exceeds the minimum required and is acceptable, subject to concurrence by the Environmental Commission.*” Ms. Mattes questioned if a conflict existed between the two letters. Mr. Frenzel clarified the number of trees being removed and that the required mitigation has not changed since the prior application.

The hearing was opened to the public for questions:

Westerly neighbors **David and Erich Sokolower** of 32 Dogwood Lane asked if the drainage line is set back ten feet off their common west side property line? Mr. Hubschman affirmed. The system is comprised of a French and surface drains and the retaining wall is a boulder wall.

**Joyce Sonpal**, 33 Allison Road, neighbor across the street asked if there would be blasting of the rock formation at the corner of Allison Road and Birch Roads. Mr. Hubschman stated there are no plans to disturb that area. Ms. Sonpal questioned safety and visibility of the driveway onto Allison Road. It is close to the Overlook Road intersection. Despite a stop sign cars go down Allison very quickly. The intersection also has icing problems in winter. Although it is not a high traffic area there are enough cars and pedestrians to warrant the stop sign. Mr. Hubschman and Mr. Capizzi opined traffic from either driveway would be minimal. Mayor Tomasko reminded the Board has twice previously approved the plan for this property but did wish to note for the record that Board members questioned the need for the Allison Road exit. Mr. Hubschman stated they could not move it closer to the intersection as that area is too steep and would require rock blasting. Mayor Tomasko noted elimination of the Allison Road driveway would afford more privacy for the pool area. Ms. Parilla noted limiting improved coverage would allot more green space. Attorney Capizzi reminded they are not seeking relief for the driveway. He and Mr. Hubschman will convey the Board’s comments to their client.

Ms. Cochi questioned relocation of drainage features and Mr. Hubschman explained they needed to avoid rock. Mr. Frenzel stated he compared plans and even though the location of the collection chambers is slightly different the area of pavement, roof, etc. that drains into that system is approximately the same as the prior plan.

**RESOLUTION:** Upon a motion by Ms. Gerstein, seconded by Ms. Herries to approve the application.

**Discussion:** Mayor Tomasko asked, as all Board members were in agreement, if they could include their request to reconsider the Allison Road driveway from the points of safety, pool buffer and green space. Attorney Kates advised yes but this could only be included as exculpatory advice, not as a condition as the driveways were not before them.

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

**MOTION APPROVED**

**COMMUNICATIONS:** Notice of Certification of Soil Erosion and Sediment Control Plan re: 75/9,21/3,79/1,46/3,47/10: Duly noted.

**BILLS AND CLAIMS:** A motion to approve bills was made by Carol Cochi, seconded by Catherine McGuire

Azzolina & Feury Eng., Inc.	Trust: COAH	Engineering	\$ 284.00
Clarke Caton Hintz	Trust:COAH	Special Master	\$ 92.00
Burgis Associates	Trust:COAH	Housing Plan	\$1,170.00
Huntington Bailey, LLP	Trust: COAH	Legal	\$ 270.00
Burgis Associates, Inc.	Trust:COAH	Housing Plan	\$ 900.00
Huntington Bailey, LLP	Trust: COAH	Legal	\$1,100.78
North Jersey Media Group	Escrow:Perez	Legal Notice	\$ 12.10
Clarke Caton Hintz	Trust:COAH	Special Master	\$1,777.19

Vote: Ayes: Carol Cochi, Gayle Gerstein, Elizabeth Herries, Lorraine Mattes, Catherine McGuire, Catherine Parilla, Joyce Sonpal, Mayor Paul Tomasko

**COMMITTEE REPORTS:**

Northern Valley Mayors & Planners Assoc.: The Mayor attended their annual BBQ. There are no upcoming meetings.

Board of Health: Mayor Tomasko complimented the Board of Health Secretary for the report format and advised the Board of Health met May 14<sup>th</sup> to introduce and June 10<sup>th</sup> to finally adopt an amendment to Chapter XXIV of the Alpine Sanitary Code to allow a broader list of materials, including specific types of PCV, for use in septic systems in compliance with State regulations. The ordinance also reinforces plumbing and electrical permits as needed, must be obtained at the same time the septic permit is issued. Mr. Frenzel provided further explanation on the findings that led to these changes.

Environmental Commission: Ms. Mattes discussed upcoming inspections. Mr. Frenzel has pointed out items for review in the tree ordinance, more specifically regarding replacement trees. He will be attending their next meeting and they welcome his input.

Building Department: Report is on file and includes the property maintenance report. Concerns with property maintenance should be referred to the Property Maintenance Officer.

NJ Transit Update: No new information.

COAH Update: Mayor Tomasko noted protection has been extended through August.

**ADJOURNMENT:** A motion to adjourn the regular Planning Board meeting was made by Gayle Gerstein and seconded by Catherine McGuire. All were in favor. The meeting adjourned at 8:21 PM.

Respectfully submitted,  
Marilyn Hayward, Recording Secretary