

**A SUMMARY OF THE MINUTES OF THE  
GLEN RIDGE PLANNING BOARD  
HELD IN THE MUNICIPAL BUILDING**

**December 20, 2017**

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**Open Public Meetings Act & Roll Call**

The meeting was called to order at 7:30 p.m. and Mr. Zichelli read the Sunshine Act Notice.

The roll was called.

PRESENT:           Mason, Chair  
                  Mehrotra, Vice Chair  
                  Fields  
                  Hegarty  
                  Councilperson Morrow  
                  R. Morrow  
                  Robinson  
                  Turiano

Zichelli, Secretary

ABSENT:           Dawson  
                  Murphy  
                  Rohal  
                  Trembulak, Esq.

**Adoption of the November 29, 2017 Minutes**

On motion by Mr. Mehrotra, seconded by Councilperson Morrow, the Minutes of the November 29, 2017 meeting were adopted, Mr. Turiano abstaining.

**Adoption of the Memorializing Resolution**

**Lillian Shi and Victor Lu**

**16 Sherman Ave**

On motion by Mr. Mehrotra, seconded by Councilperson Morrow, the following Memorializing Resolution was adopted, Mr. Turiano, abstaining:

WHEREAS, Lillian Shi and Victor Lu, owners of property located at 16 Sherman Avenue and designated as Lot 16 in Block 75 on the Glen Ridge Borough Tax Maps, filed an application with the Planning Board appealing a determination of the Historic Preservation Commission (the "Commission") denying the applicants' utilization of alternative siding material contrary to the siding previously approved; and

WHEREAS, the Planning Board conducted a public hearing on this appeal at its regular meeting on November 29, 2017 at which time the applicants testified and submitted a historic photograph of the house along with various photographs of the existing conditions of the house; and

WHEREAS, the Planning Board carefully reviewed all evidence presented in connection with this appeal, including testimony from a Member of the Glen Ridge Historic Preservation Commission, and made the following findings of fact:

1. The subject property is located in the Glen Ridge Historic District and contains a single-family dwelling.

2. The applicants originally applied to the Commission to construct an addition onto the existing structure in accordance with the Historic Preservation Ordinance, Glen Ridge Ordinance 15.32.200, which provides that any proposed addition, alteration, construction or demolition of an existing structure requires review and approval by the Commission.

3. On October 5, 2016, the Commission rendered a decision approving the applicants' request to construct an addition, make exterior modifications and reside the entire structure.

4. During the course of construction, the project deviated from the approved plans. In particular, clapboard siding was installed in lieu of the "novelty" or Dutch lap siding as specified by the Historic Preservation Commission. Additionally, based upon the historic photographs presented, the siding was to have approximately 50 courses of siding material where only 38 were installed.

5. The applicants then appeared before the Historic Preservation Commission at the November 1, 2017 meeting seeking approval of the amended project. The Historic Preservation Commission approved several changes from the originally approved plan subject to the following conditions:

a. The siding shall be replaced with Dutch Lap at a 5" exposure on the east original portion of the residence and return on the north side where it meets the point of new construction.

b. Modify the overhang on the porch roof as proposed by Project Architect Azrak and add a small hip at the north return.

c. A Subcommittee must review and approve of Dutch Lap siding to be installed.

6. The applicants will comply with the amended plans submitted along with condition b listed above. However, the applicants seek to appeal conditions a. and c. regarding the siding.



7. Pursuant to Glen Ridge Ordinance 15.32.220B.2, upon the filing of an appeal from a decision by the Commission, the Planning Board is required to review the evidence presented and make a "final determination" as to whether an application satisfies the criteria set forth in the Historic Preservation Ordinance.

8. Based upon the testimony and other evidence presented, the Planning Board concluded that the proposal to maintain the clapboard siding in place does not satisfy the relevant criteria in Glen Ridge Ordinance 15.32.200.E and F in that the clapboard siding is not consistent with the original architecture of the historically contributing and significant house.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Glen Ridge that the appeal filed by Lillian Shi and Victor Lu from the decision of the Historic Preservation Commission is denied.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the applicants, the Borough Council, the Historic Preservation Commission and the Construction Code Official.

#### **Appeal of Historic Preservation Decision**

**Michael & Julia Pensak**

**134 Ridgewood Avenue**

Chair Mason called for the application.

Mr. Michael Pensak, homeowner, appeared before the Board and was sworn. He stated that he appeared before the Glen Ridge Historic Preservation Commission on April 6, 2016 and the Glen Ridge Planning Board meeting on April 20, 2017 and received approval for an addition and exterior modifications subject to certain conditions. Mr. Pensak stated that during construction the contractor walked off the project and he assumed the task of completing the project. During the wrap up process of the project, the porch railings installed deviated from the approved plans.

Mr. Pensak stated that he then appeared before the Historic Preservation Commission at the November 1, 2017 meeting seeking approval for the amended project. The Historic Preservation Commission denied the amended railing design.

The homeowner stated that he is now seeking approval to maintain the railing in place.

The following items were marked as exhibits:

- A-1 Letter to the Planning Board
- A-2 Photograph of the front of the house
- A-3 Photograph of the existing railing

- A-4 Approved building permit architectural drawings
- A-5 September 29, 2017 Email

Mr. Pensak described the proposed baluster and presented the sample to the Board. He stated that a round baluster is important to his family's design and religious preference. He further stated that the railing, as installed, complies with the building code.

Members of the Board asked Mr. Pensak to describe the selection process of the railing and options available to him.

Mr. Peter Herrigel, Chair of the Glen Ridge Historic Preservation Commission, appeared before the Board and was sworn. He reviewed the background of the case and the Commission's process when field changes occur during construction of an approved project. He stated that the Commission members felt that the balusters installed were not appropriate.

Ms. Sarah Githens, Vice Chair of the Glen Ridge Historic Preservation Commission, appeared before the Board and was sworn. She reviewed the history of the application and the communications with the applicant regarding the balusters. Ms. Githens then reviewed the options available to the homeowner for installing a railing suitable to the Historic Preservation Commission.

Members of the Board asked the homeowner to further elaborate on options of the railing and if he had contacted his architect in order to acquire the railing system designed. Members of the Board asked the homeowner if he would consider returning to the Historic Preservation Commission subcommittee. Mr. Pensak stated that he would not and preferred a vote on the case as presented. The members of the Board discussed the project and the impact of the existing railing on the split-level home.

After some additional discussion, on motion by Ms. Fields, seconded by Mr. Mehrotra, the application was denied, Members Hegarty, Morrow and Morrow voting in the negative and Member Turiano abstaining.

### **Public Comment**

Chair Mason called for public comment.

Ms. Sarah Githens of 54 Benson Street appeared before the Board and stated her concern regarding the replacement of slate roofs. She stated that many of the slate roofs in the Borough are reaching the end of their useful lives and the Historic Preservation Commission has been requiring the replacement of these roofs. Ms. Githens stated that they are expensive to replace and this may be an issue the Mayor and Council want to explore.

Mr. Michael Pensak appeared before the Board and asked for a clarification regarding a conflict of interest of a Board member and their relationship to a member of the Historic Preservation Commission. Mr. Zichelli reviewed what typically constitutes a conflict according to New Jersey Land Use law.

**Adjournment**

On motion by Mr. Mehrotra, seconded by Ms. Fields, the Planning Board unanimously agreed to adjourn the regular meeting.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'M. Zichelli', is written over a horizontal red line that spans the width of the page.

Michael P. Zichelli, AICP/PP  
Secretary