

**RESOLUTION
TOWNSHIP OF NEPTUNE
HISTORIC PRESERVATION COMMISSION
RESOLUTION OF MEMORIALIZATION
MONMOUTH COUNTY, NEW JERSEY
PARTIAL DEMOLITION**

**Approved: August 11, 2020
Memorialized: October 13, 2020**

**IN THE MATTER OF: 107 BROADWAY AVE LLC (107 Broadway)
APPLICATION NO.: HPD2020-001**

WHEREAS, 107 Broadway Ave, LLC (Aliaksandr Beliankou) (the "Applicant") has applied to the Township of Neptune Historic Preservation Commission (the "Commission") seeking to demolish a two (2) story rear addition and a one story covered rear porch of a residential structure pursuant to Sections 900-914 of the Township of Neptune Land Development Ordinance and Township Ordinance 07-46 for lands known and designated as Block 241, Lot 8 on the official Tax Map of the Township of Neptune, and more commonly known as 107 Broadway, Ocean Grove, New Jersey 07756 (the "Property"); and

WHEREAS, a complete application has been filed, the fees as required by Township Ordinance have been paid, proof of service and publication of notice as required by law has been furnished and determined to be in proper order, and it otherwise appears that the jurisdiction and powers of the Commission have been properly invoked and exercised; and

WHEREAS, a remote hearing via Zoom was held on August 11, 2020 at which time testimony and the exhibits attached hereto were presented on behalf of the Applicant and all interested parties having an opportunity to be heard; and

WHEREAS, the following Exhibits were marked into evidence:

- A-1 Application and documents submitted, including Demolition Application Text and Proposed Findings of Fact.
- A-2 Demolition Plan.

NOW THEREFORE, BE IT RESOLVED the Commission makes the following findings of fact based on evidence presented at its public hearing at which a record was made:

1. **The Applicant is seeking approval to demolish a two (2) story rear addition and a one story covered rear porch of a residential structure on the Property.**

2. The subject Property is situated within the HD-R1 (Historic District Residential) Zone and is improved with a two and ½ story framed dwelling, which house was existing as of the 1890 Sanborn Map, and is designated as a "Key Structure" by date as defined in the Historic District's Design Guidelines for Residential Structures ("Design Guidelines").

3. The 1890 Sanborn Map shows a two-story house along with a one-story covered (presumably frame) porch on the rear. The 1905 Sanborn Map records the addition of a ½ story on the main structure, and the addition of a second story on the rear portion, together with a one-story wraparound porch on that rear addition. The 1930 Map depicts a three (3) story rear addition, encompassing a portion of the former wraparound porch, with a reduced one-story porch remaining. At present, there remains a two and ½ story principle structure, a two (2) story porch along the front elevation, as well as a two (2) story rear addition and a one-story rear porch.

4. The principal house can best be described as eclectic Gothic style.

5. The current Owner, 107 Broadway Ave LLC, purchased the home in 2020.

6. Andrea Fitzpatrick, AIA, the Applicant's Architect summarized the Applicant's proposed Findings of Fact, explaining that the two-story rear addition and porch are dilapidated and possessing no particularly unique or original design features.

7. The elements being removed have no architectural significance.

8. The rear addition is also non-conforming to the side zoning setback as it is built within three (3) feet of the property line.

9. The Applicant further contends that, from a rear and side yard neighborhood perspective, removal of this rear addition offers the removal of an eyesore visible primarily to adjacent rear and side yard neighbors.

10. This partial demolition will have no negative impact upon the surrounding economic base of the surrounding neighborhood and Historic District. If anything, the course of improvements that will follow will provide jobs for local tradesman and material suppliers and ultimately a rejuvenation of this key structure under the stewardship of new caring homeowners.

11. This key structure is proposed for rehabilitation and rejuvenation with plans to be filed under a separate certificate of appropriateness application. The portion of the structure scheduled for partial demolition is in the rear and will not be a detriment to the public interest. The portion being removed holds little significance and there are no special details or millwork associated with this part of the building.

12. A representative of the adjacent property, 109 Broadway, spoke in favor of approving the proposed partial demolition.

NOW, THEREFORE, THE COMMISSION makes the following conclusions of law based upon the foregoing findings of fact:

1. The Applicant proposes to demolish the two-story rear addition and single story porch structure that is appended to the rear of the two and ½ story frame on the Property.

2. Under Sections 900-916 of The Township of Neptune Lane Use Ordinance and Township Ordinance 07-46, when considering an application for Partial Demolition, the Commission may examine whether the design of the porch is appropriate to the architecture, the historic period of the District and indigenous to the subject property. It is the Commission's responsibility, acting in a quasi-judicial manner, to weigh all the evidence presented before by both the Applicant and all objectors, and reach a decision which is based upon findings of fact and conclusions of law that is not arbitrary, unreasonable or capricious.

3. The Commission concludes that the existing residential home is a Key Structure which is of significant historic architectural and aesthetic significance, as it was built prior to 1890 and has a prominent location in the Historic District.

4. The Commission further finds that the two-story rear addition and porch structure that are proposed for demolition, which appears to have been added in or prior to 1905 and modified substantially since then, is of little or no historical, architectural or aesthetic significance.

5. The Commission further concludes that the removal of the two-story rear addition and single-story porch will both enhance the existing aesthetics of not just the subject site, but the entire neighborhood, and facilitate the anticipated rejuvenation of the dwelling itself which will be subject to a forthcoming Certificate of Appropriateness application.

6. The Commission therefore finds that partial demolition of the two-story rear addition and single-story porch on the subject property is appropriate pursuant to Sections 900-914 of The Township of Neptune Land Use Ordinance and Township Ordinance 07-46.

NOW, THEREFORE, BE IT RESOLVED, by the Historic Preservation Commission of the Township of Neptune on this 13th day of October, 2020 that the action of the Commission taken on August 11, 2020 granting Application No. HPD2020-001 approval of a Certificate of Appropriateness for the partial demolition of the structure listed in this Resolution for the property located at Block 241, Lot 8, 107 Broadway, Ocean Grove, New Jersey, pursuant to Sections 900-914 of the Township of Neptune Land Development Ordinance, is hereby memorialized as follows:

Application is granted subject to the following conditions:

1. The partial demolition of the site proposed by the Applicant herein shall take place in strict conformance with the testimony, Plans and drawings which have been submitted to the Commission with this application.
2. Payment of all fees, costs, escrows due or to become due (if applicable). Any monies are to be paid within twenty (20) days of said request by the Commission Secretary.
3. The Applicant shall provide a certification that taxes are paid to date of approval.

4. Subject to all other applicable rules, regulations, ordinances and statutes of the Township of Neptune, County of Monmouth, State of New Jersey or any other jurisdiction.

BE IT FURTHER RESOLVED that the Commission Secretary is hereby authorized and directed to cause a notice of this decision to be published in the official newspaper at the Applicant's expense and to send a certified copy of this Resolution to the Applicant and to the Township Clerk, Engineer, Attorney and Tax Assessor, and shall make same available to all other interested parties.

Deborah Osepchuk, Chairwoman
Township of Neptune
Historic Preservation Commission

ON MOTION OF:
SECONDED BY:

ROLL CALL:

YES:
NO:
ABSTAINED:
ABSENT:
DATED:

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Township of Neptune Historic Preservation Commission, Monmouth County, New Jersey at a public meeting held on October 13, 2020.

Alison Walby, Secretary
Township of Neptune
Historic Preservation Commission