

**ROCKY HILL PLANNING BOARD**  
**Minutes of the March 10, 2009 Meeting**

Present: R. Ayrey, M. Blasch, T. Bremner, C. Cann, T. Corlis, L. Goldman, D. Kluchinski, C. Pihokken, G. White, R. Whitlock, E. Zimmerman

Absent: No one

Also present: V. Kimson and K. Philip

**Statement Of Adequate Notice**

Pursuant to the Sunshine Law, a notice of this meeting's date, time, place and agenda was mailed to the news media, posted on the Municipal bulletin board and filed with the Municipal Clerk. The meeting was called to order at 7:30 p.m.

**Open Public Comment Period:** The meeting was then opened to the public. Tom Bremner, 17 Crescent Avenue, recommended that copies of all professional bills be circulated to Board members electronically for their information and review, and the Board concurred.

Being that no one else who wished to address the board, the open public portion of the meeting was closed.

**Approval of Minutes**

a) February 10, 2009 – Motion made by L. Goldman and M. Blasch seconded the motion to approve the regular meeting minutes of February 10, 2009. The vote was 7-0 in favor of those eligible to vote. Motion carried.

**Chairman's Comments and Correspondence:**

C. Pihokken stated that the Board will go into Closed Session at the end of the meeting.

**RESOLUTION OF MEMORIALIZATION:**

- a) Authorizing Contracts for Professional Services:
- 1) Professional Engineer
  - 2) Professional Planner
  - 3) Planning Board Attorney

V. Kimson stated that the Planning Consultant had responded to the question of their travel expenses, S. Kimball advised that travel costs are minimal and only begin when entering New Jersey.

Motion was made by C. Cann and D. Kluchinski seconded the motion to approve the resolution authorizing contracts for professional services for: Engineering Consultant, Van Cleef Engineering; Planning consultant, Kimball and Kimball, and; Planning Board Attorney, Valerie Kimson, Esq. The vote was 9-0 in favor. Motion carried.

FOR: Ayrey, Blasch, Cann, Goldman, Kluchinski, Pihokken, White, Whitlock, Zimmerman

AGAINST: None

ABSTAIN: None

**APPLICATION:**

- a) Rocky Hill Inn (carried from February 10, 2009)  
Historic Preservation Plan with variances  
Washington Street; Block 7, Lot 15

C. Pihokken stated that a letter dated March 9, 2009 was received from the applicant advising that they are withdrawing their application for the walkway and windows but the withdrawal note does not explicitly itemize any of the improvements which were constructed without approval and for which variances are required, so it is not clear if the applicant intended to withdraw everything or if the applicant intended on "withdrawing" only some issues. The applicant did not post any additional escrow amounts to cover this meeting, or future meetings if necessary. Ms. Kimson stated that the applicant was asked if they were planning on attending tonight's meeting and the applicant responded with the note of withdrawal. In fact, the applicant did not appear in person, nor did any representatives of the applicant appear at tonight's meeting. The applicant did not file any amended plans subsequent to the last meeting when the Board asked for plan details. To the extent that there are improvements in place that are not covered in the applicant's letter of withdrawal, the Board may desire to address those issues so that the record is clear. The Board discussed that the application (for windows and walkway) has been withdrawn by the applicant and that the application should be denied without prejudice as to any items depicted on the plans and not addressed in the March 9, 2009 withdrawal letter. E. Zimmerman was concerned about the improvements in place without approval and he will discuss the matter with the enforcement officer. Ms. Kimson recommended the zoning officer forward a letter to the applicant advising that their application has been denied without prejudice. The board will adopt a memorializing Resolution at the next meeting.

Motion was made by L. Goldman and C. Cann seconded the motion to deny the January 2, 2009 application without prejudice and accept the applicant's request for withdrawal. The vote was 8-1 in favor. Motion carried.

FOR: Ayrey, Blasch, Cann, Goldman, Kluchinski, Pihokken, White, Zimmerman  
AGAINST: Whitlock  
ABSTAIN: No one

### **DISCUSSION**

- a) Historic Subcommittee: Status Report  
Historic Preservation District - County Grant/Design Guideline

C. Pihokken stated that the historic subcommittee met with the historic preservation consultant, Michael Calafati, to discuss the project. He stated that Mr. Calafati's firm is being considered because they are well respected and they have prepared design guidelines for other municipalities in the State. A proposal from Historic Building Architects dated 3/9/09 was distributed for Board review. C. Pihokken asked for endorsement so this item can be presented to Council next week. M. Blasch stated that the intent is to prepare a document that is more focused on maintenance and renovation of existing housing; new development is not being considered. The consultant will be providing small examples of styles of architecture within the Rocky Hill historic district, the components for each style, and how they relate in addition to pictures of what constitutes what style. The guidelines would cover roofs, exterior cladding boards and windows. The guidelines will outline which styles are acceptable and what design does not match that style. The subcommittee is considering a color document approximately 30 to 40 pages in length.

G. White stated that the purpose of the document is so homeowners can maintain the existing style of the house, the subcommittee discussed meeting with the homeowners in order to provide guidance and resources. Design guidelines for Hopewell and Cape May were reviewed. He stated that Hopewell's document is available on line; their document is too detailed but some ideas will be taken from the booklet. Rocky Hill's document will stick with present styles for homes in Rocky Hill in order to retain the atmosphere. C. Pihokken stated that the document is not going to take what is required by ordinance and add more levels of specificity; the document will provide guidance to homeowners. D. Kluchinski stated that in the proposal from Mr. Calafati it notes that the applicant will be responsible with complying with the provisions of the guidelines so he is unclear if the consultant understands the subcommittee's intent for this document. C. Pihokken stated that he will clarify with Mr. Calafati the "guidelines" nature of the document. He confirmed that Mr. Calafati will work directly with the subcommittee so the document will be reviewed throughout the process and progress reports will be forwarded to the County as may be required.

Ms. Kimson recommended a way to reduce costs is to use volunteer services to assist Mr. Calafati including taking photographs of homes in the historic district. L. Goldman recommended the use of line drawings. Board members felt that there could be a mix.

The meeting was opened to the public.

Tom Bremner, 17 Crescent Avenue, questioned why this does not include new developments. G. White stated that the budget for this document is limited and only existing styles are being considered. Ms. Kimson stated that the Board may wish to consider adopting the guidelines by ordinance.

Being that no one else wished to address the Board, the public portion of the meeting was closed.

Motion was made by M. Blasch and D. Kluchinski seconded the motion to recommend hiring Historic Building Architects, LLC to prepare the design guidelines and recommend that the design guidelines be guidelines and not mandatory. This conceptual plan will be presented before the governing body. The vote was 9-0 in favor. Motion carried. M. Blasch and G. White advised that they will make the presentation to Borough Council next week.

C. Pihokken stated that if Borough Council provides their consensus on the document and hiring of Mr. Calafati's firm, the Planning Board would negotiate a contract with Mr. Calafati to prepare the guidelines consistent with the board's recommendations. Ms. Kimson stated that in accordance with the Public Contracting Law, this contract would fall within the professional services exemption to the bidding process.

### **OLD BUSINESS**

G. White stated that at the last meeting he advised that significant changes were made to the approved plan for the Donato residence including the removal of a window, façade material change, window casings were not installed, and the front door was widened. He felt that these amendments were significant and should have been presented to the board since a lot of time was spent on the review. R. Whitlock stated that he approved the front door because he did not think this was a big change, the window above the garage was removed because it eliminated the homeowners ability to place furnishings in that room. R. Whitlock stated that the changes were

minimal but he will call the homeowner to inquire about the other things done without approval. G. White was asked to provide a list of the changes to R. Whitlock.

G. White asked what is done when the development deviates from the plans and he asked about improvements being done without board approval. Ms. Kimson stated that typically, after approval of a plan is granted, if any of the applicant's professionals want to change something on the approved plan they must present this to the zoning officer or construction official so they can determine if the change should be permitted. In the most strict sense, the applicant is required to construct only pursuant to "approved" plans, so that every proposed change must come back to the Board. Municipalities may allow their professionals to permit some minor or de minimus "field" changes without requiring the applicant to come back to the Board. Many times these changes may be engineering issues such as the location of a utility line, all other changes would have to be presented to the approving board as an amended application. The Board may desire to have the Historic Subcommittee available to discuss some of these issues with the zoning or construction official. The construction official should be advised that Rocky Hill has a Historic Preservation zone and the applicant should conform to the construction details as approved. If there are changes to the plans, revised sheets would have to be filed with the zoning officer and construction official.

C. Pihokken stated that he wants to make sure that the Planning Board provided the approved plans for the Donato property to the construction official. G. White advised that he will check into this. Ms. Kimson stated that the construction official must be informed that whatever is on the plan is the approved design the development should not deviate from this. T. Corlis stated that since some of the detail was removed, a broader uninterrupted space results which makes the structure look larger and less appropriate in the historic setting.

Motion was made by E. Zimmerman and L. Goldman seconded the motion to go into closed session. The vote was 9-0 in favor. Motion carried. T. Bremner recused himself from litigation matters and left the meeting.

Being that there were no other matters before the board, motion was made and seconded to adjourn the meeting at 9:00 p.m. Motion carried.

The next meeting is scheduled for Tuesday, April 14, 2009.

Respectfully submitted,

Kerry A. Philip  
Secretary