

Hightstown Historic Preservation Commission

**Thursday, October 16, 2008
7:30 pm @Borough Hall**

MINUTES

- Call to order and Roll Call: The meeting was called to order by Chairwoman Christian Kirkpatrick at 7:35 pm. The Open Public Meeting Act statement was read and roll was taken. In attendance were: Commissioners Kirkpatrick, Brown, Buriak, Keith, Patten and Pratt. Council Liaison Walter Sikorski was present.
- Public Comment: None
- The minutes from September 18, 2008 were approved as revised.
- Old Business:
 1. Stockton Street Streetscape Improvements: No report
 2. John Bull Sleeper Stones Initiative: No response from the SHPO.
 3. Porch Tour: No report
- Old Business:
 1. Borough Website: No report
 2. Proposed ordinances:
 - Commissioner Kirkpatrick shared the ordinance to establish the Stockton Street Historic District prepared by sub-committee members Lee Brown, George Keith and Rick Pratt volunteered. She explained that 95% of the changes came up in our last session when we discussed it. After continued discussion, a motion to approve the ordinance was made by Rick Pratt. It was seconded by George Keith. All were in favor and the motion was passed by a 6 – 0 vote.
 - Commissioner Kirkpatrick shared a revised draft of the ordinance to establish a Historic Preservation Commission, providing for the

designation, preservation and limited protection of Historic Landmarks and Historic Districts in the Borough of Hightstown, prepared by subcommittee members Lee Brown, George Keith, Rick Pratt and herself. The revisions were printed in red. The draft ordinance was discussed and the following additional revisions were made:

Section 2: Definitions. (p.2) Under **Application**, the words “HPC Approval” were discussed. It was felt that this indicated formal permission or official consent which is not what the commission had intended its powers to include. After some discussion, it was decided that the words, “**HPC Opinion**” would be used instead, indicating that it would be a judgment – as an advisory or recommendation.

Section 2: Definitions. (p. 4) Under **X: Minor Applications, c:** Is a request for approval of fences, signs, lighting, paving or streetscape work which, in the opinion of a majority of the HPC, will not substantially affect the characteristics of the Historic Landmark or Historic District. After some discussion, it was decided that it should be changed to: *Any permanent changes to the appearance, character or shape of exterior of house which, in the opinion of a majority of the HPC, will not substantially affect the characteristics of the Historic Landmark or Historic District.*

Section 6: HPC Approvals (page 13) Changed to *HPC Opinions*
Rationale explained in Section 2: Definitions above.

Section 10: Violations: Penalties and Injunctive Relief.

A lengthy discussion was held on the imposition of penalties for undertaking renovations without an HPC Opinion. Questions were raised as to whether or not penalties can be legally imposed for not seeking or following an opinion when it is not defined as an approval or requirement for proceeding with renovation projects. Christian Kirkpatrick will check with our borough attorney for a legal opinion on this aspect of the ordinance.

- New Business: None
- The meeting was adjourned at 9:40 pm. It was moved by Commissioner Keith and seconded by Commissioner Buriak.