

ALPINE PLANNING BOARD

Alpine Borough Hall
100 Church Street
Alpine, New Jersey 07620

MINUTES

October 23, 2012

CALL TO ORDER/PUBLIC ANNOUNCEMENT: The Planning Board, Borough of Alpine, convened in regular session on Tuesday, October 23, 2012 at 7:30 P.M. Chairperson 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, October 23, 2012 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:	Catherine Parilla	Lorraine Mattes
	Catherine McGuire (arrived after roll call)	Ralph Mattes
	Paul Tomasko	David Andrews
	Gayle Gerstein	William Robinson

Members Absent:	Jeff Fromm
	David Kupferschmid, Alt. I
	Martin Cybul, Alt. II

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

APPROVAL OF MINUTES OF SEPTEMBER 18, 2012 REGULAR MEETING: A motion to accept the minutes was made by Mayor Tomasko and seconded by David Andrews. All were in favor.

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

NEW APPLICATIONS:

Soil Moving Permit Application: Kwon, David & Mindy; Block 22 Lot 20, 48 Rio Vista Dr.: Attorney David Watkins appeared on behalf of the applicants. Proof of publication and notices pursuant to statute were provided and found to be adequate and in compliance with the requirements of the law.

The applicant's engineer, Michael Hubschman of Hubschman Engineering, having appeared before this board on several occasions, was sworn in by Attorney Phillips and accepted as an expert witness. A rendered copy of Sheet 1 of the plan entitled "Proposed Single Family Dwelling, Block 22 Lot 20, #48 Rio Vista Drive, Borough of Alpine, Bergen County, New Jersey" prepared by Hubschman Engineering, dated June 27, 2012 and revised on August 16, 2012 was marked as Exhibit A-1.

Attorney Watkins asked Mr. Hubschman if there were any variances requested with this application. Mr. Hubschman replied that no variances are required; the applicant is proposing soil movement in excess of 1,000 cubic yards and is requesting a waiver of the soil moving ordinance for installation of slopes on two small areas in the rear of the site which will exceed 4:1. Mr. Hubschman stated that this would be classified as a landscaping detail.

Soil moving activity is as follows:

- volume of cut	6,648 cubic yards
- volume of fill	2,005 cubic yards
- volume to be imported	0
- volume to be exported	4,643 cubic yards
- total volume of soil to be moved	6,648 cubic yards

Attorney Watkins asked Mr. Hubschman if there were any provisions of Engineer Vander Veer's letter dated August 28, 2012 that could not be complied with. Mr. Hubschman replied that all of the provisions were standard. The landscaping plan and details of the front gates will be provided at a later date. Documentation that the attic qualifies as a ½ story will be submitted with the zoning permit request. Mr. Watkins had no further questions.

Mr. Vander Veer commented that since this a major development, it must comply with the water quality provisions of the Stormwater Management Plan. Mr. Hubschman stated that they are proposing to install storm filters for the driveway runoff, which Engineer Vander Veer acknowledged is an accepted method of dealing with the water quality.

Mr. Vander Veer asked how compliance with the maintenance requirements for this system will be monitored. Mr. Hubschman stated that the maintenance manual provides a schedule of the required inspection and replacement of the filters. Mr. Vander Veer asked how these provisions will be enforced, other than with a deed restriction. Mr. Hubschman agreed that there would have to be some sort of deed restriction. Mr. Vander Veer stated that a deed restriction should include the condition that the system be maintained properly and reported to the borough on an annual basis, or whatever the manufacturer recommends. Attorney Watkins stated that he does not like deed restrictions, and would like to make sure that if a deed restriction is placed here it should be incorporated in every other application.

Attorney Phillips asked Mr. Watkins how he would propose to guaranty that this facility will be maintained in accordance with DEP requirements. Mr. Watkins replied that he has no objection to a deed restriction, but that it shouldn't be just for this application. Attorney Phillips stated that this is the first storm filter we've come across.

Mayor Tomasko questioned a paragraph in the drainage report which stated that groundwater recharge need not be addressed for this project because the site is situated within the Metropolitan Planning Area on the State's Development and Redevelopment Plan Policy Map. Engineer Vander Veer stated that groundwater recharge is a requirement when there is a major development. Mr. Hubschman responded that they can supply the recharge spreadsheet. Mr. Vander Veer commented that regardless of the language, the recharge calculations have been included in the report and that generally, when seepage pits are installed they serve the same purpose.

Mayor Tomasko asked how many truckloads of soil will be exported from the site. Mr. Hubschman responded that there will be approximately 250 truckloads, which is in line with some of the other 2-acre projects.

Mayor Tomasko asked where the 108 required replacement trees will be located. Mr. Hubschman stated that the landscape architect will prepare the tree replacement plan to be submitted to the Environmental Commission; most will be planted around the perimeter.

Mayor Tomasko noted that the plan shows a swimming pool and the impervious coverage is at the maximum permitted. He hopes that the applicant is aware that no additional improvements, even an emergency generator, would require a variance. Mr. Watkins stated that the applicants are aware of this.

Mayor Tomasko asked how many square feet of living space the house will have. Mr. Hubschman stated that the footprint is 7,730 square feet, so altogether it will be approximately 15,000 feet, to be occupied by a single family.

Mr. Mattes asked if approval for an interlocal agreement with the Borough of Cresskill has been obtained. Mr. Watkins answered that it would be subsequent to this approval. Mayor Tomasko asked if Alpine is part of that agreement. Mr. Vander Veer answered that he believes that Alpine would have to be involved.

Mr. Mattes stated that if this application is approved we should ask for a re-vegetation plan. Mr. Watkins stated that it is a standard requirement.

There were no further questions, and the hearing was opened to the public.

Mr. Lapsker of 55 Rio Vista Drive, block 20 lot 17, asked if there was a timetable for construction. They have young children at home and are concerned about the disruption from traffic, dust, noise, etc. Mr. Watkins responded that he did not know at this time. Mr. Hubschman stated that the proper fencing will be installed and the project will be monitored by the Borough Engineer. The soil moving operation will take no longer than a week or two. Typically a two-year time frame would be sufficient to complete a project of this size.

Chairperson Parilla added that if there are any issues during the construction that Mr. Lapsker felt needed to be addressed, he should notify the Building Department.

Since there were no further questions from the public, the public session was closed.

Ms. Mattes asked if it was necessary to disturb the rear end of the property where the rockery slope area will be installed. Mr. Hubschman stated that the rockery limits the disturbance. Ms. Mattes asked how much the soil movement would decrease if that area was not disturbed. Mr. Hubschman replied that the difference would be minimal.

Chairperson Parilla asked for a motion. Attorney Phillips read the following conditions if the motion is to approve:

1. Compliance with the recommendations set forth in Engineer Vander Veer's August 28th letter.
2. Maintenance of the storm filter system as discussed.
3. Submission of a re-vegetation and landscape plan
4. Interlocal agreement with the Boroughs of Cresskill and Alpine with regard to a sewer connection.
5. Compliance with the recharge requirements in accordance with DEP regulations.

A motion was made by Catherine McGuire and seconded by David Andrews to accept the application with the conditions listed above.

Ms. Gerstein commented that she was concerned with the amount of soil movement in the rear of the house. Mayor Tomasko commented that although he regrets that the applicant is up to the limit of the improved lot coverage ordinance, it is commendable that they have not asked for any variances.

A vote was taken. All were in favor.

COMPLETENESS REVIEW:

Alpine Three, L.L.C., Block 43 Lots 6.01, 6.02, 6.03: Attorney Lloyd Tubman of Archer & Grenier appeared on behalf of the applicants. Ms. Tubman stated that she is here for a completeness determination, and that the application has changed since she was here last; the DEP has adopted new stormwater regulations with which this application must comply, and the proposed sewer line has been relocated.

Attorney Phillips advised that this hearing is to determine completeness with the checklist items only and has nothing to do with the substance of the application. This hearing did not require public notice; however, there is a question as to whether or not there is a requirement of notice to everyone within 200 feet of the proposed sewer line. He opined that all those within 200 feet of the sewer line route should be notified as a precautionary measure, but these are issues that will be discussed at the public hearing. There is also a question as to whether or not the applicant will be required to obtain easements across any portion of the right of way that may be in individual ownership.

Engineer Vander Veer stated that he has reviewed all the administrative checklist items and has found them to be complete.

Mayor Tomasko asked Attorney Phillips if the board is requesting the applicant to notice all those within 200 feet of the proposed sewer line. Attorney Phillips responded that he feels that it would be appropriate to do so. If Attorney Tubman chooses not to, the issue will be dealt with by a higher authority. He does not feel that we should condition commencement of the hearing upon proof of that particular notice.

Chairperson Parilla asked for a motion to deem the application complete and schedule for the November 27th public hearing. Catherine McGuire made a motion, seconded by David Andrew. The votes were as follows: David Andrews – yes; Gayle Gerstein – yes; William Robinson – yes; Paul Tomasko – yes; Catherine Parilla – yes; Lorraine Mattes – yes; Ralph Mattes – no.

COMMUNICATIONS:

- Notice of Certification of Soil Erosion & Sediment Control Plan re: Jee; Block 39.01 Lot 9.15: Mayor Tomasko commented that this property is under redevelopment and the existing structure has been demolished.
- Building Dept. & Planning Board response to DEP re: Letter of Interpretation & Statewide General Permit application; Block 90 Lot 6: Mayor Tomasko noted a typographical error on the last line of page 1 on Alden Blackwell’s letter, which should read *reversed* rather than *revised*.
- A & F 7/16 & 10/1 letters re: Block 39.01 Lot 9.06: Engineer Vander Veer visited the site and has recommended that it now be classified as a soil moving application.
- Notice of DEP application for Letter of Interpretation re: Block 120 Lots 4 & 5: Mayor Tomasko reported that this site is just south of the Boy Scout Camp and the entire front is wetlands. The board agreed that a letter should be written to the DEP stating our position that we are opposed to any disturbance to the wetlands or the buffer zone along Route 9W. A voice vote was taken; all were in favor.

BILLS:

Sills Cummis	\$1,060.00	Alpine III (escrow)
Sills Cummis	\$1,296.00	COAH

A motion to approve the above referenced bills was made by Mayor Tomasko and seconded by Gayle Gerstein. All were in favor.

COMMITTEE REPORTS:

Northern Valley Mayors & Planners Assoc.: The Mayor reported that a meeting will be held this Thursday at United Water in Haworth regarding their plans for upgrades to their infrastructure. The Mayor invited any board members who are interested in attending.

Board of Health: No meeting.

Environmental Commission: Ms. Mattes reported that activity is starting to pick up. They visited the aforementioned site on Graham St. (Block 39.01 Lot 9.15), which had come to the Environmental Commission prior to going before the board. Ms. Mattes recommended that going forward, these applications should have all borough approvals first, so that trees are not removed and property cleared until the development application is approved. She will review this issue with the Building Dept. so that it doesn’t happen again. A meeting is scheduled for Thursday morning.

Ms. Mattes also reported that a tree planted in front of the firehouse and dedicated to William Wigmore was carefully moved about 20 feet closer to Borough Hall because it was growing so large that it was obstructing fire department access from the front driveway. She commended the town’s effort to save and move the tree. David Andrews added that the tree is now in a better location than before.

Building Department: The reports were distributed. There were no comments.

NJ Transit Update: No comments.

COAH Update: The Mayor reported there have been no updates since the last meeting.

ADJOURNMENT:

A motion to adjourn the regular Planning Board meeting was made by Gayle Gerstein and seconded by Lorraine Mattes. All were in favor. The meeting adjourned at 8:17 PM.

Respectfully submitted,

Marilyn Hayward
Recording Secretary