

CITY OF JERSEY CITY

Department of Housing, Economic Development & Commerce
Division of City Planning



Interdepartmental Memorandum

DATE: 1/7/2022 ~~revised and reissued 3-14-2022~~ revised and reissued 4-4-2022
TO: Historic Preservation Commission
FROM: Margaret A. O'Neill, Historic Preservation Specialist *mon*
CC: Elizabeth Barna, Esq., HPC Counsel
Nathan Bright, AIA, Applicant
Emmanuel Rousson, Owner
/File
RE: Case #H21-297
67 Erie Street
Block: 11105, Lot 15
Zone: H / Harsimus Cove Historic District

I. PLANS AND DOCUMENTS REVIEWED

1. Historic Preservation Application, submitted June 17, 2021
2. Architectural Plans entitled *Renovations for 67 Erie Street Jersey City, 07302* dated July 07/19/2021 and most recently revised December 2021 ~~revised and resubmitted 2/18/2022~~ revised and resubmitted 3/25/2022
3. ***Correspondence from Applicant regarding updated submission to HPC Staff, dated 2/22/2022***

II. PROJECT & PROPOSAL BACKGROUND

The property has been owned by Emmanuel Rousson (herein referred to as "The Owner") since December 2007. The property is currently a two-unit residence.

Per the submitted application and architectural plans prepared by Bright Architecture entitled *Renovations for 67 Erie Street Jersey City, 07302* dated July 07/19/2021 and most recently revised December 2021, the applicant is seeking a Certificate of Appropriateness for a rooftop addition (visible from the public right of way from Fourth Street) and associated work at 67 Erie Street, an altered, contributing, circa 1860 brick and brownstone fronted Italianate influenced vernacular Greek Revival - variant rowhouse.

The application and submitted plans were deemed complete by HPC Staff on December 30, 2021. ***The applicant presented the application to the HPC at the regular meeting of Monday, January 11th, 2022. After hearing testimony and discussing the application, the Commission requested more information regarding visibility, updated photos, a mock up, and changes in rear fenestration.***

The applicant reappeared at the HPC at the regular meeting of March 14, 2022 with revised plans and additional items the HPC had asked for, including revised renderings,

updated photos, etc. After testimony was taken, the Commission discussed the application and it did not appear that there were enough votes to approve the application. The applicant requested that the Commission carry the application so that they could make revisions to the proposal.

III. PROPERTY LOCATION & JURISDICTION

67 Erie Street (herein referred to as “The Property”) is located in the Harsimus Cove Historic District. The property is located on a conforming lot (18.5x100) fronting Erie Street between Third and Fourth Streets. As defined in the City of Jersey City Zoning Ordinance, the property is zoned as H.

The property is a contributing building within the Harsimus Cove Historic District, which was locally designated on February 1st 1977, as well as on the National and State Registers of Historic Places on December 9th 1987. The HPC’s jurisdiction regarding the property is defined per § 345-30, entitled *Historic Preservation Review Procedures*:

- a. *No permit shall be issued or amended nor shall any **construction, alteration, minor alteration, ordinary maintenance and repair or demolition** be started on a landmark building nor on any sign, building, structure, object, site or landscape feature within a designated historic district, whether or not a construction permit is required, prior to a filing of an application for review by the Historic Preservation Commission or the issuance of either a Certificate of Appropriateness or a Certificate of No Effect.*

Additionally, per 2(a), “The Historic Preservation Officer shall refer all applications for **new construction, alterations, relocation or demolition** to the Historic Preservation Commission for review.”

IV. REQUIREMENTS AND STANDARDS FOR CONSIDERATION

Staff notes regarding the Powers and Duties of the Historic Preservation Commission:

Per § 345-9, entitled Historic Preservation Commission, Section (B) entitled Powers and Duties of the Historic Preservation Commission, the Commission has the following relevant powers and duties:

(4) To advise and assist City officers, employees, boards and other bodies, including those at County, regional, State and Federal levels, on all matters which have potential impact on the landmark buildings, sites, structures, object or landscape features in the City or on the ambience of a historic district.

(17) To issue Certificates of Appropriateness or Certificates of No Effect in accordance with the rules and standards set forth herein.

The property is subject to following standards during the Board’s consideration regarding the application seeking a Certificate of Appropriateness:

1. *Secretary of Interior Standards for the Treatment of Historic Properties*
2. *City of Jersey City Zoning Ordinance § 345-58 entitled H - Historic District*

3. City of Jersey City Zoning Ordinance § 345-71 entitled *Historic Design Standards*
4. City of Jersey City Historic Preservation Commission *Rules & Regulations for Alterations & Additions to Buildings & New Construction in Historic Districts*

V. STAFF RECOMMENDATIONS AND COMMENTS

The scope and impact of the proposed project represented by the plans were reviewed according to the City of Jersey City Zoning Ordinance § 345-30 entitled Historic Preservation Review Procedures, the City of Jersey City Zoning Ordinance § 345-71 entitled Historic Design Standards and by the Secretary of the Interior's Standards for Historic Preservation, as adopted by the ordinance.

After reviewing the proposed project, Staff finds that the proposal is not consistent with the *Historic Design Standards* and *Rule & Regulations* and generally does not appear to be consistent with the Secretary of Interior Standards for Restoration and New Construction. The proposed rooftop addition, while not visible over the front façade of the building, is plainly visible through the adjacent properties' rear yards from Fourth Street. The proposed addition breaks a consistent roofline that this and its adjacent buildings share. Additionally, rooftop additions appear to be outside of the existing block paradigm. The bulk that the proposed addition introduces to the building appears to be out of context with the general pattern of development on this block and generally within the Harsimus Cove Historic District.

After reviewing the proposed project, Staff finds that the proposal is inappropriate and is not consistent with the Secretary of Interior Standards for Rehabilitation, § 345-71 *Historic Design Standards*, or with *Rule & Regulations*. HPC Staff recommends that the HPC deny a Certificate of Appropriateness for the applicant under the following statutes:

1. § 345-71(H)(2)(H) – Roof Forms
2. § 345-71(L)(3)(b)(iii) – Additions. Rooftop Additions: *The addition is not visible from a public thoroughfare or right-of-way.*
3. § 345-71(L)(3)(b)(vi) – Additions. Rooftop Additions: *The addition does not adversely affect the significant ensemble of buildings by creating a distracting element in an otherwise uniform roofscape.*

Alternatively, if the HPC finds that the application as presented would not have an adverse effect on the historic resource and the surrounding Harsimus Cove Historic District, it could approve the application with the following recommended conditions:

1. The architect, Bright Architect, shall be retained during construction and shall submit as-built, signed and sealed drawings to staff, or a signed and sealed letter representing and noting that site construction was consistent with work approved under this Certificate of Appropriateness before the issuance of a Certificate of Occupancy.
2. No element of the proposed addition shall be visible from the public right of way via Erie Street, at the front of the property.

3. The 10' between the front façade and the proposed roof deck shall not be used as leisure space or as part of the roof deck, per § 345-60(G)(5) entitled *Supplementary Zoning Regulations: Height Exceptions*
4. Shop drawings shall be provided to HPC Staff for review and approval prior to the manufacture, purchase, or installation of the new windows at the front, rear, and for the skylights.
5. Any proposed planting or landscaping shall conform with the City of Jersey City Forestry Standards.
6. Details, Specifications, and Material Submissions not currently submitted to and approved by the HPC under this Certificate of Appropriateness, or changed during the course of construction are remanded back to the HPC.
7. All material samples and specifications shall be submitted to HPC Staff for review and approval prior to the submission of construction documents for permitting.
8. Any changes or deviations from the approved drawings are to be clearly bubbled on the construction drawings and noted in an accompanying signed and sealed letter from the architect addressed to Staff for review. Depending on the degree of change or deviation, additional review by the HPC may be required.
9. Upon final approval of this Certificate by the HPC, any deviations from the granted approval must be approved by the HPC, except in cases of emergency affecting the public safety, health and welfare. Requests for deviations from this Certificate are to be submitted through written request of the architect.

After reviewing the alterations submitted, HPC Staff maintains its original assessment that the proposed project will have an adverse effect on the historic resource and the Harsimus Cove Historic District. HPC Staff recommends that the HPC deny a Certificate of Appropriateness for the applicant under the following statutes:

1. ***§ 345-71(H)(2)(H) – Roof Forms***
2. ***§ 345-71(L)(3)(b)(iii) – Additions. Rooftop Additions: The addition is not visible from a public thoroughfare or right-of-way.***
3. ***§ 345-71(L)(3)(b)(vi) – Additions. Rooftop Additions: The addition does not adversely affect the significant ensemble of buildings by creating a distracting element in an otherwise uniform roofscape.***

After reviewing the revised plans submitted 3/25/2022, HPC Staff maintains its above recommendation.