

**MINUTES OF THE
MENDHAM BOROUGH
HISTORIC PRESERVATION COMMISSION
March 15, 2010
Phoenix House, 2 West Main Street, Mendham, NJ**

CALL TO ORDER

The regular meeting of the Historic Preservation Commission was called to order by Chair Zedalis at 7:30 p.m. at the Phoenix House, 2 West Main Street, Mendham, NJ.

CHAIR'S OPENING STATEMENT

Notice of this meeting was published in the Observer Tribune and Daily Record on January 28, 2010 in accordance with the Open Public Meetings Act and posted on the bulletin board of the Phoenix House on the same date.

ATTENDANCE

Ms. C. Jones-Curl – Absent
Mr. N. Cusano – Present
Mr. M. Furgueson – Present
Mr. C. Nicholson – Present

Mr. M. Zedalis – Present
Mr. J. Dannebaum, Alternate I – Present
Ms. Susan Carpenter, Alternate II- Absent

Also Present: Peter Henry, Esq., Commission Attorney

MINUTES

Mr. Nicholson made a motion to approve the minutes of the February 22, 2010 regular meeting of the Commission as written. Mr. Dannenbaum seconded. All members being in favor, the minutes were approved. Mr. Cusano abstained.

APPLICATIONS

HC 02-10: Five Hilltop Holdings – Review of Sign
Block 1902, Lot 21, 5 Hilltop Road

Present: Justin Marcucci, Applicant

Mr. Marcucci had provided the Commission with sign design, dimensions and fonts with his application dated February 23, 2010.

Mr. Marcucci explained to the Commission that he is opening an internet website business. He met with the TRC and has been approved. The sign will reside within the existing sign post. The material will be wood. The Grand Bazaar sign will be moved down.

Responding to Mr. Cusano on the size of the sign and whether it was in keeping with the ordinance, Mr. Henry, Esq. advised that the TRC had approved the size of the signage as it was not any larger than what had previously existed.

Chair opened the meeting to comments by the public. There being none, the public session was closed.

Commission commented that the sign was in keeping with the character of the building and the District.

Mr. Cusano made a motion to approve the sign. Mr. Nicholson seconded.

ROLL CALL: The result of the roll call was 5 to 0 as follows:

In Favor: Cusano, Furgueson, Nicholson, Dannebaum, Zedalis
Opposed: None
Abstentions: None

The motion carried. The application was approved. Ms. Callahan will prepare a letter with copies to the Zoning Officer, Construction Official and Planning Board.

Applicant was reminded that a sign permit would be required.

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HC 22-09: Nettune, Dr. (Donnelly Construction) – Review of Porch/Steps
Block 601, Lot 8, 18 East Main Street

Present: Dr. Nettune, Applicant
Vincent Bisognio, Esq., Attorney for the Applicant
Michael MacNamara, Donnelly Construction

Mr. Zedalis summarized that at the January meeting, the Commission had reviewed their concerns with the contractor. The biggest issue was that protocols had not been followed as building permits and a Historic Preservation Commission review had not been obtained before the construction. This placed the Commission in a very difficult position as the construction that had been completed was not in keeping with the period of the home. Had the applicant come to the Commission in advance, they would have received all the advice that they needed to work through the process positively. The Commission is not trying to be unfair to anyone, but they have taken an oath to uphold the requirements of the District. They look forward to working this issue together from this point forward.

Dr. Nettune extended his apologies to the Commission. He had been out of town at the time of the last meeting and was not able to attend. He was shocked that there was a problem when he received the letter from the Commission. Not having a building permit was a surprise to him. They wanted to spruce up the office, and the biggest problem was in the steps. As the wood was slippery and some clients fell, they tried to put down strips, but they did not help. The builder recommended using the stone so that they would not have to be replaced in the future.

Mr. Nicholson stated that the applicant had provided an updated application based on the original discussion. It was now before the Commission based on the suggestions that had been made at the January meeting. Mr. Bisognio, Esq. advised the Commission that the contractor had provided the revised application to the Commission without discussing it with Dr. Nettune.

Mr. Cusano explained that had the applicant come in with a proposal for the stone stairs, they would have been advised that the stairs are not compatible with a wood porch. Stone stairs go with a stone porch. The railings as they have been constructed are also coming down on a landing that is not as large as the staircase. The stone infill does not match the existing stone. Lattice should have been used. Had the applicant come in ahead of time there could have been a discussion and an understanding reached. In fairness, they need to proceed as if the construction had not been completed. Mr. Dannebaum added that the Commission has the same situation with the Black Horse Inn and a sign/structure that they have installed.

Mr. Bisognio, Esq. stated that the applicant did not do the construction intentionally. The builder is from the inner city. They have invested a considerable amount of money and taking out the steps would result in considerable expenditures. They would like to keep the steps.

Mr. Cusano responded that there are more problems with the steps than anything else. The Commission had advised that plantings around the porch could help shield the stone under the porch. Mr. Dannenbaum added that the contractor should have done his homework. Mr. Nicholson continued that the contractor had said that it was an emergency repair, but that usually happens within 24-48 hours. This included stonework under the porch and landscaping. The stairs need to be changed.

Responding to Dr. Nettune on whether they could make the porch stone, Mr. Cusano stated that there is precedent for stone porches; however he would not be able to determine if it would be compatible unless he saw an accurate drawing of what would be proposed.

Mr. Furgueson explained that implementing the process fairly is key. When the town approached the Commission on the conversion of the lot at 34 East Main Street to a park area, the Commission also requested that they return with a formal landscape design. The Commission needs to make decisions around aesthetics and standards. Homeowners seem to understand the rules. There has been a lot of publicity about the District particularly in light of the proposed expansion. The Commission should not create exceptions. Things should be done right and professionally. He, as a homeowner in the District, has also had to go through the process. Mr. Zedalis added that in the years since its inception

the Commission has hardly had any major issues. In most cases people have taken advice and the outcomes have been positive. It is a commitment to jointly working the project through.

The Commission reviewed the details of their concerns with Dr. Nettune:

- The cement base landing pad for the balusters is too small. It needs to be extended.
- The facings would be acceptable as long as they were landscaped.
- The balusters had been changed from square to profile, but that could be accepted.
- The top wooden landing does not match the stone steps.
- The railings in the drawing appear uneven.
- The light fixtures are acceptable even though they were not included in the revised application.

Mr. Henry, Esq. advised the Commission that they could give Dr. Nettune some guidance on options so that he could work with the contractor to determine cost.

Mr. Cusano stated that they need to have acceptable drawings done to scale with the detail and the materials listed. The stair risers cannot be open under code. Stone stairs could be acceptable for maintenance, however that would require a larger scope of work for the porch. Comments related to the railings and the post would still apply.

The Commission outlined the two options available to Dr. Nettune:

Option 1: Follow the proposed application dated February 10, 2010, but provide scaled drawings. Utilize solid wood risers. Show the proper relationships horizontally and vertically.

Option 2: Consider a stone porch. Treads should be bluestone. Stone would be used on the surround of the foundation. Anything below the treads and the flooring should be stone. The stone would match the fieldstone on the side. A detailed plan is required.

Mr. Henry, Esq. summarized that the applicant would need to come back with an improved plan or a new plan that includes the stone porch.

Responding to Dr. Nettune on how the Commission would view an enclosed porch, Mr. Cusano once again advised that they would need to see a complete plan. Enclosing a porch on a historic structure is very difficult to accomplish; however buildings such as the Black Horse Inn have done it successfully. Mr. Henry, Esq. also cautioned that moving from the repairs to an enclosed porch could trigger the need for a site plan waiver or site plan amendment which would require Planning Board approval in addition to Historic Preservation Commission approval.

DISCUSSION

Historic District Expansion Phase II: Mr. Zedalis advised the Commission that a meeting for the Phase II expansion had been held with the Mayor, Planning Board Chair, Administrator, Consultant, Land Use Coordinator and himself. The plan to develop material for a public outreach program was discussed. A certified letter will be sent to residents advising them of a public informational/educational meeting on the proposed expansion. Questions and answer sheets will also be developed. The team will be meeting again in April. Finding a date for the public hearing has not yet been successful. June dates are now being pursued. Information will be shared with the Commission as it is developed.

ADJOURNMENT

There being no additional business to come before the Commission, on motion duly made, seconded and carried, the meeting was adjourned at 8:30 p.m. The next meeting of the Historic Preservation Commission will be held on Monday, April 19, 2010 at 7:30 p.m. at the Phoenix House, 2 West Main St., Mendham, NJ.

Respectfully Submitted,

Diana Callahan
Recording Secretary

