

**Board of County Commissioners
Morris County, New Jersey**

RES-2021-821

Adopted: October 6, 2021

WHEREAS, the Morris County Board of County Commissioners (f/k/a the Morris County Board of Chosen Freeholders) (“Board”) entered into four grant agreements under the Morris County Historic Preservation Trust Fund Program (“Program”) between 2005 and 2007 totaling \$651,100 with the Township of Harding (“Township”) for property located at Lot 1 Block 34 in the Township of Harding known as the Glen Alpin Property (“Glen Alpin Property”); and

WHEREAS, the four grants committed the Township to enter into a 30-year deed of historic preservation easement with Morris County to assure the preservation and protection of the Glen Alpin Property from inappropriate use and alteration regardless of who owns, maintains, occupies or uses it; and

WHEREAS, \$78,100 of the total grants was to pay for the costs of architectural drawings, to which an historic preservation easement is not required by Program Rules; and

WHEREAS, the balance of the grants, totaling \$573,000.00, were utilized by the Township to replace the roof of the structure and install an HVAC system; and

WHEREAS, the Township has proposed to divide the Glen Alpin Property into two parcels consisting of the Glen Alpin home and immediately surrounding area and the remaining open space, sell the home parcel to a private owner with the financial capacity to restore the structure, terminate the 30-year historic preservation easement with Morris County, and subject the home parcel to a permanent historic preservation easement to be held by the New Jersey Historic Trust which will include the provision of public access of at least 12 days a year; and

WHEREAS, the New Jersey Historic Preservation Office has determined that the proposed diversion and sale of the Glen Alpin home does not constitute an encroachment under the New Jersey Register of Historic Places Act; and

WHEREAS, per Program Rules, Section 5.17-C3, the Township held a properly noticed public hearing on April 19, 2021, to receive public comments on its request to terminate Morris County’s historic preservation easement on The Glen Alpin Property; and

WHEREAS, per Program rules, Section 5.17-C12, the Township made a presentation to the Morris County Historic Preservation Trust Fund Review Board (“Committee”) on May 19, 2021, regarding its request to terminate the historic preservation easements, which meeting was properly noticed to the public; and

WHEREAS, the Committee recommended that the Board accept the Township’s request to terminate the historic preservation easement on the Glen Alpin Property; and

WHEREAS, the Township prepared and made available to the public the report required by the Local Land and Buildings Law, N.J.S.A. 40A:12-13.5; and

WHEREAS, the Township held a public meeting on July 6, 2021, at 9:00 a.m. at the Kirby Municipal Building pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1, et seq, which was properly noticed to the public pursuant thereto; and

WHEREAS, on August 6, 2021, at 9:00 a.m., a second public meeting was held in the second-floor conference room at 30 Schuyler Place, Morristown, New Jersey, pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1, et seq, which was properly noticed to the public pursuant thereto; and

WHEREAS, on August 6, 2021, at 9:00 a.m., a public meeting was held in the second-floor conference room, 30 Schuyler Place, Morristown, New Jersey pursuant to the New Jersey Conservation Restriction and Historic Preservation Act, N.J.S.A. 13:8B-5, which was properly noticed to the public pursuant thereto; and

WHEREAS, on August 11, 2021, at 4:30 p.m., the Township made a presentation to the Board at the Board's regularly scheduled work session meeting; and

WHEREAS, the Township represented that the proposed permanent easement including the protected features detailed therein and the requirement for public access of at least 12 days per year, along with the Preservation Plan developed for the Glen Alpin Property provide a framework for the future preservation and protection of the Glen Alpin Property by a private owner; and

WHEREAS, per Program Rules, Section 5.17-C10, grantees are required to provide reasonable compensation in exchange for the release of Morris County Historic Preservation easements; and

WHEREAS, the Board recognized that the proposed permanent easement will run with the land and the enforcement of same will be by the New Jersey Historic Trust; and

WHEREAS, the Board recognized that Program funds were expended to fund various improvements to the Glen Alpin Property, including replacement of the roof and installation of an HVAC system; and

WHEREAS, the Board recognized that the improvements made to the Glen Alpin Property extended the useful life of the structure and helped prevent its further deterioration; and

WHEREAS, the Board is mindful of the policy of the Program that strongly discourages the termination of easements on historic properties preserved with Program assistance; and

WHEREAS, the Board recognized that 14 years have passed since the award of the most recent Morris County Historic Preservation Grant to the Township for the Glen Alpin Property; and

WHEREAS, the Board recognized that of the 30 year period during which the Glen Alpin property would be subject to the Historic Preservation easement, there remains 16 years before which said restrictions would expire; and

WHEREAS, the Board determined that the sum of \$305,600 represents a reasonable level of compensation based on the number of years remaining on the Historic Preservation Easement and in consideration of the unique aspects presented by the Township's application; and

WHEREAS, the Board determined that it is in Morris County's best interest to grant the Township's request to terminate the historic preservation restrictions on the Glen Alpin Property and that the Township reimburse the Morris County Historic Preservation Trust Fund the sum of \$305,600 from the proceeds of the sale of the Glen Alpin Property.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Board of County Commissioners as follows:

1. That the County of Morris hereby accepts the recommendation of the Morris County Historic Preservation Trust Fund Review Board to terminate the historic preservation easements on the Glen Alpin Property.

2. That per Program rules, the Township of Harding will be required to reimburse the Morris County Historic Preservation Trust Fund the total sum of \$305,600 as compensation from the proceeds of the sale of the Glen Alpin Property.

3. That the Director of the Board of County Commissioners is hereby authorized to sign and execute all agreements and other documents reasonable and necessary to effectuate the termination of the historic preservation easements on the Glen Alpin Property, and the Clerk to attest to the same.

4. This resolution shall take effect immediately.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Deborah Smith, Commissioner
SECONDER:	Kathryn A. DeFillippo, Commissioner
AYES:	Shaw, Smith, Cabana, DeFillippo, Krickus, Mastrangelo, Selen

I hereby certify the above to be a true copy of a resolution adopted by the Board of County Commissioners of the County of Morris at a regular meeting on October 6, 2021.



Debra L. Lynch, Clerk of the Board