

HPC OKs 12-foot first-floor height for historic house

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — In what is likely to become a more frequent occurrence — the raising of the height of a home contributing to the city's historic district — the Historic Preservation Commission (HPC) approved raising 1000 New York Ave., a contributing property built in 1928, to a height of 12 feet for the first floor. The application also included constructing an addition, a garage and a shed.

A topic of discussion during a virtual HPC meeting Feb. 22 was whether the house should be elevated 2 feet or 3 feet above base flood elevation.

Architect Joseph Ross, representing homeowners Tom and Pam Harrison, said the HPC gave conceptual approval to the project last October.

The approval was granted

with conditions: removing a two-car attached garage facing New York Avenue from the plans and constructing it as detached garage facing Madison Avenue on the rear of the property; and rehabilitating and relocating a small carriage shed previously slated for demolition. An additional condition of approval was to remove four dormers from plans for the house, which also removed the need for a zoning variance, according to Ross.

"This addition continues to be quite large on the one hand, but I think the design and the location supports a building of this size and this structure," HPC Chairman Warren Coupland said.

The standard to elevate a historic property is the base flood elevation plus 2 feet, he said.

Ross said he believed there was "some faulty thinking relative to the 2 feet." He



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The Historic Preservation Commission granted approval to a proposal to raise the contributing historic home at 1000 New York Ave. to 12-foot elevation.

said flood regulations require a building to be elevated to the base flood elevation and freeboard, which is defined as the elevation of a building's lowest floor to a height above the minimum base flood elevation.

"The state of New Jersey's freeboard is 1 foot and the city of Cape May's is 2 foot, but I think what the board has not consistently embraced is the fact that another clause in the flood regulations requires no flood-resistant materials in the freeboard area," Ross said. "It actually pushes the height up an extra foot to 3 foot."

He said he reduced the height of the house by 16 inches from plans from a former design professional. Ross said he had not reduced the height of the house down to the 2-foot height.

HPC Commissioner Jim Testa asked what materials are not flood-resistant. Ross said if all joists were constructed from pressure-treated wood, the house could

be elevated by just 2 feet.

"I don't think that's a real wise construction move for the new addition but it's impossible to do in the old addition unless you rip off the floor," he said.

Ross said he believed ultimately the HPC would realign the 2-foot height was not sufficient and 3 feet was necessary.

"If you're saving an existing building, the only way to achieve non-flood resistant construction on the ground floor assembly would be to replace all the joists," he said.

Coupland said he believed on a historic property, the base flood elevation plus 2 feet met Cape May's flood requirements. Ross said he spoke with the city's flood coordinator and the city's flood prevention ordinance exempts historic buildings that are contributing to the historic district, as long as the status remains contributing.

"That kind of solves the HPC problem but doesn't solve it from an architectural

or design professional point of view because that local ordinance does not give me the authority to trump federal regulations," he said.

Ross said that could "set up a jeopardy" for flood insurance or one for his professional liability insurance.

Coupland said the city's ordinance had been vetted on every level. He said on a key or contributing historic property, the regulation is base flood elevation plus 2 feet.

HPC solicitor Robert Fineberg said he was looking into the issue and was not ready to provide a definitive answer. He said there were conflicting federal, state, and local laws.

"We do have to resolve this, so we have a clear path forward," he said.

Ross said the plans would not raise the house to an inappropriately high level.

Due to the size of the house, an exception would be appropriate while the HPC continued to explore the issue on an ongoing basis, Coupland said, noting the HPC did not want to set a precedent.

Testa said there was a question of a federal supersession of a local ordinance. Ross said he believed the issue had been decided at the October HPC meeting.

"At no point in time was a condition made to change the height from what we had proposed at that time," he said.

Ross said he believed the city's flood prevention ordinance stated 2 feet above freeboard was the minimum height and not the maximum height.

Fineberg said in its approval, the HPC would make it clear that the exception was unique to this particular property.

During public comment, neighborhood resident Jules Rauch said the carriage shed would look better if it was left in its current location. HPC

Commissioner Tom Carroll said he could not think of a time when a shed would be featured along with the front façade of a house and endorsed moving the shed to the back of the lot.

Ross clarified the height of the first floor at an elevation of 12 feet which is 3 feet above flood elevation.

"The idea behind freeboard is that even though the federal government said elevation nine is the base flood elevation, they want a little bit of extra protection, so again the state of New Jersey requires a foot, Cape May being a flood prone community made it 2 foot and therefore, they get the benefit of a cheaper flood rate for all the citizens in the city of Cape May," he said.

Ross said the proposed addition measures 886 square feet for the 2,100 square foot home. A three-rail perimeter fence was proposed along the right-of-way lines of New York and Madison avenues and a cedar wood privacy fence defining the backyard.

He said originally architectural shingles were proposed but that was changed to cedar shingles on the house and carriage shed to identify those as historic structures. The porches and detached garage will have standing seam metal roofs.

He said the existing vinyl windows would be replaced with Kolbe wood windows with a mahogany rear deck. Coupland said the composition of materials of the coatings on the windows was not clear, he suggested Jeld Wen windows.

HPC Commissioner Corbin Cogswell said two high back benches on either side of the front door were mentioned in an historic survey report as being part of the historic fabric of the house. Ross said he would include the benches in the design of the porch.

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