

CITY OF ORANGE HISTORIC PRESERVATION COMMISSION

DATE: NOVEMBER 20, 2019

NUMBER 18-2019

TITLE: A RESOLUTION OF THE CITY OF ORANGE TOWNSHIP HISTORIC PRESERVATION COMMISSION GRANTING CERTIFICATE OF APPROPRIATENESS FOR 403 LAWRIDGE, CITY OF ORANGE TOWNSHIP, N.J., WHICH IS BLOCK 6901, LOT 20 ON THE CITY OF ORANGE TAX MAP, TO REMOVE VINYL SIDING AND NON-ORIGINAL STRUCTURES, REPLACE PORCH AND LOCATE AIR CONDITIONING UNITS WITH LANDSCAPE SCREENING

WHEREAS, the Applicant Brandon Matthews (“Applicant”), representing owners Joe Rosolanko and Tomoteru Kimura, applied to the City of Orange Township Historic Preservation Commission (“OHPC”) for approval of a Certificate of Appropriateness for certain improvements to a single family home located at 403 Lawnridge, City of Orange Township, N.J., which is Block 6901, Lot 20 on the City of Orange Tax Map; and

WHEREAS, the Commission received and reviewed the Application, the Applicant’s photographs submitted with the Application (thirteen (13) in number), and a survey prepared by Steven R. Lupo dated Jan. 15, 2018, which was used a site plan (numbering four pages, in duplicate) with options for the location of the air conditioning units, and separate photograph marked as exhibit A-1, dated Sept. 18, 2019, of the front façade of the home; and

WHEREAS, the Applicant’s witness and representative, Brandon Matthews, testified on behalf of the Application, and explained that the single family home is in the Montrose-Seven Oaks Historic District, and that certain renovations will be made to restore the home’s exterior more to its original appearance, and that air conditioning units will be installed ground-mounted; and

WHEREAS, the Application was the subject of public notice by virtue of the publication of the agenda of the Historic Preservation Commission, and the Commission provided an opportunity for comments from the public and interested parties and all members of the Commission voting on this resolution attended the public hearing(s) or have certified that they have read the transcript(s) or listened to the tape(s) of the hearing pursuant to N.J.S.A. 40:55D-10.2; and

WHEREAS, the Commission reviewed the Application, plan set consisting of different options set forth on the survey as a base plan, Exhibit A-1, and the 13 photographs, and is granting approval in reliance upon the representations made in the Application including the photographs, together with the testimony of was Mr. Matthews, in the public presentation by the Applicant on September 18, 2019; and

WHEREAS, the Commission, after carefully considering the evidence submitted by the Applicant, its own professionals and City’s professional staff, if any, and the general public, makes the following findings of fact and conclusions of law:

I. FINDINGS OF FACT

- A. The Applicant Brandon Matthews for the owners Joe Rosolanko and Tomoteru Kimura, submitted an Application together with 13 photographs, Exhibit A-1, and a four page plan set prepared by Mr. Matthews using the survey prepared by Steven R. Lupo as a base plan, proposing to renovate an existing single family home in the Montrose-Seven Oaks Historic District, at 403 Lawnridge, City of Orange, N.J., located at Block 6901, Lot 20 on the City of Orange Township Tax Map.
- B. The Applicant has removed the vinyl or aluminum siding, and restored the original cedar shakes to the home's exterior; the Applicant will remove non-original porch structures and replace with a period-appropriate glass vestibule at the front door with mullions as described and agreed to at the meeting on September 18, 2019 with fewer glass lights, and renovate and replace the missing screened-in front porch; remove the lattice and substitute a stone foundation, and locate new air conditioning units and provide landscape screening of the units in the rear yard, per plan chosen at the meeting without the need for a setback variance, per the opinion of the zoning officer Richard Wolff however, a permit must be obtained for the installation of the air conditioning units from the City (per meeting of September 18, 2019).
- C. The Commission agreed that renovation of the exterior, restoration of as much as possible of the original design elements and structures, removal of the non-period structures and replacement with period-appropriate structures, and placement of the air conditioning units with landscape screening, warranted the relief requested, and would advance the goals of the Montrose-Seven Oaks Historic District, the City's Master Plan, the zone plan and ordinance, Design Guidelines, and the Municipal Land Use Law.

II. CONCLUSIONS OF LAW

- A. The Commission first finds that the Applicant has demonstrated by virtue of the Application and plans and testimony that the relief sought in the Application is warranted, and that a Certificate of Appropriateness shall issue for the changes based upon the application, photographs, plans and testimony of Mr. Matthews.
- B. The Commission further finds that the renovation of this historic home in the manner set forth in the Application and testimony, will not impair the historic significance of the district and will not encroach upon nearby properties within the historic district, and will not cause substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance, the Master Plan or the ordinance establishing the Commission, historic districts, map and regulations.
- C. Therefore, it is appropriate that the Historic Preservation Commission hereby APPROVES the issuance of a CERTIFICATE OF APPROPRIATENESS to the Applicant, strictly for the changes as proposed in the Application and testimony.

- D. The approval of the Certificate of Appropriateness solely for the demolition is conditioned upon the conditions described in Section I. A-C above and Section II. A-D, together with all other conditions in Sections III through IX below.

III. ADDITIONAL CONDITIONS OF APPROVAL

- A. **AS A CONDITION OF THIS APPROVAL, THE CONSTRUCTION MUST PROCEED IN STRICT COMPLIANCE WITH THE PLANS AND/OR REPRESENTATIONS MADE IN THE TESTIMONY SUBMITTED, AS THOSE PLANS AND THE REPRESENTATIONS MADE BY THE APPLICANT IN HIS, HER OR ITS TESTIMONY ARE WHAT IS APPROVED BY THE COMMISSION. SHOULD ANY CHANGE BE MADE INCONSISTENT WITH THE PLANS OR TESTIMONY, THE APPLICANT MUST RETURN TO THE HISTORIC PRESERVATION COMMISSION FOR AN AMENDED CERTIFICATE OF APPROPRIATENESS. "FIELD ADJUSTMENTS" THAT RESULT IN ANY SIGNIFICANT CHANGE WILL NOT BE TOLERATED AND A STOP WORK ORDER WILL ISSUE, NECESSITATING A RETURN APPEARANCE BEFORE THE COMMISSION AT THE FOLLOWING MONTHLY MEETING. ANY DELAY OR DELAY DAMAGES ASSERTED BY THE CONTRACTOR OR OTHERS WILL BE STRICTLY THE FAULT OF THE OWNER, APPLICANT AND/OR CONTRACTOR FOR NOT PROPERLY EXECUTING THE PLANS OR ABIDING THE TESTIMONY SUBMITTED WHICH RESULTED IN THIS APPROVAL.**
- B. **PLANS:** All revisions to the Application as described and the papers submitted, including plans and drawings (if any) after the first submission must be properly identified on subsequent submissions and submitted for review and become part of the file for this property at the City of Orange Township.
- C. **UTILITIES, PROTECT ADJACENT CONSTRUCTION, AND INHABITANTS/NEIGHBORS:** Comply with all applicable requirements of governing authorities including, but not limited to, public utilities (provide mark-out and 24 hour notification of any discontinuity of utility services with owner). Provide temporary facilities, service utilities, and protection as required to safely execute all work.
- D. **CONSTRUCTION DEBRIS:** Contractor shall be responsible to remove and legally dispose of all materials from the job site. A permit may be required to place a unit for storage of debris at the job site or in the street. This is the Applicant's responsibility to obtain.
- E. **PLANS AND DRAWINGS:** The contractor shall prepare and maintain a complete set of record construction drawings (if any) indicating all actual work, modification and revisions to the work delineated on the construction drawings as well as any concealed construction work. Include any other information which would be helpful to the owner, at the site.

- F. **SUBSTANTIAL COMPLETION:** At project closeout, contractor shall procure final certificate of occupancy upon completion of the project and forward same to the owner. Contractor shall clean premises, test applicable systems, and leave ready for occupancy.
- G. **PERMITS:** The Applicant shall be responsible for obtaining and paying for all the required permits, inspections, etc.
- H. **PROJECT COMPLETION:** Upon FULL completion of the project, architect and/or contractor to submit certificate of occupancy or continued certificate of occupancy approved by the Building Department to the owner.
- I. **CODE AND STANDARDS COMPLIANCE:** All work, materials, and equipment shall meet the latest requirements of all applicable state & local building codes, regulations, the requirements of the authorities having jurisdiction over this work and project, and where applicable, with the standards of the Secretary of Interior for Rehabilitation and the requirements of the NJUCC Barrier Free Subcode and/or Americans With Disabilities Act (ADA).

NOW, THEREFORE, BE IT RESOLVED, by the City of Orange Township Historic Preservation Commission that the Application for a Certificate of Appropriateness for the work described in the Application, is approved and granted subject to the foregoing conditions in Section I. A through C, Section II. A through C, Section III. A through I, and Section IV. A-D, hereof, and the following additional conditions of Section V to IX, where applicable:

IV. PLAN REVISIONS AND SUBMISSIONS

Prior to signing the final site plan approval, Applicant shall submit any requested revisions to the plans or otherwise provide studies, plans, or documents, as follows:

- A. The Applicant should address all of the findings, if any, in the comments and reports made by the City Engineer, Police Department, Fire Department, and any other relevant departments and agencies, in addition to the Department of Public Works and all of its officers and divisions, if any.
- B. Pursuant to City of Orange Township municipal ordinance, prior to the issuance of building permits, the Applicant shall have installed or shall have furnished any required performance guarantees for the ultimate installation of all streets, street signs, curbs, gutters, sidewalks, street lighting, shade trees, storm drains, sanitary sewerage and utilities, monuments, and/or top soil required, if any, by this approved work.
- C. The Applicant shall ensure that its general contractor and subcontractors do not damage the roadway pavement, curbing, sidewalk, grass strip between the curb and the sidewalk or any other improvements in the public right of way, whether on the public right of way or the privately owned property including but not limited to slate or bluestone sidewalks and walk ways. A note shall be added to the plans stating, "Any damage to the right of way including the sidewalk must be repaired / installed to equal standards."

D. **OTHER APPROVALS.** Prior to signing the final site plan, Applicant shall submit any requested revisions to the plans or otherwise shall obtain and comply with the requirements of all outside agencies from which approval is required, and it shall be Applicant's duty to determine whether such further approvals are required, including but not limited to:

1. Final approval of the Essex County Planning Board, if required.
2. Final approval from and comply with the requirements of the Union County Soil Conservation Service, if required.
3. All other necessary approvals from applicable county, state, regional and federal agencies.

V. **TAXES**

Applicant shall pay any outstanding real estate taxes and assessments within fourteen days of this Resolution and provide proof by an official search for municipal liens.

VI. **FEES**

Applicant will post an escrow fee to cover and pay for the professionals' review of this application and preparation of this Resolution in accordance with City ordinance. Applicant will pay all outstanding escrow and application fees within fourteen days of the Resolution and receipt by Applicant of the bills for such charges including those that arrive after the Resolution is memorialized. No construction permits will be issued until this section is satisfied.

VII. **INSPECTION FEES**

Applicant shall post inspection fees, in an amount to be determined by the City Engineer, before any improvements are installed, if and as required by the City.

VIII. **OTHER REQUIREMENTS**

A. Applicant will post a notice of decision in the Official Paper and provide an affidavit of publication to the Planning and Development Department.

IX. **SATISFACTION OF CONDITIONS**

This approval of the Certificate of Appropriateness shall not be deemed satisfied and construction permits shall not be issued until such time as the Director of the Department of Public Works and/or his designee and/or the City Engineer finds that all conditions of approval have been satisfied.

ROLL CALL ON THE MOTION TO APPROVE:

	Yes	No	Abstain	Absent
Keith Carroll				X
Kathy Dowd (mover)	X			
Jody Leight	X			
Brandon Matthews	X			
Janice Morrell				X
Troy Simmons (2 nd)				X
Abdiel Velez	X			
Karen Wells				X


MEMORIALIZATION:

This Resolution adopted this 20th day of November, 2019 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:

	Yes	No	Abstain	Absent
Keith Carroll				X
Kathy Dowd (mover)	X			
Jody Leight (2 nd)	X			
Brandon Matthews			X	
Janice Morrell				X
Troy Simmons				X
Abdiel Velez	X			
Karen Wells			X	

I hereby certify that the foregoing is a true copy of a Resolution of the City of Orange Township Historic Preservation Commission memorialized on November 20, 2019.

Adopted:


 Joyce Lanier
 Secretary


 Troy Simmons
 Chair