

**City of Orange Township**  
**Historic Preservation Commission Meeting Minutes**

March 15, 2017

The Secretary announces that this is a meeting of Historic Preservation Commission of the City of Orange Township held at City Hall in Council Chambers, 29 North Day Street, Orange New Jersey on Wednesday, March 15, 2017 at 7:45 PM.

Please stand for the Pledge of Allegiance

**Present**

Commissioner Carrol  
 Commissioner Dowd  
 Commissioner Leight  
 Commissioner Meyer  
 Commissioner Morrell  
 Commissioner Simmons  
 Commissioner Wells

**Absent**

Commissioner Mathews  
 Commissioner Silverio  
 Commissioner Velez

**Also Present**

Joyce L. Lanier, Secretary  
 Janine G. Bauer, Attorney  
 Richard Wolff, Zoning Officer

**Absent**

Shawna Ebanks, Nishuane Group

The secretary announces that the requirement of N.J. S.A. 10:4-9 et. seq., “Sunshine Law” has been met. A notice of this meeting was published in the Record-Transcript and sent to the Star Ledger on October 27, 2016 posted on the Bulletin Board in City Hall and the Office of the City Clerk.

I. New business

- a) Resolution 1-2017 – A resolution of the City of Orange Township Historic Preservation Commission granting Certificate of Appropriateness approval to Jairam Kissoon for block 6803. Lot 12 for various repairs and replacement (740 Berkeley Avenue)

Motion: Commissioner Myers

Second: Commissioner Morrell

	<b><u>Present</u></b>	<b><u>Absent</u></b>	<b><u>Abstained</u></b>
Keith Carrol	X		
Kathy Dowd	X		
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		

	<u>Present</u>	<u>Absent</u>	<u>Abstained</u>
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons			X
Abdiel Velez		X	
Karen Wells		X	

**MEMORIALIZATION:**

This Resolution adopted this 15<sup>th</sup> day of March, 2017 memorializes the action taken at a meeting of the City of Orange Township Historic Preservation Commission with the roll call vote on the memorialization as follows:

	<u>Present</u>	<u>Absent</u>	<u>Abstained</u>
Keith Carrol	X		
Kathy Dowd	X		
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons			X
Abdiel Velez		X	
Karen Wells		X	

- b) Resolution 2-2017 – A resolution of the City of Orange Township Historic Preservation Commission granting Certificate of Appropriateness approval to Paul Aliano Contracting, LLC for block 5202. Lot 13 for roof replacement (354 Highland Avenue)

Motion: Commissioner Dowd

Second: Commissioner Leight

	<u>Present</u>	<u>Absent</u>	<u>Abstained</u>
Keith Carrol	X		
Kathy Dowd	X		
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons	X		
Abdiel Velez		X	
Karen Wells		X	

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	<b><u>Present</u></b>	<b><u>Absent</u></b>	<b><u>Abstained</u></b>
Keith Carrol	X		
Kathy Dowd	X		
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons	X		
Abdiel Velez		X	
Karen Wells		X	

- c) Resolution 3-2017 – A resolution of the City of Orange Township Historic Preservation Commission granting Certificate of Appropriateness approval to Andrew Stair for block 4801, Lot 27 for roof and fascia replacement (295 Carteret Terrace)

Motion: Commissioner Morrell

Second: Commissioner Leight

	<b><u>Present</u></b>	<b><u>Absent</u></b>	<b><u>Abstained</u></b>
Keith Carrol	X		
Kathy Dowd	X		
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons	X		
Abdiel Velez		X	
Karen Wells		X	

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	<u>Present</u>	<u>Absent</u>	<u>Abstained</u>
Keith Carrol	X		
Kathy Dowd	X		
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons	X		
Abdiel Velez		X	
Karen Wells		X	

- a) Resolution 4-2017 – A resolution of the City of Orange Township Historic Preservation Commission granting Certificate of Appropriateness approval to 393 Ventures, LLC for block 6401, Lot 24 (595 Berkeley Avenue)

Motion: Commissioner Leight

Second: Commissioner Carroll

	<u>Present</u>	<u>Absent</u>	<u>Abstained</u>
Keith Carrol	X		
Kathy Dowd	X		
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons	X		
Abdiel Velez		X	
Karen Wells		X	

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	<u>Present</u>	<u>Absent</u>	<u>Abstained</u>
Keith Carrol	X		
Kathy Dowd	X		
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		

	<u>Present</u>	<u>Absent</u>	<u>Abstained</u>
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons	X		
Abdiel Velez		X	
Karen Wells		X	

a) Certificate of Appropriateness Application – 576 Seven Oaks Road

The applicant came to the podium to give a brief overview of the project which is to construct a walkway to access the front egress of the home (more handicap accessible)

**Commission:** Has an issue with the ramp going straight through the front of the yard and proposed that the plans be redrafted utilizing the concrete sidewalk for the ramp through the driveway.

**Commission Recommends:** To investigate the feasibility of replacing the existing front sidewalk to meet the ADA and Barrier free code in New Jersey. Hold over the application to be reconsidered at the April 19, 2017 meeting with new plans – replacing the existing sidewalk with a ramp and not going through the front yard.

<b>Motion:</b>	<b>Commissioner Simmons</b>		<b>Second: Commissioner Morrell</b>
<u>Roll Call</u>	<u>Yeas</u>	<u>Nays</u>	<u>Abstained</u>
Keith Carrol	X		
Kathy Dowd	X		
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons	X		
Abdiel Velez		X	
Karen Wells	X		

b) Certificate of Appropriateness Application 258-264 Central Avenue

<b>Motion: Commissioner Myers</b>	<b>Second: Commissioner Dowd</b>		
<u>Roll Call</u>	<u>Yeas</u>	<u>Nays</u>	<u>Abstained</u>
Keith Carrol	X		
Kathy Dowd	X		

<u>Roll Call</u>	<u>Yeahs</u>	<u>Nays</u>	<u>Abstained</u>
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons	X		
Abdiel Velez		X	
Karen Wells	X		

c) Certificate of Appropriateness Application – 666 Langdon Street

Applicant: Daniel Karbownik, Community asset Preservation Corporation. Explains his project of replacing the roof. Replacing with like-kind materials matching the existing color as close as possible.

**Motion: Commissioner Leight**

**Second: Commissioner Carroll**

<u>Roll Call</u>	<u>Yeahs</u>	<u>Nays</u>	<u>Abstained</u>
Keith Carrol	X		
Kathy Dowd	X		
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons	X		
Abdiel Velez		X	
Karen Wells	X		

d) Certificate of Appropriateness Application – 472 Berkeley Avenue

Applicant Daryl Banks. Explained that his project is only in the rear of the house which includes steps, Yankee gutters, repair of the garage door and the rear door. All being replaced with like-kind materials matching the color as close as possible.

**Motion to accept the application with the condition that the applicant will replace materials at the rear of the house with like-kind material and matching the colors as close as possible.**

**Motion: Commission Simmons**

**Second: Commissioner Wells**

<u>Roll Call</u>	<u>Yeahs</u>	<u>Nays</u>	<u>Abstained</u>
Keith Carrol	X		
Kathy Dowd	X		

<u>Roll Call</u>	<u>Yeas</u>	<u>Nays</u>	<u>Abstained</u>
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons	X		
Abdiel Velez		X	
Karen Wells	X		

e) Certificate of Appropriateness Application - 463 Hillside Avenue

Applicant Walter Laybay summarizes his project: Submitted exhibit A-1 thirteen (13) photos of his current roof.

Secretary states that applicant received permits a year ago and completed a portion of his project. Applicant is now trying to install a HVAC system and his project was flagged.

**Commission:** Requested that the applicant bring in a sample of siding and corner determination and was provided with a copy of the Design Guidelines – Exterior Walls.

Attorney Bauer reads into the record the design guidelines for siding.

“1. Original surface materials shall be retained and repaired whenever possible. Recommended repair techniques for wood siding and masonry walls are widely available in publications on home renovation, and on the Internet. When removing deteriorated paint from wood siding, avoid destructive removal methods such as sandblasting. Recommended methods include hand scraping, hand sanding, electric hot air guns, and chemical strippers. Historically painted wood siding must not be stripped or stained to create a “natural” effect.

2. If wood siding is too damaged to repair, replace it with wood material of like construction, matching as near as possible in size, shape, profile, and texture. Where a non-historic artificial siding has been previously applied to a building, restoration of the historic siding material is preferred. Replacement of existing synthetic siding with new synthetic siding will be approved only if the following conditions are met: (1) the substitute siding will not endanger the physical condition and structural life of the building; (2) the substitute siding can be installed without irreversibly damaging or obscuring any of the architectural features and trim of the building; and (3) the substitute material can match the historic material in size, profile and finish. Cement board siding (such as HardiPlank) is preferred over vinyl or aluminum.”

Attorney Bauer advises the Commission that they will need proof that the requirements state above are met before casting a vote on the COA.

**Recommendation:** Commission request a sample of the siding that will be used. In addition, a sample of the Corner Determination of the siding and any other exterior portion of the siding the Commission will need to look at.

Commission ask for extension of time. Applicant grants extension.

Attorney Bauer swear the applicant to verify that his testimony is the truth regarding his application and submitted photographs. Applicant takes the oath.

Attorney Bauer recommends a site visit to the property ensure the remaining decorative pieces and trim remain in tack.

**Motion to hold application over until the April 19<sup>th</sup> meeting at which time the applicant will have sample siding, Corner Determination of siding and any other exterior portion of the siding.**

**Motion: Commissioner Leight**

**Second: Commissioner Morrell**

<u>Roll Call</u>	<u>Yeas</u>	<u>Nays</u>	<u>Abstained</u>
Jody Leight	X		
Brandon Matthews		X	
Bruce Meyer	X		
Janice Morrell	X		
Yolanda Silverio		X	
Troy Simmons	X		
Abdiel Velez		X	
Karen Wells	X		

f) Certificate of Appropriateness Application – 664 Valley Street

Applicant Larry Hafner comes to podium to give a brief overview of his project. Applicant submit exhibit A-1 which consist of four (4) photographs. Applicant proposes to replace existing porch with like-kind materials matching dimensions, color, material, etc. House was built in 1891.

Rich Wolff, Zoning Officer stated he never received a jacket for this applicant.

**Recommendation: Commission will carry over the COA until April 19, 2017 meeting at which time the applicant will submit drawings, sample materials, dimension, and composition and elevations drawings.**

**Motion to carry over application to the April 19, 2017 meeting with the above recommendations.**

**Motion: Commissioner Myers**

**Second: Commissioner Carroll**

Agenda was rearranged and the Board of Education did their presentation.



## **Update – Board of Education – Drawings and plans**

Presenters Melvin Randal  
Massimo F. Yezzi, Jr., Architect

Mr. Yezzi pass out and reviewed his current plans – Exhibit A-1 regarding the Clarendon Street Project Site plan has been revised – one main entrance and 76 parking spaces, buffer zones around the outside 10 ft. 6ft high fence up to the building, then step down to 5 ft. and then two 4ft. A secure gate in front, pedestrian entrance and driveway. Center lighting focusing in the middle of the property with security cameras – 16 ft. high. Planted a bunch of Evergreens, Bayberries across the front and larger trees on the corner.

Commissioner Dowd: The gate allow one care in at a time –

Mr. Yezzi: No it 24ft.

**Commissioner Dowd:** What is the proposal for the plan for overflow of rainwater, snow melt, etc. Clarendon does not have a sewer, it is currently taken care of by nature.

**Mr. Yezzi:** An engineer would have to design a system to maintain the water on site. Code requires us to do this.

Attorney Bauer: What properties are proposed to be demolished for this site?

Mr. Yezzi: 386 and 396 Clarendon Place

Mr. Randall: Property is currently ravaged with vandalism and is severely damaged. Testimony has been provided that in order to restore the property back to original condition it will cost approximately \$400,000.00

Commissioner Simmons: Our greater concern, is that we have waited for this meeting for almost a year and you have not presented anything new just more detail. We have seen the original plans with parking across the street. Why is that not an option and why is not even being discussed. Why are we tearing down 386?

Mr. Yezzi: We are not in a position to spend \$400,000 or \$500,000 for this project. We received our budget from the State and it is zero based. There is no money. We desperately need the parking. We need the parking for the neighborhood. You don't want parking all alone the street.

Commissioner Simmons: Why are we not considering underground parking?

Mr. Yezzi: The State has flatly said they are not doing the parking garage. They do not fund garages. That parking lot is the only garage for a school in the entire State. Mr. Yezzi: I designed that parking garage and it was very difficult to get it approved.

Commissioner Simmons: Why are you not proposing to tear down 366?

Mr. Yezzi: It is going to be used for an Administrative building. That building is in much better shape. We are estimating that we will be spending \$75,000 to \$100,000.

Mr. Randall: The Board has a number of plans but they did not pan out with the Department of Education. The Department of Education specifically said that the back of the existing building must be used for the expansion project. The expansion project has to take place in order to address the growing population.

Commissioner Morrell: We have asked for projected enrollment studies and have not received any to date. I have seen the prior plans and would like to compare the two, to come to an understanding of where we are today. I wanted and has asked to see the whole picture not just the parking lot piece of the puzzle. I would like to see how we have evolved to where we are today.

Mr. Yezzi: We have provided the information to the Board of Education. Have you not received it?

Commissioners: No and that is part of the problem.

Mr. Yezzi: I am the Architect for the district. The middleman fighting to get this project done.

Commissioner Morrell: There are two vacant lots owned by the City behind the school. Why cannot they be considered?

Mr. Yezzi: I will be happy to meeting with the Commission and discuss the alternative plans.

Commissioner Myers: We have not been a part of the process and this is part of what the problem is. We are the Historic piece and should be included in the process.

Commissioner Simmons: Attorney Bauer can you advise the Commission on jurisdiction of Historic Properties within Orange.

Attorney Bauer: Jurisdiction arising under the Municipal Land Use Law and City Ordinances. I have a question for Mr. Randall. Weather the property is listed or eligible for listing is not really a question to the Commission. But regardless if it's in a Historic District then the Commission has jurisdiction over it. Mr. Randall what is your understanding of the Districts prerogative with respect to these two houses.

Mr. Randall: The Board's intent is to demolish 386 and 396 Clarendon Place. There has been discussion and consideration about preserving 386 Clarendon Place, but that was not given a lot of consideration due to funding issues.

Attorney Bauer: Are you hearing seeking a COA for demolition of 386 and 396 Clarendon Place and if you are there are certain things that you have to show. For instance, you are saying 386 is unrepairable, then you have to demonstrate that. You need a witness, a report.

Mr. Randall: We have obtained a demolition permit through the zoning office. Then the issue of Historic Preservation arose.

Attorney Bauer: Are you saying that you received a demolition permit and now it is being held in abeyance upon this HPC decision?

Mr. Randall: Not necessarily so. However, if you need testimony regarding the worthiness of 386 Clarendon Place, that would not be a problem.

Attorney Bauer: Do you know the date of issue of the demolition permits. It is my experience that they expire.

Mr. Yezzi: Demolition is not an issue. We are only trying to resolve the issues.

Commissioner Wells: How can we get all the parties involved together for one meeting?

Mr. Yezzi: We can invite but cannot guarantee the State attendance. (SDA)

Commissioner Carroll: We received an email on April 23, where everything is on the same side of the street. Do we know why this changed?

Mr. Yezzi: I will pull out the original report and send it to you. And any creative ideas you have please send them to me.

g) Approval of the Minutes – February 15, 2017

Motion: Commissioner Wells

Second: Commissioner Simmons

All in favor. Motion Carries.

h) Approval of the Updated Certificate of Appropriateness Application

Motion: Commissioner Wells

Second: Commissioner Carroll

All in favor. Motion Carries

i) Update on Escrow Accounts

Attorney Bauer: The Commission needs an escrow account to recoup professional expenses such as Attorney, Planning, Architects, etc. We can just update the current escrow ordinance on file within the City. However, the type of application that comes before the other two Boards – for a minor regular site plan its \$250 with a long list of exception where no payment is due. And frankly, most things we review fall under the exception. Therefore, my fees would come out of the City's general account as opposed to fees from the applicant.

Janine reviewed some of the exceptions.

Secretary Lanier: Will the \$5000.00 per year cover your charges?

Attorney Bauer: Probably not.

Secretary Lanier: This brings us to our next topic – HPC 2017 Budget. Everyone please review the budget and submit comments or concerns. I know it's getting late, Attorney Janine would you like to discussion

### **Proposed updates to the Historic Preservation Commission ordinance**

Attorney Bauer: I previously submitted a draft of the proposed ordinance. Since then I have forwarded the draft ordinance to the Council Legislative Research Officer, Marlin Townes. Mr. Townes suggested that we just amend the current ordinance. I have amended the existing ordinance by adding the definitions that were needed to be in sync with the Municipal Land Use Law. Section 210:77.1, Section 210:90B – Last sentence – is in violation of the Municipal Land Use Law - decisions are not done by referendum but by the governing body. This sentence should be removed. Section 210:92a(3). Some language is being cleaned – tying up if you deviate from the Design Guidelines you have to obtain a Certificate of Appropriateness. Section 210:97 and 210:98 should be tied together. Proposing a new section - adopting the Historic Districts and their boundaries.

Secretary Lanier: Will we also include the HPC fees, specifically the application fees.

Attorney Bauer: I will check, if not I will add it to the HPC Ordinance.

Motion to endorse the changes on the amendments to the Main HPC ordinance.

Motion: Commissioner Simmons

Second: Commissioner Wells

All in favor, Motion passes.

Motion to endorse the changes to the escrow ordinance.

Motion: Commissioner Myers

Second: Commissioner Morrell

All in favor, Motion passes.

Commissioner Morrell: I have a concern with the Technical Review committee.

## **II. Pending Business/Further Discussion**

### **a) HPC 2017 Budget**

Secretary Lanier: Please review and have justification as to why you need what monies.

Presenters: Commissioner Myers and Attorney Bauer

### **b) Library Mural - None**

III. Other Business

- a). Historic Preservation Classes - Class is Saturday, everyone should have a copy of their registration. The class will be in Bordentown.

Registered Commissioners: Keith Carol, Kathy Dowd, Jody Leight, Brandon Mathews, Janice Morrell, Troy Simmons Karen Wells


- b) Miscellaneous Business - None

IV. Motion to Adjourn:               Commissioner Carroll                               Second: Commissioner Leight


All in favor, Motion passes

Adjournment: 10:27 PM

Adopted: April 19, 2017



Joyce L. Lanier, Secretary



Commissioner Karen Wells, Chair