

ROCKY HILL PLANNING BOARD
Minutes of the May 12, 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.

Chairperson's Comments: Chairman Pihokken advised that the agenda has been revised; the order of application review is changed to place the proposals taking the least amount of time for discussion first. The following was read into the record:

A. Authority of the Rocky Hill Planning Board.

The Rocky Hill Planning Board is a planning board with the power of a zoning board, pursuant to NJSA 40:55D-25(c). And, the planning board has all of the powers of a historic preservation commission as a result of the size of the Borough, pursuant to NJSA 40:55D-25(d). The Borough Ordinance Section 417 enables the Board to perform all of these functions.

B. Rocky Hill borough ordinances:

I. Zoning Districts

The Historic Preservation zone district is the HP District, and is regulated by Borough Ordinance Section 713. Section "2" of Ordinance Section 713 sets forth the additional criteria for proposed new construction within the Historic Preservation District.

II. Requirement of a Preservation Permit.

Ordinance Section 419 requires that no person shall construct, alter or restore a structure within the Historic Preservation District, nor shall a building permit be issued, until the person has obtained a historic preservation permit. Under the definitional section of Ordinance Section 302, "structure" is defined as:

"A combination of materials and finishes which forms a construction for occupancy, use or ornamentation installed below, at, or above the surface of the ground, including but not limited to buildings, patios, decks, swimming pools, tennis courts, fences, posts, walls, exterior lighting fixtures, walkways, signs and outbuildings, but not including landscaping and plant materials."

II. Procedure

Ordinance section 507 requires an application for a historic preservation permit to be submitted to the Planning Board.

Chairman Pihokken stated that the preservation permit applications before the board this evening are for fences within the historic district.

Open Public Comment Period: The meeting was then opened to the public, being that no one wished to address the board the public portion of the meeting was closed.

Approval of Minutes

- a) March 10, 2009 (closed session) - postponed to the next meeting
- b) April 14, 2009 - postponed to the next meeting
- c) April 14, 2009 (closed session) - postponed to the next meeting

Resolutions of Approval

- a) **Henry Bristol**
104 Washington Street; Block 4, Lot 18.03
Historic Preservation Approval - Extension Request

C. Pihokken stated that the board approved the installation of a garden retaining wall, approval is good for 12 months therefore a one year extension was requested.

The meeting was opened to the public. Being that there was no one who wished to address the board, public portion of the meeting was closed.

Motion was made by R. Whitlock and C. Cann seconded the motion to approve the one-year extension request.

The vote was 9-0 in favor. Motion carried.

For: Blasch, Cann, Corlis, Goldman, Kluchinski, Pihokken, White, Whitlock, Zimmerman

Against: None

Abstain: None

G. White stepped down from the following application. T. Bremner joined the board.

- b) **Jennifer and Jeffrey Donahue**
122 Washington Street; Block 4, Lot 21
Historic Preservation Review - Fence

Jeffrey Donahue, applicant, was sworn in. He presented two photographs of the house and the proposed fence to the board (Exhibit A). A four-foot high white picket fence is proposed to create a safe play area for their child in the rear of the property. He stated that one portion of the fence is not shown in the photographs because it is not visible from the road.

Board discussion took place. The meeting was opened to the public. Being that no one wished to address the board, the public portion of the meeting was closed.

Motion was made by R. Whitlock and L. Goldman seconded the motion to approve the proposal.

The vote was 9-0 in favor. Motion carried.

For: Blasch, Bremner, Cann, Corlis, Goldman, Kluchinski, Pihokken, Whitlock, Zimmerman

Against: None

Abstain: None

G. White returned to the dais. T. Bremner stepped down from the following review.

c) Robert and Alicia Mitchell
74 Crescent Avenue; Block 5, Lot 16
Historic Preservation Review - Fence Replacement

Robert Mitchell, applicant, was sworn in and stated that the proposal is for a replacement fence. The existing fence is a four-foot chain link fence and the proposal is for a five foot cedar fence with a lattice top. He presented a brochure of the cedar fence (Exhibit A-1) and photographs of the existing home and fence (Exhibit A-2). Mr. Mitchell stated that the existing chain link fence is not on his property line, the fence was placed on the adjacent property because of a large tree. He advised that the adjacent property owners are in favor of the new fence being installed in the same position. D. Kluchinski stated that if there is a bad side of the fence, the applicant should make sure that the bad side is viewed from within the applicant's property. Mr. Mitchell stated that there is no bad side with this fence design. G. White asked for detail of the proposed gate. Mr. Mitchell advised that it is the same gate on the front cover of the brochure without the lattice on top, the top of the gate will have a solid top with the wave detail. G. White asked if he spoke with the neighbors. Mr. Mitchell responded that he did and they are fine with this proposal.

D. Kluchinski stated that he is not in favor of the wave detail of the gate because he is unsure if this is within the historic nature. G. White agreed and stated that the wave design does not go with anything else in the historic district and requested a straight top for the gate. Mr. Mitchell disagreed and stated that he would like to propose that the gate have the wave detail at the top.

The meeting was opened to the public. Being that no one wished to address the board, the public portion of the meeting was closed.

Motion was made by L. Goldman and M. Blasch seconded the motion to approve the application with the following conditions.

1. that details of the proposed gate be provided to the Borough Engineer for review and approval.
2. that the “bad side” of the fence be viewed from within the applicant’s property.

The vote was 8-1 in favor. Motion carried.

For: Blasch, Cann, Corlis, Goldman, Pihokken, White, Whitlock, Zimmerman

Against: Kluchinski

Abstain: None

C. Pihokken recused himself from the following matter. T. Bremner joined the board for the discussion.

d) Robert Leonard
37 Washington Street; Block 4, Lot 10
Historic Preservation Review - Major Site Plan

Robert Leonard, applicant, was sworn in. Acting Chair C. Cann asked for a description of the proposal. Mr. Leonard stated that his home is rectangular in shape and the proposed addition (20 x 20 x 30 wide) will match the existing width of the house. The addition will provide an extension to the kitchen, den on the first floor, second floor master bedroom and bathroom. The

existing façade is vinyl and the addition will have matching vinyl siding. Mr. Leonard advised that the existing roof is green so slate asphalt tile is proposed. Double hung windows are proposed to match the existing. French doors are proposed on the first and second floors along with a balcony on the second floor. Mr. Leonard stated that the addition, when viewed from the front of the house, will be one foot wider on each side than the existing house.

L. Goldman stated that some detail on the plan conflict and the plans should be revised. She asked for a description of the balcony. Mr. Leonard presented a photograph of the balcony for 73 Washington Street (Exhibit A-1) and stated that this is the style envisioned but the balcony would have sliding doors instead of a single door.

G. White asked the level of the patio in the rear. Mr. Leonard stated that it is ground level. Zoning Officer Whitlock stated that there are no zoning issues. G. White recommended a slight change to the design, when looking at the rear elevation of the new addition, the doors should be centered over each other and that the windows should be lined up. Mr. Leonard stated that he agrees with this recommendation.

Mr. Leonard presented five photographs showing the different elevations of the house. He stated that at the highest peak, the addition will be a foot higher than the existing. The applicant was asked to make sure that the soffit line, gutter lines and pitch of the roof remains the same.

D. Kluchinski stated that the existing house has shutters but shutters are not proposed for the addition. Mr. Leonard advised that shutters are proposed. Revised plans are needed to reflect this change. D. Kluchinski asked if mullions are being considered for the French doors. Mr. Leonard advised that a single pane of glass is proposed in each door, no mullions.

T. Bremner asked if a vent is proposed on the addition because it is not on the plan. Mr. Leonard stated that a vent is proposed and will be on the revised plan.

The meeting was opened to the public. Being that no one wished to address the board, the public portion of the meeting was closed.

Motion was made by L. Goldman and D. Kluchinski seconded the motion to approve the major site plan application with the following conditions:

1. The plans of the rear elevation should be revised so the doors should be centered over each other and that the windows should be lined up.
2. The applicant must provide detail of the balcony and stairway leading to the patio.
3. That the corner board must match the existing.
4. The proposed vent must be shown on the plan of the addition.
5. The pitch of the roof must remain the same as well as the soffit and gutter lines.

The vote was 9-0 in favor. Motion carried.

For: Blasch, Bremner, Cann, Corlis, Goldman, Kluchinski, White, Whitlock, Zimmerman
Against: None
Abstain: None

C. Pihokken returned to the dais. R. Whitlock and T. Bremner stepped down from the following:

- e) **Rocky Hill Inn**
Historic Preservation Plan with variances
137 Washington Street; Block 7, Lot 15

Bruce Blomgren, applicant, was sworn in. C. Pihokken stated that the proposal is for the retaining wall and two lights, no variances are associated with this request.

Mr. Blomgren stated that he is requesting approval for the retaining wall around the Rocky Hill Inn sign and two walkway lights. Low level lighting is proposed to provide illumination of the sidewalk, he stated that he attempted to get photometric data from the manufacturer but he has not received a response. Mr. Blomgren stated that during a previous meeting, there was a discussion about the size of the joints in the retaining wall, this should no longer be a concern because those joints have been sealed. Mr. Blomgren presented a photograph of the as-built retaining wall to the board for review (Exhibit A-1). He described the sidewalk lighting and stated that the light selected should fit in with the historic district.

E. Zimmerman stated that there was some confusion as to the property owner. Mr. Blomgren stated that Copper Bottom LLC is the property name therefore the building is owned by them but the land is owned by Copper Spoon.

The meeting was opened to the public. Being that no one wished to address the board, the public portion of the meeting was closed.

Motion was made by C. Cann and L. Goldman seconded the motion to approve the proposal for the retaining wall and two low level lights.

The vote was 8-0 in favor. Motion Carried.

For: Blasch, Cann, Corlis, Goldman, Kluchinski, Pihokken, White, Zimmerman

Against: None

Abstain: None

L. Goldman and R. Whitlock stepped down from review of the following proposal. T. Bremner joined the meeting.

- f) **Donato**
Historic Preservation Plan - modifications to approved plan
Washington Street; Block 9, Lot 2

Roger Thomas, Esq., Dolan and Dolan, legal counsel for the applicant stated that testimony will be provided about requested modifications to the approved plan. Alana and Joseph Donato were sworn in. Mr. Donato stated that he submitted the following for review: Exhibits A-1 (approved plan), A-2 (existing improvements) and A-3 (final design) were marked into the record.

Item #1 pertains to the half circle window. Mr. Donato stated that the window was eliminated due to the cost of purchase and installation. He felt that this would not impact the historic nature of the house.

Item #2, Mr. Donato advised that this detail was missed during construction and it will be installed.

Item #3 pertains to the transoms over the windows. Because of comments received from the historic preservation consultant in his report dated 4/8/08, Mr. Donato stated that he would like to remove this feature. V. Kimson stated that this was a professional recommendation and not a recommendation from the board. Mr. Thomas stated that the resolution identifies the April 8, 2008 report so they incorporated the recommendations into the plan. He advised that the minutes and the resolution do not made specific reference to the removal of the transom windows.

Items #4, #16 and #28 pertain to the two dormers, the original design depicted clapboard siding but Mr. Donato changed the siding to fish scale to break up the massing. Mr. Donato stated that he would like this to remain. He also stated that he took several photographs of other homes in the area that have different siding styles on the buildings for 150 Washington Street, 153 Washington Street and a Victorian turret for another residence on Washington Street (Exhibits A-4, A-5 and A-6).

Item #5, #23, #27 and #30 pertains to the casing around the windows of the lower part of the dormer. Mr. Donato stated that they would like to add casing trim and headers with a keystone for all of the lower windows and just casing on the upper windows.

Item #6 and #12 pertains to the shutters. Mr. Donato stated that they did not order the shutters yet but this will be done. The shutter size changed because the shutters are supposed to close over the window completely and the wrong size had been detailed on the plan. He also advised that wooden shutters were originally approved but now they are requesting vinyl for easier maintenance.

Item #7, #24 and #31 pertains to the stone work on the foundation. Mr. Donato stated that during construction the final grade was going to be higher than what the drawing indicated due to the bedrock on the property. Because several feet of the foundation were lost, they are requesting the elimination of the stone because the foundation plantings would cover the stone work. Mr. Donato presented a landscape plan of the foundation plantings (Exhibit A-7). Rudy DelVecchio, general contractor for the applicant, was sworn in. Mr. DelVecchio stated that originally the foundation for the front of the home would be approximately three feet but the new grade will be approximately one foot. They would like to plant 3 to 4 foot high boxwood plantings as the foundation plantings. C. Pihokken stated that one concern is that the landscaping would die and the cement would remain. Mr. Thomas stated that if the plantings die the applicant will replace them. C. Pihokken asked if the house will look different with the grade change. Mr. Thomas stated that there does not appear to be a great deal of difference. Mr. Donato stated that he did not ask the architect to show this change on the plan.

Items #8, #9, #10 and #11 pertain to the front entryway. Mr. Donato advised that changes were made to the front door to make it a double door because handicapped accessibility is needed for his mother. The three lights are proposed to illuminate the front door and arc above the entryway. Regarding the elliptical arch opening, Mr. Donato stated that Mr. Whitlock approved this change. R. Whitlock, Zoning Officer, confirmed his approval of the door and the side lights.

Mr. Donato stated that the columns for the front porch in the original plan were a colonial style and thinner than what is in place, it was determined that the thinner columns would not be the correct weight bearing design.

Item #12 - see Item #6.

Item #13 pertains to the window trim. Mr. Donato stated that, a trim piece is proposed between the windows to match the trim of the rest of the home and the keystone header is consistent along the entire front façade on the first level.

Item #14 pertains to the window grates. Mr. Donato stated that they will be applied as indicated in the plan.

Item #15 pertains to the façade treatment. Mr. Donato stated that four inch clapboard siding was used since this was previously proposed and approved.

Item #16 pertains to the façade treatment. Fish scale siding was used to break up the massing.

Item #17 pertains to the removal of the window for the second floor of the garage. Mr. Donato stated that this change was approved by Mr. Whitlock.

Item #18 pertains to the new vent, this was required by code since the window was removed.

Item #19 pertains to a new vent, Mr. Donato stated that code requires that a roof vent be included.

Item #20 pertains to the vent in the attic, a vent or a window is required by code so the vent shown on Exhibit A -1 was removed since a window (Item #21) in the attic space is proposed. Mr. Donato stated that the attic is being used for storage and they wanted some light so the window is proposed. Mr. Donato presented a photograph of the Querec House on the corner of Washington and Crescent which has two vents (Exhibit A-8).

Item #22 pertains to a vent. Mr. Donato stated that the vent in this location is required by code.

Item #23 pertains to the window trim. Mr. Donato stated that they would like to add the trim, casing and headers as indicated - see item #5.

Item #24 pertains to the stone work and this was discussed previously, see item #7.

Item #25 pertains to the garage door. Mr. Donato stated that the historic preservation consultant had recommended something that resembled a carriage style door so the applicant identified Coachman Model #CF23 as their choice and the minutes from that 2008 meeting reflect this style and the as-built plans show this. The minutes were presented to the board for their review (Exhibit A-9). He advised that the arch panels within the garage doors are solid, there are no windows.

Item #26 pertains to the trim around the garage doors, Mr. Donato stated that they would like to add the trim and the headers to match the rest of the trim and headers on the first floor.

Item #27 pertains to the trim for the windows in the dormers above the garage. Mr. Donato stated that they would like to add the trim and headers similar to the rest of the house for consistency.

Item #28 pertains to the fish scale siding for the two dormers above the garage. Mr. Donato stated that this was done to break up the massing.

Item #29 pertains to three windows on the rear of the garage. Mr. Donato stated that the windows are shown on sheet A-02, he advised that they are considering the elimination of the three windows and asked for guidance.

Item #30 pertains to the trim around the windows shown on the left side elevation drawings. Mr. Donato stated that he would like to add trim and casing and headers to the window for consistency. See item #5.

Item #31 pertains to the stone work - see item #7.

Mr. Donato stated that he has concerns about the foundation, the grade and the slope. The construction official asked him to hire a soil engineer to do a study on what is needed to support the rear wall. Mr. Thomas stated that they are unsure if the drainage structures will be on site. Details on the exact location and methodology is something that can only be addressed when final grading is accomplished but he advised that the applicant is willing to do whatever is needed.

Mr. Donato stated that the stormwater plan was reviewed by the Borough Engineer, Bill Tanner but changes are required due to the finding of bedrock. V. Kimson stated that the applicant is responsible to design the plans, not the Borough staff. Mr. Thomas stated that his clients have been working with Mr. Tanner to assure that the drainage issues will be accomplished but the specifics to the system are unknown at this time. V. Kimson asked when the final grading will be determined. Mr. DelVecchio stated that this will be known within the next 30 days. He advised that Mr. Tanner asked to be present during the excavation for the drainage wells.

C. Pihokken stated that the list referenced tonight was assembled by one of the board members to show the changes to the approved plan that he was aware of and he asked if the applicant is aware of any other changes not identified. Mr. Donato stated that coach lights were on the approved plans but he is not aware of anything else. C. Pihokken stated that if something else had been changed and not included on this list, it will be brought to Mr. Donato's attention and the applicant would have to come back to the board for formal approval.

D. Kluchinski asked the applicant the style of the house. Mr. Donato stated that it is a period style home with Victorian detail.

C. Pihokken asked about the window and door trim. Mr. Donato presented a picture of the trim and stated that the 6-inch header is detailed in the plan. He stated that the windows in the turret will be trimmed the same way as the other windows. C. Pihokken requested a cut sheet or catalog cut of the detail for the file. M. Blasch asked if the headers will be cut into or placed on top of the siding. Mr. DelVecchio stated that he is unsure and this will be determined when they

meet with the siding contractor although it might be easier to make a trim cut. M. Blasch asked that the headers sit tightly onto the façade so there are no gaps.

D. Kluchinski stated that he does not feel that keystone is an historic detail, keystone is Colonial not Victorian style and the applicant described their home to be Victorian. Mr. Thomas stated that the applicant is trying to find an alternative that will allow the expression of Victorian but also covers the seams in the center. Mr. Thomas stated that the applicant came up with an alternative for the header because the approved design was very costly and asked if the applicant can come in with detail that is in keeping with the Victorian style. C. Pihokken stated that whatever detail is determined must be consistent with the Victorian style. T. Bremner stated that the manufacturer may have a trim that is more Victorian in style. Mr. DelVecchio stated that they will find something that fits. He advised that the trim around the window will be 2.5 inches and this will not include the header. He stated that a window sill will not be proposed. G. White stated that on the original plan the window sill goes out past the casing, he asked that when they put the side casing on if they can also install a piece beneath the window to look like a window sill so the result is similar to what was approved. Mr. DelVecchio stated that this would be an expensive approach.

G. White asked for a cut sheet on the shutters for the file. He stated that Exhibit A-3 shows one windows with shutters on both sides whereas the approved plan (Exhibit A-1) does not have this detail.

Mr. Thomas stated that the applicant is requesting that the picture frame effect for the second floor be deferred due to the cost. Mr. DelVecchio stated that 2.5 inch cameo colored "J" channels could be installed instead of the trim. Mr. Thomas suggested another approach; the two front dormer windows could be detailed with some type of dimension on the bottom while the balance of the windows on the other side would not have this detail.

The meeting was opened to the public.

Vandelyne Ross, Washington Street, stated that they do not want the windows, they would be the only people looking at that part of the house and shrubbery is preferred.

Betsy Haynes, 211 Washington Street, stated that the view of the wall is minimal for the public compared to their view and they would like the windows eliminated.

D. Kluchinski suggested putting the three windows there with shutters in the closed position instead of plantings. The windows should have the headers and sill detail.

T. Bremner stated that something is needed there. Mr. Thomas stated that the applicant is willing to work with the professionals. Board discussion took place and it was determined that an evergreen mix of plantings approximately three feet in height should be installed. Mr. Donato stated that the fish scale treatment is not proposed for all the gables but this detail is most prevalent for the front elevation. Mr. Thomas stated that all the expensive treatments are proposed for the front elevation because the other elevations cannot be seen from the street. Regarding the proposed columns on the front porch, Mr. Donato presented a handout of the general style of column proposed (Exhibit A-10). C. Pihokken asked that the final submission should reflect a Victorian style column.

Betsy Haynes, 211 Washington Street, asked if the house is lower or higher from the grade because the house appears to be higher than the original intention. M. Blasch stated that the finished floor elevation has not changed, when they were excavating they hit bedrock. G. White stated that the plans did not show any grade changes, the house is proposed to be 35 feet in height and this has not changed but when excavation was being done and bedrock was hit the basement area was impacted, not the height of the structure. Mrs. Haynes asked that the applicant do what is needed to handle the drainage at this time instead of waiting until later.

Being that no one else wished to address the board, motion was made and seconded to close the public portion of the meeting. The applicant requested a 10 minute recess to discuss the issues.

Break occurred at 11:15 p.m. The meeting was back in session at 11:25 p.m.

Mr. Thomas stated that the applicant would like to remove the eyebrow window and the rear garage windows. The landscaping in that area is to be reviewed by the historic preservation subcommittee. Regarding the window and door, the applicant would like to remove the keystone features for the lower level doors and first window and replace these with a solid header. A window sill will be added on the bottom windows on the first floor with appropriate material, the two second level dormer windows will follow suit and be consistent. For the front elevation, there are two windows on the side of the garage that will have the same detail as previously discussed. He stated that all keystone treatments for the windows will be removed, and the garage door keystones will be removed. The stone work will not be placed but appropriate foundation plantings will be installed and this is pending review and approval by the historic subcommittee. G. White asked about the keystone for the front door. Mr. DelVecchio stated that since this is already in place, the applicant would like to keep this. Regarding the columns, Mr. Thomas advised that round columns are proposed but the upper portion of the column should be more Victorian in style so the applicant will search for the appropriate column design. Regarding the attic window, there are concerns about the placement and size so the applicant will remove the window but the fish scale treatment will remain.

Motion was made by E. Zimmerman and M. Blasch seconded the motion to approve the modifications to the historic preservation plan for Block 9, Lot 2.

The vote was 4-4 in favor. Motion denied.

For: Blasch, Bremner, Cann, Zimmerman
Against: Corlis, Kluchinski, Pihokken, White
Abstain: None

Motion was made by M. Blasch and T. Bremner seconded the motion to approve the modifications to the historic preservation plan for Block 9, Lot 2 with an amendment that all the windows on the turret must have the full treatment and that the fish scale siding treatment can be installed on the smaller peaks of the roof.

The vote was 6-2 in favor. Motion carried.

For: Blasch, Bremner, Cann, Corlis, Pihokken, Zimmerman
Against: Kluchinski, White
Abstain: None

Motion was made by C. Cann and M. Blasch seconded the motion to adjourn the meeting at 11:55 pm. The vote was 9-0 in favor. Motion carried.

The next meeting is scheduled for Tuesday, June 9, 2009.

Respectfully submitted,

Kerry A. Philip
Secretary