



THE TOWNSHIP OF MILLBURN

375 MILLBURN AVENUE
MILLBURN, NEW JERSEY 07041

A regular meeting of the Historic Preservation Commission was held on, February 3, 2022 at 7:30P.M. via Zoom.

Chair Canfield, opened the meeting by reading Section 5 of The Open Public Meeting Act, Chapter 231, Public Law 1975.

ROLL CALL

PRESENT: Mrs. Canfield, Mr. Davis, Mr. Frenkel, Ms. Wanga, Mrs. Gaylord, Mr. Rosen, Mrs. Esquivel, Mr. Kramer,

ABSENT:

ALSO PRESENT: Attorney Andrew Brewer, HPC Liaison Maggie Miggins, Barton Ross Historical Preservation Consultant and Graham , Secretary

Commissioner Oaths of Office

Reorganization Meeting of the Commission to elect officers for the 2022 year. He also announced that Gary Rosen had been appointed as Alternate #2 new Commissioner for a term of 1 year. Bruce Kramer, appointed as Alternate #1 to a two-year term.

MEETING MINUTES

Upon a motion by Commissioner Gaylord to approve the minutes of the October 2, 2021 meeting as submitted, seconded by Commissioner Davis and with unanimous voice vote, the minutes were approved.

Approved calendar dates for 2022.

NEW BUSINESS

Application #507; 86 Cedar St.; Block #302, Lot #17; Contributing Property; Wyoming Historic District; David Williams/John James Architect – Applicant Regulatory Application for demolition and construction of a two-and-a-half story addition off the rear façade with other associated site improvements.

Mr. Williams & Ms. Stanton, residents along with Mr. James, Architect were sworn in.

Mr. James presented the elevation of the house and spoke about keeping the front and sides of the house as is, other than replacing one large window over the front portico to accommodate the proposed bathroom lay out as well as one side window to accommodate the proposed kitchen lay out.

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A rear elevation was presented with a current platform, stairs and terrace to remain. Beyond the existing terrace be a proposed 10'x 6' with terrace. The addition will be added over the existing first floor with a dormer added in the attic space.

The front elevation shows a slightly smaller window over the front portico, the replaced window will be closer in size to the existing attic window. That is the only change to the front elevation.

The proposed driveway side elevation shows the second floor addition over the existing first floor structure. Also shown is the new smaller window needed for the new kitchen lay out. This elevation also shows the 3' extension of the existing deck.

The rear elevation shows the second floor addition over the existing first floor. Mr. James explained that the roof lines of the addition will mimic that of the front elevation, keeping the same style and look as the existing. Mr. James talked about the dormer that is proposed in the attic, and that the staggered shingle detail on the gables present on the front elevation will be matched in the rear addition elevation.

Mr. James mentioned that all of the additions/alterations proposed are within the bulk zoning for size. The property is under on building coverage by 5%. Under on lot coverage by 1.3%. Under on FAR by 9.3%.

Chair Canfield thanked Mr. James and opened the presentation to the Commission for comments and questions.

Mr. Ross, asked the board not to approved the changing of the front window, stating that it is a character defining feature.

Mr. Davis, agreed with Mr. Ross's point regarding the reducing the size of the front window. Mr. Davis addressed concern that the roof line of the addition sits higher than that of the existing. Mr. James clarified that the new roof line does not protrude above the ridge line of the house.

Ms. Wang stated that the addition was smart and adds character to the rear of the house. She stated she was not opposed to the smaller window on the front elevation.

Mrs. Gaylord stated that she also was not opposed to the front window change.

Mrs. Esquivel did not have any further questions.

Mr. Kramer was recused.

Mr. Rosen, agreed with changing of the window.

Mrs. Canfield stated that this was very well done.

At this time the discussion was opened up to the public. Andrea Sparr of 84 Cedar Street, questioned the landscaping and the rear which was not part of the meeting. She commented that that plans look lovely.

Upon a motion by Commissioner Frenkel to approve Application #507 as submitted, seconded by Commissioner Gaylord with a roll call vote as follows:

Mr. Davis-Yes

Mr. Frenkel-Yes

Mr. Kramer-Yes

Mrs. Gaylord-Yes

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Mrs. Canfield- Yes
Mrs. Esquevel- Yes
Mr. Rosen- Yes
Ms. Wanga- Yes

Application #503; 10 Highland Ave.; Block #1604, Lot #35; Non-contributing Property; Short Hills Park Historic District; Hsing y Chen – Applicant Regulatory Application for installation of non-approved vinyl siding and garage doors. Work was started without HPC approval. Stop Work Order issued October 12, 2021.

Ms. Chen, residents along with Mr. Rich, were sworn in.

Mr. Rich began by explaining that Ms. Chen's home sustained extensive water damage to the basement during Hurricane Ida. He expressed the reasoning for expediting the work due to heavily rotting beams in the basement. Ms. Chen explained that she had the roof repaired, and the siding repaired due to leaking windows and damage caused by Hurricane Ida. She expressed her concern with the rising costs in materials. She stated that she was not aware that her home was in fact in a historical district.

Mr. Rich proposed allowing Ms. Chen to complete the portion of work started at this time, which seems to be approximately 90%, and reevaluating any alterations to the front of the home at a later date.

Chair Canfield thanked Mr. Rich and Ms. Chen and opened the presentation to the Commission for comments and questions.

Ms. Wanga asked Mr. Rich and Ms. Chen what the proposed steps were. Mrs. Canfield explained that the proposed plan was to continue the vinyl siding project, and complete the front façade at a later date when financially able, bringing back the original details of the home. Mr. Rich explained that an architect would need to be brought in to restore the original details that have been removed, a cost Ms. Chen could not afford at this time.

Mrs. Canfield confirmed that Mr. Rich did in fact receive information from Mr. Ross in regards to what needs to remain and/or returned back to the materials of origin. Mrs. Canfield clarified for the Commission, the house was originally a wood shingled house, which was replaced with vinyl siding.

Ms. Wanga did not approve.

Mr. Frenkel, also did not approve.

Mr. Brewer explained the reasoning for the Historical Preservation Commission to Mr. Rich and Ms. Chen. He explained that it has limited jurisdiction, it sees an application that is presented and approves or disapproves what is being requested within the townships historical districts. He explained that they do not have the power to say the regulations are good but they are very expensive so we should to wave them. Mr. Rich argued that the private property rights of Ms. Chen were being violated. Mr. Brewer address the argument stating that zoning in the State of New Jersey has been in place since approximately 1920. He continued to say that there are always regulations on what people can and cannot do with their property, that they are public records and have always been there no different than any other regulations. Mr. Rich questioned Mr. Brewer why the homeowner Ms. Chen was not provided with the regulations or ordinances regarding her historical property.

Mr. Davis, expressed his understanding of the damages and hardship. Mr. Davis questioned Ms. Chen regarding the initial inquiry with the building department regarding the work. It should have been noted at that time that this is a historical district an approval by the HPC is needed. It was noted that there is

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verbiage in the ordinance regarding situations regarding emergency repairs as in this situation. Mr. Davis expressed that the front of the building had historical details that have been removed, which would have never been approved.

Mrs. Esquivel had no further questions at this time.

Mrs. Gaylord stated that they should have been notified that this was a historical building and vinyl siding is not approved.

Mr. Kramer asked Mr. Brewer what type of legal commitment could be obtained for the “quick fix” of the property. Mr. Brewer explained that the commission could draft a resolution with a projected completion date or be in violation of a daily fine.

Mr. Rosen agreed with the other members, and asked if the applicant would be willing to commit to a completion time frame.

Mrs. Canfield asked about obtaining a permit for the water heater in the basement, which Ms. Chen stated she did not. Mrs. Canfield asked if the basement was the only area, which Ms. Chen stated yes as well as the roof, causing damaged to the exterior siding. Ms. Chen stated she didn’t understand the restrictions and regulations. Mrs. Canfield asked Ms. Chen is the home was listed for sale in 2012, to which she replied yes.

Mrs. Esquivel Asked for clarification on what was proposed. Mr. Rich explained that they are proposing completed the vinyl siding project at this time to protect the home from the elements, and complete the restoration of the home at a later date to be determined.

There were no further questions from the commissions, Mrs. Canfield open the floor to Mr. Rich to ask any further questions he may have. It was clarified that Mr. Rich was asked by Ms. Chen to better articulate the situation.

Mr. Rich asked for the clarification of non-contributing resource versus contributing. Mr. Ross explained that there are key structures that would be eligible on their own. Non-contributing in districts are properties that were built outside the dates of significant. He stated that there are guidelines that must be followed. Mr. Ross stated that the commission has never approved vinyl siding or vinyl fencing, as this commission stays true to the standards set by the guidelines.

After questions proposed not relevant, Mr. Brewer stepped in to explain again that the board does not have the power to change the regulations.

Mrs. Canfield opened the floor to the public. There were no questions asked by the public.

Mrs. Canfield asked for a motion to approve this application. No motion was put forth.

Upon a motion by Commissioner Gaylord to deny Application #503 as submitted, seconded by Commissioner Wanga with a roll call vote as follows:

Mr. Davis-Yes

Mr. Frenkel-Yes

Mrs. Esquivel Yes

Mr. Kramer-Yes

Mrs. Gaylord-Yes

Mrs. Canfield- Yes

Mr. Rosen- Yes

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Ms. Wanga- Yes

10-15min Presentation by Barton Ross, AIA, AICP, on “Introduction to the HPC” was tabled until the next meeting.

Presentation by Graham Petto, PP, AICP, on TOPOLOGY’s role as Town Planner and new HPC administrative procedures under consideration. Mr. Petto reviewed the broad overview and goals the Township will be undertaking in the coming year. Mr. Petto will be serving as the Town Planner for the planning board and the advisory board. Beyond the role of interim secretary, Mr. Petto explained that he will be helping out the HPC with the application process.

DISCUSSION ITEMS

Education and Outreach Committee- This will be a first attempt at the outreach.

Minor Work Review Committee- Mrs. Canfield asked the board if anyone had interest in being added to the committee.

DRAFT Millburn Historic Preservation Element of the Master Plan- Mr. Ross shared that the draft is 99.9% completed at this time. Mr. Ross expressed getting these documents uploaded on to the website. The documents will need to be sent to the planning board for comments or changes as well. The local nomination report for The Short Hills Village Historic district. A decision will need to be made by the board to go forward with that this spring. The Downtown Millburn Survey is 90% completed at this time. After the flooding of Hurricane Ida some of those locations have now disappeared. Mr. Ross shared that he is trying to get with an Eagle Scout to do some further research. The last issue Mr. Ross expressed is trying to find the old building department note cards, going back about 100 years. Other locations are being evaluated to determine the possibility of historic designation. Building like the Papermill Playhouse are areas that are not protected at this time.

Ms. Wanga requested that prints provided in the packets be 11x17. Mr. Ross will remind the architects as well. Mr. Peeto proposed making that part of the check list that he will be preparing. Mr. Peeto also suggested digital submissions as well.

Mrs. Gaylord asked the questions about returning to in person meetings. Mayor Miggins advised that the TC meetings are in a hybrid format based on the number of committee members. Mayor Miggins stated that all other committee meeting, other than the TC meeting are also still zoom.

ADJOURNMENT

With no further comments from the Commission, the meeting was adjourned with a motion from Commissioner Canfield seconded by Commissioner Wanga and with unanimous voice vote; the meeting was adjourned at 10:03 pm.

Respectfully submitted,

Graham Peeto, HPC Interim Secretary

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