

ALPINE ZONING BOARD OF ADJUSTMENT
 Regular Meeting
 Thursday, December 21, 2023 - 7:30 P.M.
 (This meeting taped in its entirety)

CALL TO ORDER/PLEDGE OF ALLEGIANCE/PUBLIC ANNOUNCEMENT

This regular meeting of the Alpine Zoning Board of Adjustment was called to order by Chairman Glazer at **7:31 P.M., Thursday, December 21, 2023** at the Alpine Borough Hall, the Pledge of Allegiance recited and the Public Announcement read according to the requirements of N.J.S.A. 10:4-6 et seq.: *In accordance with the provisions of the Open Public Meetings Law, notice of this Zoning Board of Adjustment meeting has met the requirements of the law as part of the Borough of Alpine's annual meeting notice published in The Record, posted on the bulletin board in the lobby and Borough website and a copy filed in the office of the Borough Clerk.*

ROLL CALL

Richard Glazer (C)	Present	Tony Clores (VC)	Absent	Amy Lerner	Absent
George Abad, Jr.	Present	Richard Bonhomme	Present	Robert F. Policano, Alt I	Present
Anthony Barbieri	Present	Elizabeth Herries	Present	Bruce Pomerantz, Alt II	Present

Staff Present:

Board Engineer Perry Frenzel, Cara Landolfi, Esq. for Board Attorney Kates, Acting Secretary Stephanie Wehmann

COMMUNICATIONS: None

PROCEDURAL MOTIONS

Resolution: Approval of Minutes: Regular Meeting October 19, 2023

Upon a motion by Mr. Bonhomme, seconded by Mr. Abad and approved by all those eligible to vote to approve the minutes of the regular Zoning Board of Adjustment meeting held on October 19, 2023.

Note: Ms. Herries abstained. There was no meeting in November.

Resolution: Bills & Claims

Upon a motion by Mr. Abad, seconded by Ms. Herries to approve the following bills and claims:

Vendor	Block/Lot/Address	Escrow/ Account No.	Invoice No.	Amount
Kates, Nussman et.al.	55/8 103 Church Street	Escrow	Inv. 31073	\$1,340.00
Kates, Nusmman et. al.	81.06/14 2 Grant Court	Escrow	Inv. 31074	\$880.00
Azzolina & Feury Eng., Inc.	55/8 103 Church Street	Escrow	Inv. 78271	\$92.25
Azzolina & Feury Eng., Inc.	81.06/14 2 Grant Court	Escrow	Inv. 78283	\$92.25
Azzolina & Feury Eng., Inc.	41/8 23 DuBois Ave.	Escrow	Inv. 78073	\$1,107.00
Azzolina & Feury Eng., Inc.	41/8 23 DuBois Ave.	Escrow	Inv. 78284	\$123.00
Azzolina & Feury Eng., Inc.	41/8 23 DuBois Ave.	Escrow	Inv. 78285	\$212,25
North Jersey Media Group	55/8 103 Church Street	Escrow	AD #0005849050	\$16.72
North Jersey Media Group	81.06/14 2 Grant Court	Escrow	AD #0005849059	\$14.08

Vote: Ayes: Mr. Abad, Mr. Barbieri, Mr. Bonhomme, Ms. Herries, Mr. Policano, Mr. Pomerantz, Mr. Glazer

MEMORIALIZATIONS: None

HEARING: RAFFERTY 23 DUBOIS AVENUE BLOCK 41 LOT 8

Attorney Matthew G. Capizzi, Esq., 205 Fairview Avenue Westwood, NJ 07675 appeared on behalf of Applicant, Gerard Rafferty with applicant's Engineer, Doug Doolittle, P.E. of McNally Doolittle Engineering, LLC, 169 Ramapo Valley Road, Oakland NJ 07436; and Architect Pablo DeJesus¹.

The following were received prior to this hearing.

- Application with associated plan sets and documents including prior resolutions
- Public Notice to Residents within 200 Feet and Proof of Publication
- Letter from Azzolina & Feury dated last revised October 11, 2023

¹ Educated NJIT; NJ license in good standing 31 years experience.

Plans signed and sealed by Mr. DeJesus under Planos Design Architects, LLC 839 Montgomery Street, Jersey City, NJ 07306 also include a title card for Jorge L. Lopez Architect, PC of New City, NY who is listed on the application.

These minutes have been approved by the Zoning Board of Adjustment.

Site Plan indicates pre-existing non-conforming conditions include:

- Lot size 17,274 square feet (sf) where 20,000 sf required.
- Minimum front yard setback 15.1 feet where 40 feet required (no change proposed)
- Building coverage 10.97% existing where 10% is maximum permitted and they propose 14% .
- Improved lot coverage 26.64% existing where 20% is maximum permitted and they propose 28%.

Additional relief needed for left side yard setback of 6.9 feet where minimum 20 feet required.

Attorney Capizzi reviewed property located in R-2 Residential Zone and Applicant's proposal for a two story addition in the left side yard encompassing a two car garage with a family room above and elevator to facilitate access for an aging family member as well as expansion of the front porch on the right side.

Doug Doolittle, PE was sworn and accepted as an expert witness for engineering and planning. Mr. Doolittle referred to his site plan dated July 6, 2022 last revised August 28, 2023. He described the existing property's existing topography, location and existing single family home. Applicant wishes to preserve the older styled home but bring it up-to-date by renovation versus demolition/re-redevelopment. The septic system was installed just a few years ago (2020) in the southern portion of the rear yard. There are substantial rock outcroppings on the north side leaving little room to push the proposed addition further to the rear. The property has substantial mature landscaping. The two car garage would be at basement grade (about six feet below road grade) with one story above. They propose pushing out a dormer from the existing house to recreate the master bedroom upstairs; a half story. They are not increasing height above what already exists. An existing garage is impractical to house a regular car as it is too small and has an 18.2 foot turnaround. The proposed provides two off street internal parking spaces which is preferable on DuBois Avenue; a narrow road. The proposed upgrades afford the most practical solution to maintain an older home where re-development could result in a larger home. For the porch extension they seek to extend the front entry half porch on the right side to a full length covered porch. No additional drainage measures are proposed at this time but they will ensure compliance. He reviewed Mr. Frenzel's review letter dated October 11, 2023 and has no issues with recommendations therein.

Opened for Questions: No questions from public. Mr. Doolittle responded to questions from the Board regarding

- **Trees.** No tree removal is proposed. Trees removed for the septic were not replaced however the left side property line was re-vegetated with a row of 7 – 8 foot high evergreens.
- **Septic System.** Septic system installed in 2020 to accommodate a 4 bedroom home. They are increasing the size of the master bedroom but not the number of bedrooms.
- **Coverage and Side Yard Setback.** Doubling the size of the porch speaks to coverage and the right side yard would only be 6.9 feet. They are limited for space and the property line is screened. The adjoining neighbor's house is setback only 15 feet and substandard side yard setbacks are not uncommon on this street. He concedes it is not ideal.

Pablo DeJesus, Architect, was sworn and provided his credentials. He referred to his set of plans consisting of 4 pages dated April 9, 2020 last revised April 12, 2020 demonstrating elevations and floor plans. The minimum size for a two car garage is 20 feet wide by 20 feet deep where they propose a depth of 28 feet from front to back to accommodate an elevator for accessibility by the owner's family member from the basement level to the first floor above. Over the garage would be a family room and full bath. He described the dormer over the existing house to include a half story addition for a master bedroom and bathroom. The house currently has 3 bedrooms, 2 on the first floor and the master bedroom in the attic. Façade of the addition will conform to complement the house. The size of the windows on the garage could be reduced if the neighbor wants. The addition will be designed and built to look as if it was always there and will sit lower than the main home. The porch addition is also designed to match the existing house.

Opened for Questions: No questions from public. Mr. DeJesus responded to questions from the Board regarding:

- **Clarify # of bedrooms:** The septic can accommodate four. The home currently has three bedrooms one of which would be eliminated when it becomes a "gym/office" with opened access to the family room, kitchen and dining room. That leaves two bedrooms on the first floor and the new master suite in the proposed half-story dormer. The new family room has a full bathroom which must be counted as a bedroom for septic system purposes but the house will remain a three bedroom. Mr. Rafferty will stipulate to this.
- **Use of existing albeit nonfunctional garage.** The garage space will be folded into the revision.
- **Construction.** Mr. DeJesus advised the design is feasible and they will provide structural and material details. Mr. Frenzel noted the Building Department must review and inspect. There are strict FCC rules for compliance.
- **Access from garage.** The elevator is what provides access to the first floor. If there is a power failure then they would have to go back to what they're doing now.
- **Feasibility of alternate expansion location (north side).** Mr. Doolittle and Mr. DeJesus opined you could build there but it would not blend with the architecture or be functionally feasible. That would eliminate the front door and porch. They'd probably have to demo/rebuild. The proposed takes advantage of the slope. Mr. Frenzel agreed noting moving it to the right would make the addition higher; it would stick out more.

Opened for Comments:

Mimi Ohashi, 19 DuBois Avenue, had come in late but asked to see what was proposed in relation to her property which adjoins on the right side where the addition would be closer to the property line. Mr. Doolittle showed her the plans and landscaping. Mr. Glazer asked if she understood and if she had any comments. Mrs. Ohashi said she was okay with the proposal and had no comments.

Gerard Rafferty, Applicant, was sworn. He has owned the home for three years. When they purchased the home they redid the septic and added a lot of plantings. He described his family situation where space has become tight and they would like more off street parking and the elevator to ease accessibility. They would be widening a small dormer to create the master bedroom. Mr. Rafferty corrected the prior testimony to indicate the home currently has four bedrooms as provided for in the septic design but they do not propose adding any bedrooms; just enlarging the master bedroom. The house is and will remain a four bedroom home. The garage addition design eliminates a wooden deck and stairs on that side which is why they wish to expand the front porch to provide more usable and complete aesthetic space. Mr. Rafferty is a builder and does not foresee any issues with construction.

Responding to questions from Mr. Frenzel, Mr. Doolittle explained there was no alternate space for the new septic system due to rock. Mr. Frenzel asked if fire codes impact the number of windows (he counted seven) on the left side elevation) due to the reduced setback. This will need to be reviewed to ensure it complies with code.

Being no further questions or comments Mr. Glazer called for a vote.

Resolution: Upon a motion by Mr. Bonhomme, seconded by Mr. Barbieri to approve the application.

Vote: In favor: Mr. Barbieri, Mr. Bonhomme, Mr. Pomerantz, Mr. Glazer

Opposed: Mr. Abad, Ms. Herries, Mr. Policano

MOTION APPROVED

OTHER BUSINESS:

2024 MEETING DATES Upon a motion by Ms. Herries, seconded by Mr. Abad and approved by all to approve dates as follows: Third Thursday of the month being Jan. 18, Feb. 15, Mar. 21, Apr. 18, May 16, June 20, July 18, Aug. 15, Sep. 19, Oct. 17, Nov. 21, Dec. 19.

Mayor Tomasko wished to thank the Zoning Board for their service this year.

ADJOURNMENT

Upon a motion by Mr. Abad, seconded by Mr. Barbieri, and approved by all those present, the meeting was adjourned at 8:27 PM.

Respectfully submitted,

Stephanie Wehmann, Acting Secretary