

**BOROUGH OF MENDHAM
HISTORIC PRESERVATION COMMISSION
MINUTES OF THE FEBRUARY 22, 2023
REGULAR MEETING**

CALL TO ORDER/FLAG SALUTE:

The regular meeting of the Historic Preservation Commission was called to order at 7:30PM and the open public meetings statement was read into the record.

ATTENDANCE:

Mr. Encin – Present	Mr. Van Arsdale – Present
Mr. Maresca – Present	Mr. Tosso - Alternate #1:– Present
Ms. Shafran – Present	Mr. Mullany - Alternate #2: Present
Ms. Rodrigues - Absent	

Also present: Mr. Germinario – Commission Attorney
Ms. Caldwell – Commission Planner

MINUTES:

Mr. Van Arsdale asked for comments on the minutes of the regular meeting of January 16, 2023. Mr. Maresca made a motion to approve the minutes as written and Ms. Shafran seconded.

Roll Call: The result of the roll call was 6 to 0 as follows:

In favor:	Mr. Encin, Mr. Maresca, Ms. Shafran, Mr. Van Arsdale, Mr. Tosso, and Mr. Mullany
Opposed:	None
Abstentions:	None

CHANGES TO MEETING DATES:

The following meeting dates will be changed June 19, 2023 changes to Wednesday, June 21, 2023
January 15, 2024 changes to Wednesday, January 17, 2024.

PUBLIC COMMENT:

Chairman Van Arsdale opened the meeting to the public for questions and comments on items not included on the agenda.

Mr. Zedalis from 24 Phoenix Drive wanted to be on the record that he is opposed to the development proposed by the Sisters of Christian Charity. Mr. Zedalis asked if the HPC has been involved with the proposed application. Mr. Van Arsdale stated that the HPC has not received an application from the Sisters of Christian Charity. Mr. Germinario stated that the application is pending with the Joint Land Use Board and the hearing is March 21, 2023 and may ask for HPC input. Mr. Zedalis noted that when he was the Chair of the HPC in 2008 there was a review of an application from the Sisters of Christian Charity for the expansion of the dormitory to bring more nuns onto the property which would give the nuns sustainability. Mr. Zedalis would like to see the Historic Zone expanded to include the Sisters of Christian Charity property.

There being no further comments, the public session was closed.

APPLICATIONS:

- a) HPC #01-23
Joseph Misko
29 Hilltop Rd
Block 1901 Lot 4
Present: Mr. Misko – Applicant
Mr. Encin – Architect

Mr. Encin recused himself.

Mr. Misko summarized the application to demolish the house at 29 Hilltop Rd. Mr. Misko explained that the house had caught fire. The house had water damage and the previous owners had waited too long to remediate and mold is now present throughout the building. Mr. Mullany asked if the extent of the damage has been documented to warrant a tear down. Mr. Misko stated that at this point, it is a mold house because of the extent of exposure to the weather. Mr. Misko stated that the house has been saturated for a year and a half. Mr. Misko stated that Mr. Encin inspected the house. Mr. Maresca asked what the degree of fire damage was there. Mr. Misko explained that the fire started on the roof. The whole 3rd floor and roof were affected, and the water caused sagging. Mr. Van Arsdale asked if rebuilding would be more difficult and Mr. Misko stated that the mold and structure is severely damaged and even if it was rebuilt, knowing that there was mold, no one would want to live there. Mr. Maresca asked if the insurance company wrote the house off as a total loss after the fire. Mr. Misko stated that he didn't know. Mr. Encin stated that he was contracted by the previous owners and was told that the insurance company gave 2 options, one was a complete knockdown or strip all materials from the house and leave framing. Mr. Van Arsdale complimented Mr. Misko on the previous project that came before the HPC and feels comfortable knowing that this new project will be done correctly. Mr. Van Arsdale stated that the HPC is there to preserve and protect the architectural value which is why the reason for a tear down as opposed to a rebuild will need to be clarified. Mr. Van Arsdale noted his concern about the structure being torn down and would prefer that it be rebuilt. Mr. Misko again stated that the building is full of mold and the structure is compromised by the water and the weather that the interior has been exposed to. Mr. Van Arsdale asked the reasoning for subdividing the property. Mr. Misko explained that it would help with the cost of the repairs to replace the existing house with a 2 family and build another single-family home on the other lot and rent it. Mr. Van Arsdale explained that the house is mostly standing and understands that there is damage and will cost money to rebuild but would like an engineer's review of the viability of the structure. Mr. Van Arsdale has concern that if the HPC allows the tear down and then the Joint Land Use Board denies the subdivision, what would happen with the project? Mr. Mullany noted that the property is in the National Register of Historic Places Inventory—Nomination Form" from 1984 listed as the Eliza Thompson House and was built prior to 1868. Mr. Mullany explained that there are historic components to the property and they would be lost if the property was subdivided. Mr. Misko noted that he intends to save the foundation but there is a lot of mold in the structure. Mr. Encin pointed out that there are other structures that had been ignored in the Borough and have fallen down and left empty and Mr. Misko didn't want that to happen to this property. Mr. Misko stated that the property is a liability and no one will insure it which is why he would like to take it down before someone gets hurt. Mr. Van Arsdale stated that in his opinion, he would like the structure to be the same as it is, a single-family home. Mr. Misko stated that a 2 family fits in with what is there and would make the project more viable. Mr. Van Arsdale asked what the square footage on the 2 family would be. Mr. Encin stated that bulk and sized of the proposed is consistent to what is existing. Mr. Misko stated that it is 2700 sq ft footprint. Mr. Van Arsdale stated that without a definite plan on what is being done with the property, he cannot support demolition. Mr. Mullany stated that the building can come down and the foundation sit for years before being rebuilt but at the is point the structure is a liability and it would be better for the town if it was demolished. Mr. Mullany suggested segmenting the 2 parts of the application into the existing house and the subdivision. Mr. Misko agreed to take the subdivision off of

this application and only have the demolition portion heard. Mr. Tosso noted that the Planners report mentioned the subdivision. After discussion, everyone agreed that should Mr. Misko choose to continue with the subdivision portion, he will go to the Joint Land Use Board and if needed the Board would refer the application back to the HPC for recommendations.

Motion was made by Ms. Shafran, seconded by Mr. Maresca to approve the application with the following conditions:

1. Applicant to submit documentation regarding the inhabitability of the structure.
2. Applicant to maintain foundation in a condition that would make rebuilding feasible.
3. Applicant removed the subdivision portion from the application.

Roll Call: The result of the roll call was 4 to 1 as follows:

In favor: Mr. Maresca, Ms. Shafran, Mr. Tosso, and Mr. Mullany
Opposed: Mr. Van Arsdale
Abstentions: Mr. Encin

The motion carried.

DISCUSSION/MISCELLANEOUS:

1. Ms. Shafran volunteered to do a draft article for July Mendham Messenger and bring it to the March meeting for review and comments.

ADJOURNMENT:

There being no additional business, Mr. Tosso made a motion to adjourn, and Mr. Encin seconded. On a voice vote, all were in favor. Mr. Van Arsdale adjourned the meeting at 9:45 PM.

The next meeting of the Historic Preservation Commission will be held on Monday, March 20, 2023 at 7:30PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully Submitted,
Lisa J. Smith
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Land Use Coordinator