

## **ALPINE PLANNING BOARD**

Alpine Borough Hall  
100 Church Street  
Alpine, New Jersey 07620

### **MINUTES**

October 24, 2017

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

### **ROLL CALL:**

Members Present: Carol Cochi, David Kupferschmid, Lorraine Mattes, Catherine Parilla, Joyce Sonpal, Mayor Paul Tomasko

Members Absent: Gayle Gerstein, Elizabeth Herries, Catherine McGuire, Alt I Jeff Fromm

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

### **APPROVAL OF MINUTES OF AUGUST 22, 2017 REGULAR MEETING:**

Upon a motion by Mayor Tomasko seconded by Mr. Kupferschmid, to approve the minutes of the August 22, 2017 Planning Board Regular Meeting. Eligible members voted as follows:

Vote: Ayes: David Kupferschmid, Lorraine Mattes, Catherine Parilla, Mayor Paul Tomasko

### **OPEN TO PUBLIC: NON-AGENDA ITEMS** - none

### **MEMORIALIZATION Soil Moving: Low; Block 73 Lot 10 – 6 Birch Road**

Upon a motion by Mayor Tomasko, seconded by Mr. Kupferschmid to approve the resolution for Mr. & Mrs. Low Block 73 Lot 10 6 Birch Road as appended to these minutes.

Vote: Ayes: David Kupferschmid, Catherine Parilla, Mayor Paul Tomasko

### **APPLICATIONS**

**Soil Moving: Crespo; Block 49 Lot 2, 477 Hillside Avenue** Attorney Philips advised this matter be carried to the next meeting as revised plans submitted on 10/11/17 showed significant changes from those previously reviewed. No further notice will be required. Upon a motion by Mrs. Sonpal, seconded by Mrs. Mattes and approved by all to carry the matter of Crespo Block 49 Lot 2, 477 Hillside Avenue to the next meeting scheduled for November 28, 2017. Applicant's Attorney, Matthew G. Capizzi, Esq. 11 Hillside Avenue, 2<sup>nd</sup> Fl., Tenafly, NJ 07670, waives time constraints per MLUL.

### **Soil Moving: Gofman; Block 72 Lot 25.02, 35 Warren Lane**

Matthew G. Capizzi, Esq. 11 Hillside Avenue, 2<sup>nd</sup> Fl., Tenafly, NJ 07670, appeared on behalf of Applicant, Mr. Slavik Gofman. This application is for a major soil moving permit requiring one waiver for construction of a septic field. The Board is familiar with the property which was the subject of two prior subdivision applications, the most recent being December 2016 which took the back end portion of the property (part of a contiguous lot) and transferred it to this lot. The Goffman's initially purchased the front portion of the lot and subsequently purchased the rear portion from Mr. Minnetian.

Michael J. Hubschman, PE, PP of Hubschman Engineering, PC, 263A S. Washington Ave., Bergenfield, NJ 07621 was sworn and his plan marked as follows:

A – 1 Rendered copy of submitted Site Plan / septic System Plan prepared by Hubschman Engineering, P.A. dated 12/14/2015 Rev. #8 “AF letter dated 9-15-2017.”

Mr. Hubschman reiterated that in December 2016 the applicant acquired an additional area in the rear of the property; thus the entire property is now 2.88 acres. As part of their NJDEP approval, they created a Conservation Easement of over 2.1 acres as depicted on the plan. Soil moving volumes are primarily for the basement of the house: Cut 2,140 cubic yards, Fill 735 cubic yards, Export 1,405 cubic yards. Grading is limited by the conservation easement and designed to fit in with existing contours to the south. A waiver for 1:1 slope is required for the area north/northwest of the septic system to conserve trees as required under the NJDEP permit. They obtained a zoning permit as the proposed complies with all other Borough ordinances. Drainage is addressed by installation of seepage pits. Runoff from the lawn flows to the Demarest Brook that runs through the property. This latest revision addresses the Borough Engineer’s concerns laid out in his August letter. They have a Bergen County Soil Conservation permit and provide for erosion control measures. Eight trees will be removed that do not require mitigation and eight trees will be planted in the conservation easement per the NJDEP approval.

Chairwoman Parilla questioned proximity of the house to the conservation easement. Mr. Kupferschmid questioned drainage. Mr. Hubschman noted the applicant obtained DEP approval and ceded a large portion of the property for the Conservation Easement. The roof leaders drain to the seepage pits and rain flows to the brook as it does now. A septic tank in the front installed improperly under the driveway will be relocated. Mr. Vander Veer agreed all the impervious areas are shown directed to the seepage pits and the calculations are satisfactory. However he has two comments:

1. Considering the amount of rock removal already performed on this site exploratory test holes should be dug prior to the contractor ordering the seepage pit tanks. Rock removal for seepage pits is not allowed. Mr. Hubschman responded they propose two 6-foot pits but if required they would redesign for four 3-foot pits.
2. The DEP riparian zone approvals specify the amount of disturbance permitted for the house and the driveway. The plan’s design elements have changed since that permit was issued. They need to provide additional information to verify they are within the allowable areas of disturbance. Mr. Hubschman stated he will provide.

Mr. Vander Veer stated other items in his letter of 8-31-2017 were addressed in this latest revision but he did not receive the plans in time to prepare a formal report for the Board. Mrs. Cochi asked if there is any issue with the driveway over the pipes that lead to the septic. Mr. Hubschman explained they will be encased in an eight-inch steel sleeve for additional protection which is permitted. Mrs. Sonpal questioned provision of liability insurance. Attorney Capizzi explained this will be satisfied by the builder. Mrs. Parilla observed the property slopes up to the front field. Mr. Hubschman acknowledged the front greywater system will have a pump. The blackwater field at the rear is gravity fed. Mayor Tomasko noted the town has a beautiful pool for a small annual membership fee to question if the applicant wished to reconsider the cost and responsibility of maintaining a pool. Attorney Capizzi could discuss with his client. Mrs. Mattes questioned reference to “showroom space” on the basement architectural which connotes a commercial application. It was noted Mr. Gofman is an avid car collector.

Being no comments from the public or further comments from the Board, Attorney Phillips listed conditions being compliance with the Borough Engineer’s letters, verification of the riparian zone limits of disturbance, conducting exploratory test pits prior to installation of seepage pits and the Board’s usual conditions pertaining to soil moving ordinances such as limitation of truck activity during school hours.

Upon a motion by Mr. Kupferschmid, seconded by Mayor Tomasko to approve the application subject to conditions including those noted above and open the matter for discussion. Mayor Tomasko voiced appreciation for establishment of the conservation easement. There was no other discussion.

Vote: Ayes: Mrs. Cochi, Mr. Kupferschmid, Mrs. Mattes, Mrs. Parilla, Mrs. Sonpal, Mayor Tomasko

## **COMMUNICATIONS**

Copy of Ordinance 772 Amending Ch. 179 “Site Plan Review” and Ch. 185 “Soil Fill & Soil Removal”

As recommended by the Planning Board this ordinance was adopted by the Mayor and Council at its last meeting.

Mrs. Parilla noted minor grammatical errors: 185-7(D) third line: “take” should be “takes” and Section 4 “affect” should be “affected.” Attorney Phillips clarified questions of enforcement in case of appeal and determination of unsightly or unfinished sites. Mayor Tomasko encouraged members to review the Building Department Report Property Maintenance Section. Mr. Vander Veer periodically reviews construction sites and refers persistent problems to the Construction Official who has authority to issue summonses.

Copy of Azzolina & Feury letter to Board of Health dated 9/26/17 re: Alpine Three, LLC.

Mr. Vander Veer provided status of septic system construction. He has requested additional permeability testing for the second field to determine if the rock is fractured or massive in order to verify water flow is vertical versus horizontal. The basin flood test proposed is spelled out in DEP regulations. This short duration test takes only a few hours over two days. The applicant has not yet scheduled the test and, pending that action, Mr. Vander Veer has withheld permission to fill in the excavation. It would not make sense to fill the hole in only to have them dig it out again to perform this test. Mr. Vander Veer further advised the water testing to date has satisfied the criteria laid out in the amended settlement agreement as certified by Alpine Three’s engineer for the purposes of allowing them to submit their application to the Planning Board. Planning Board approval would still require the applicant to obtain all necessary approvals from the Board of Health.

Copy of Order extending temporary immunity against exclusionary zoning actions to 10/31/17.

Mayor Tomasko advised subsequent communication extends their temporary immunity to year’s end. Chairwoman Parilla asked for the COAH update at this time. Mayor Tomasko advised the judge ordered mediation which was fulfilled via a telephone conference call held last Friday with the Court Appointed Master, the Borough Attorney, Borough Planner and a representative of the Fair Share Housing Center. The Master requested an update on Alpine’s vacant land adjustment last submitted two years ago which our planner will provide. The Master plans to tour the town in November.

Copy of Public Notice of Demarest Zoning Board hearing re: Karp Alpine, LLC.

Mayor Tomasko advised the newsletter was distributed two weeks early in order to make residents aware of this application in Demarest for an assisted living facility. The first two hearings were postponed due to deficient notice and the next scheduled date is December 19, 2017. Neighbors are looking to retain their own counsel. This matter may come before Alpine Zoning Board of Adjustment for use variances related to parking but to date the Borough has not received an application.

Review of tentative 2018 meeting dates. Upon a motion by Mrs. Sonpal, seconded by Mrs. Cochi and approved by all the schedule of dates for 2018 is accepted.

**BILLS:**

Burgis Associates	\$112.50	COAH Trust: Borough Planner: 2015 Alpine Housing Plan
Clarke, Caton & Hintz	\$1,821.75	COAH Trust: Court Appointed Special Master
NJ Media	\$ 18.15	Escrow: Grinberg Block 49.02 Lot 17 – 28 Ellens Way
John Phillips	\$340.00	Escrow: Low Block 73 Lot 10 – 6 Birch Road
John Phillips	\$200.00	August Meeting

A motion to approve the above referenced bills was made by Mrs. Cochi and seconded by Mayor Tomasko  
Vote: Ayes: Mrs. Cochi, Mr. Kupferschmid, Mrs. Mattes, Mrs. Parilla, Mrs. Sonpal, Mayor Tomasko

**COMMITTEE REPORTS:**

Northern Valley Mayors & Planners Assoc.: Mayor Tomasko reported they met September 28, 2017 and Mayor Tomasko provided the group with updates on the other organizations for which he serves.

Board of Health: Mayor Tomasko noted the Board of Health report is in their packets. The Board met October 2<sup>nd</sup> to finally adopt an amendment to the sanitary code dealing with advanced wastewater pretreatment devices. Mr. Vander Veer explained these devices are permitted by the state in situations where you otherwise would not be able to install a conventional system. One has been installed and an application is pending for a second. These devices allow for a reduced design but require monitoring and a perpetual service contract with an authorized service provider due to potential for mechanical failure. Records must be maintained. The purpose for the ordinance was to provide the Borough with the ability to ensure current and future homeowners are aware and fulfil this obligation and enable the municipality to collect

fees to cover the cost of monitoring and recordkeeping. The Borough has striven to keep these devices to a minimum and encourage gravity fed systems.

Environmental Commission: Mrs. Mattes advised they made two site visits and recommended additional removal of dead and damaged trees for one site. They approved removal of a pine tree in poor condition on the second site.

Building Department: Report distributed without comment.

NJ Transit Update: No report.

COAH Update: Addressed during Correspondence.

End of Committee Reports

Engineering Tutorial: Chairwoman Parilla noted the difficulty in scheduling this tutorial which has been continually postponed due to member absences and asked all members make a concerted effort to attend the next meeting.

**ADJOURNMENT:** A motion to adjourn the regular Planning Board meeting was made by Mayor Tomasko and seconded by Mr. Kupferschmid. All were in favor. The meeting adjourned at 8:30 PM.

Respectfully submitted,

Marilyn Hayward  
Recording Secretary