

**NEXT MEETING: THURSDAY, AUGUST 22, 2013 AT 6:00 P.M.**

**MINUTES OF THE HISTORIC PRESERVATION COMMISSION  
JULY 25, 2013**

Chairman Robert Olson called the meeting to order at 6:05 p.m., it having been duly noted that this meeting is being held in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6 et seq., notice of which was published in The Record on the 28<sup>th</sup> day of December 2012, and sent to the Star Ledger on the 28<sup>th</sup> day of December 2012. Roll call was taken. Members present were: Robert Olson, Gerard Garofalow, Juan Kuriyama, James Manfredi and Donna McEntee.

The minutes of the May 23, 2013, meeting were approved. There was no meeting in June.

**APPROVAL NOTES: ANY APPROVALS REMAIN SUBJECT TO THE APPLICANT SECURING CONSTRUCTION PERMITS FOR ALL WORK REVIEWED BY THIS COMMISSION. ALL APPROVALS FOR SIGNS ARE SUBJECT TO CONFORMANCE WITH ZONING ORDINANCE AND MUST BE APPROVED AS SUCH BY THE ZONING OFFICER.**

**IF THERE ARE ANY DEVIATIONS TO WHAT IS APPROVED, ANY AND ALL CHANGES MUST BE PRESENTED TO THE HPC PRIOR TO ANY WORK BEING DONE. THIS INCLUDES ANY CHANGES IN PLANS, MATERIAL, COLORS, ETC., WHICH HAVE BEEN GIVEN FINAL APPROVAL BY THE HPC.**

**Public Comments (not pertaining to applications):** None at this time.

**New Business: (13-07-01) Ooka Sushi & Steak House, 36 Mt. Vernon Street,** application to reface sign. Applicant was represented by business owner Jin Hui Rew. The applicant apologized for having already installing the new sign without submitting an application. He said he was unaware an application or permit was necessary but understands that it is no excuse. The HPC explained to the applicant that any work done to the outside of the building and property must first be approved before the HPC. The applicant said he understands that he cannot do any work without first obtaining approval. He was given contact information in case he has any questions before he resubmits a complete application next month.

The present application includes only the refacing of the existing pole sign. The new signage has already been installed. The HPC has a problem with the 2D barcode on the sign. It does not feel this belongs on the signage and also questions wording not in English.

Bob Olson said he passed by the property today and there is a lot of maintenance that needs to be addressed in order to get approval on any application. The HPC explained to the applicant that although he did not cause the conditions, he still was responsible for fixing the maintenance conditions from the building having been unoccupied for four years. The following items need to be addressed in order to gain approval:

- 1) Exterior of building needs to be power washed.
- 2) Red aluminum needs to be washed and repainted.
- 3) All aluminum that is falling down and the rotting wood needs to be repaired.
- 4) The glass is broken in the door and needs to be replaced.
- 5) The plantings are overgrown and the weeds need to be removed.
- 6) Landscaping needs to be done.
- 7) All the railings need to be scraped and painted.
- 8) All the trim rings for the lights need to be replaced as they are rusted and probably beyond repair.
- 9) Soffits need repair.
- 10) Rear doors need to be repaired. There is graffiti on them.
- 11) There is a casement window on the Lincoln Avenue side that is broken. It needs to be repaired or replaced.

- 12) Need to scrape and repaint the post where the sign will be refaced. Applicant must inform HPC of color (submit sample before painting).

The landlord needs to address these issues. The 2D barcode needs to be addressed. It does not belong on a sign of this size in a historic district. Full details of the refacing needs to be supplied to the HPC before any work can be done. The entire property needs to be addressed and cleaned up.

The applicant said his plans are not to open for at least two months. The HPC advised the applicant that he needs to return with a completed, detailed application. He must notify the HPC before any work is done on the exterior of the building or any signage is installed. He was reminded that signage in the windows must also be approved before installation. The HPC needs to approve any work before it is done. This includes any work done to the exterior. All interior work needs to be brought before the Building Dept. He cannot replace any door, window, etc. nor do any repair work without first coming before the HPC. The HPC stressed to the applicant that it does not want to see him waste money by doing work without first getting approval from the HPC before any work is done. The applicant is not to proceed with any work until it is approved by the HPC. The applicant was advised of the next meeting date of August 22 as well as given an email address and telephone number for any questions he may have before the next meeting.

The applicant was also advised that he needs to remove the 2D barcode and the HPC strongly urged him to contact the sign maker to make this change. It was their responsibility to get a permit before installing any sign so they must fix the sign so that it can be approved by the HPC.

The applicant advised that he has not been to the Building Dept. for any approval prior to installing the sign. The applicant was also advised that if he plans on installing anything to the door such as hours of business, telephone number, etc., that must also be part of the application. The HPC advised the applicant that he will receive a copy of the minutes completely outlining the items he needs to address in the application he submits. He will have to address how he will landscape the front and redo the shrubs and the bushes, and add mulch and that the property needs to be cleaned up very nicely. It is his responsibility to make the building and property presentable again. This will give his business curb appeal to attract customers to his business. All the weeds growing down the driveway and in the cracks need to be addressed. The Christmas decorations that have been there for years all need to be removed. Everything needs to be cleaned and acceptable looking. The HPC advised that it was there to help and he should feel free to use the contact information he was given should he have any questions.

**Old Business: Cosmic Wheel (13-01-01)** 194 Main Street. The vinyl slate grey shingles were installed and look good. The HPC needs to know more complete details such as dimensions, colors, materials, etc., before it can approve the application. The applicant was advised that he could submit the detailed information for approval between meetings in order to keep the project moving. The HPC has not received any additional information from applicant John Russo yet. A letter will be sent to Mr. Russo advising that the application will be closed if he does not attend the next meeting and give an update on this application. If he does not attend the meeting, the application will be closed and he will need to submit a new application before any work can be done.

**Rialto Theatre, (09-07-01)** 172 Main Street - The applicant did paint the front entranceway but the wood did not take the color well. It appears that the approved color was not used. A letter was sent to Mrs. Choi. There is now a for sale sign on the building.

#### **Correspondence/Notes/Comments:**

- A. Bob Olson will make an appointment with the Building Dept. to discuss the minutes and open business.
- B. Discussion on reviewing guidelines.
- C. Bob Olson will make a list of the historic buildings so that it can be distributed to all members for input
- D. Post Office & Centennial House – the HPC should look into having these designated as historic to maintain the character of this building for the future. The post office building is in need of property

maintenance even if it is just painting of the front door. There is a lot of historical significance in this building that has never been changed. The inside mural is beautiful and historically significant.

E. The HPC needs to do an updated walking review of the district. Jeff Hoffman will coordinate this with Donna McEntee.

F. Commissioner MacNeill advised Bob Olson that a grant to get signs for Main Street is looking promising. The HPC will send a memo to Commissioner MacNeill that it would like to work closely with him to make sure the proper signs are installed.

G. 162 Main Street (NJ Won Buddhism) – large plantings have been done to the outside of the property – should have come before the HPC before doing this work. They are also collecting rain water, which will bring mosquitoes. Letter sent requesting that they attend the next meeting to discuss work that has been done on the property and any future work that might be done. Yeri So appeared at last month's meeting but there was no quorum. The HPC did try to call and email her during the meeting to advise there was a quorum but did not reach her. She will be sent a letter inviting her to the August 22 meeting.

H. Riverside Medical Group – 204-206 Main Street – exterior lights – letter sent May 28 advising that if approved lights were not installed within 30 days, the Building Dept. would be instructed to issue a fine. Lights were not installed and a response was not received. A letter will be sent to Riverside advising that if they do not attend the next meeting, the HPC will ask the Building Dept. to impose the appropriate fine.

### **General Discussion:**

Gerard Garofalow suggests that a performance bond be required as part of big projects such as the Rialto. It would help to resolve situations such as the Rialto, which has lingered on for over four years so far with no end in sight. The HPC did suggest this in the past but it was not acted upon.

Gerard thinks the HPC should meet with the Village attorney and make a recommendation to the Commissioners that the HPC would like to amend the ordinance covering the historic district. If a bond was required, the Village could then cash in the bond to assure that projects will be finished.

Donna McEntee said she would like to see a fee schedule set up with specific fines for specific violations. Right now the HPC has no recourse when an applicant does not follow procedures or fails to even file an application for work that is done without approval. The HPC assumes that the ordinance does not allow the HPC to enforce any fines. This is done through the Building Dept.

If a performance bond is required, it would be somewhere around 5-10% of the value of the bond that the applicant would have to pay. The Planning Board requires this. The Village can then cash in the bond to make sure the project is completed. The bonding company then tries to make the applicant finish the project or the Village can then hire contractors to complete the job.

A letter will be sent to the Village attorney that the HPC would like to discuss an amendment to the guidelines regarding future projects. It would like to see a performance bond required on larger projects to eliminate applications like the Rialto that have lingered on for years.

The HPC would also like to discuss the legality of having non-English signs and what is required of the HPC as far as requiring English on primary storefront signs. It also needs to be addressed as far as requirements of the size of a secondary sign not being in English. The HPC also needs to know if an app is permitted on the primary signage.

Another thing that needs to be addressed is how long an application is allowed to remain open. A building permit is only open for one year and it can then be extended for another year. After that extensions are only granted on a six month basis. After that, when it expires you must submit a new application and pay a new fee. Applications remain open as long as diligent work is being done. A large project that will take a longer time period (such as 3-4 years for example) only requires that work must be done diligently in order for the permit to remain open. A project such as the Rialto is a good example of a project where diligent work is not being done and the application should be closed.

Another item that should be addressed is taxes. An applicant cannot go before the Planning Board or Zoning Board unless all taxes are current. This is not a requirement for the Historic Preservation Commission and really should be. Applicants must certify that taxes are paid before they can appear before the Planning Board or Zoning Board.

Gerard Garofalow will work on a draft of fines and violations. There are no parameters for this Board. A letter should be sent giving a specific time (10, 15 days) to address the violation and if it is not addressed then a fine in the amount of \$\_\_\_\_\_ will be issued. If the applicant has not complied within 30 days, then a fine of \$(higher amount) will be issued.

Gerard will work on a draft of suggested fines and violations, how long the time period should be given to address the violation, suggested timelines for completion of projection. In order to enforce any type of fine, the applicant needs to receive a timeline. For example, at the end of such and such a period of time, the monetary fine will be \$\_\_\_\_\_.

Every quarter the HPC should have something in the newsletter. It should remind stores that they are in the historic district and applications are required as well as highlight successes as a result of the HPC. An example would be how the HPC worked with the Property Manager for the stores on 219-225 Main Street and that's why they look so nice due to mutual cooperation. The next deadline for the Village newsletter is August 12.

A memo will be sent to Commissioner MacNeill advising that the HPC would like a status update on the grant for the signs. The HPC would like to work closely with the Village to pick signage appropriate for the Historic District.

The HPC also understands that the Village will be applying for a grant for pavers in the historic district. The HPC would also like to work closely with the Village so that what is planned is appropriate for the historic district.

**Open/Outgoing correspondence this month:**

- 1) Signage applied to windows without permits. (RP Bagel, Dante's, CVS, Touch Hair Salon now has ATM signs, taped up window at Jade Lee, Fire Pit Grill now has a lighted open sign as well as a lighted sign depicting food). A letter was sent to the Building Dept. advising that the HPC recommends fines be issued if signs are not addressed – awaiting update from Building Dept.
- 2) Email was sent to Drew University asking for recommendations for a grants man experienced in grants for a Main Street (business district). – awaiting response from recommended grants man.
- 3) Maywood, Montclair and Ridgewood - HPC guidelines available online
- 4) Letter sent via cm/rrr to Sofritos, Rays Delicisia Restaurant and Zoe's Beauty Center advising they are in historic district and need to come before HPC before any work is done. (receipt received on all 3)
- 5) Letter sent to Little Stars Day Care requesting property maintenance as well as advise that gates that were installed without approval need to be in an approved color. A letter will be sent to Little Stars asking them to attend the August 22 meeting to address the gates installed without approval.
- 6) Riverside Medical Group – letter sent May 28 advising that if approved lights are not installed within 30 days, the Building Dept. will be instructed to issue a fine. (Original approval granted on May 21, 2012)
- 7) memo sent to Building Dept. requesting list of fines for violations – no response

**Announcements** – Elections to be held for Chairman and Vice-Chairman at the August 22 meeting.

There being no further business, the meeting adjourned at 7:10 p.m.

The next meeting will be August 22, 2013, at 6:00 p.m.

Respectfully submitted,

Barbara DeLuca

cc: Building Dept. /Zoning Board

Ooka Sushi & Steak House (Jin Hui Rew, 36 Mt. Vernon Street)