



HISTORIC PRESERVATION COMMISSION
April 20, 2020 – 6:00pm

Meeting Available on Zoom.us at the following meeting number:
<https://zoom.us/j/982382662>

In lieu of participating via the Zoom website, the alternative telephone only dial-in is:
Telephone number: 312-626-6799 Meeting ID: 982 382 662

"Due to the COVID-19 Pandemic and in recognition of the declaration of states of emergency by the President, the Governor and the Village President, this meeting will not be open to the public in an in-person capacity. Those wishing to observe may do so by downloading the ZOOM app to your personal computer, tablet or smart phone and utilizing the above information to join via either computer or telephone. If you wish to communicate in written format with the Commission you may send written comments to the Village Clerk at 235 Hickory St. Pewaukee, WI 53072 or you may email the clerk at csmith@villageofpewaukee.com."

1. Call to Order, Pledge of Allegiance, and Roll Call
 - a. Election of Chair
2. New Business.
 - a. Review and Discussion of Historic Preservation Ordinance and Role of Historic Preservation Commission
3. Public Hearing.
 - a. Public Hearing on Application for Listing of St. Mary's Church as a Local Landmark
4. Citizen Comments. – *This is an opportunity for citizens to share their opinions with Commission Members on any topic they choose. However, due to Wisconsin Open Meeting laws, the Commission is not able to answer questions or respond to your comments. All comments should be directed to the Commission. Comments are limited to 3 minutes per speaker. Speakers are asked to use the podium and state their name and address.*
5. New Business (continued).
 - b. Discussion Regarding Application for Listing St. Mary's Church as a Local Landmark – NO ACTION TO BE TAKEN AT THIS MEETING
 - c. Possible Action on Scheduling Future Meeting(s)
6. Adjournment.

Note: It is possible that members and/or possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; action will not be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in the notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. To request such assistance, contact the Village Clerk at 262-691-5660.

Dated: April 13, 2020



To: Historic Preservation Commission

From: Scott A. Gosse
Village Administrator

Date: April 13, 2020

Re: Agenda Items 2A, Review and Discussion of Historic Preservation Ordinance and Role of Historic Preservation Commission; Discussion and Possible Action on Application for Listing St. Mary's Church as a Local Landmark; and Possible Action to Schedule Next Meeting

BACKGROUND

Thank you for accepting your appointment to the Village's Historic Preservation Commission. The format for the meeting is a "virtual" meeting thru the Zoom website. You are able, if your computer/laptop/electronic device has the capability, to participate using a webcam or camera where you will be able to see others. However, if you do not have access to a device with a webcam/camera, you can log into the meeting using your telephone via the telephone number and meeting code provided on the agenda.

Attached for your review, please find a copy of the ordinance adopted by the Village Board which sets forth the purpose and intent of the ordinance as well as the role of the Commission and the criteria to be used when evaluating applications for landmark designations. Village Attorney Mark Blum will be in attendance at the meeting to review the attached ordinance with the Commission and answer any questions the Commission members may have.

The second new business item relates to an application (copy attached) submitted by Ms. Jeannette O'Toole requesting the designation of the St. Mary's Church located at 449 W. Wisconsin Avenue, as a local landmark. A public hearing has been scheduled on this application which will occur after Attorney Blum's review of the historic preservation ordinance.

ACTION REQUESTED

The action requested of the Historic Preservation Commission is to review the information to be shared by Attorney Blum at the meeting relating to the Historic Preservation Commission and its role in administering the Historic Preservation Ordinance.

Secondly, the action requested of the Historic Preservation Commission is to review the application submitted by Ms. Jeannette O'Toole requesting the designation of the St. Mary's Church located at 449 W. Wisconsin Avenue, as a local landmark.

The third item relates to scheduling a future meeting in the event the Commission desires to receive information from Mr. Joe DeRose regarding the certified local government program.

Attachments

ORDINANCE NO. 2019-13

ORDINANCE TO CREATE A NEW ARTICLE UNDER CHAPTER 40 OF THE
MUNICIPAL CODE OF THE VILLAGE OF PEWAUKEE
REGARDING HISTORIC PRESERVATION

The Village Board of the Village of Pewaukee, Waukesha County, Wisconsin do ordain as follows:

SECTION I

Article XIV of Chapter 40 of the Municipal Code of the Village of Pewaukee is hereby created as follows:

ARTICLE XIV. – HISTORIC PRESERVATION

Sec. 40.480 – Purpose and Intent

(a) It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of Improvements or sites of special character or special historic, archaeological, or aesthetic interest or other significant value is a public necessity and is required in the interest of the health, prosperity, safety, and welfare of the people. The purpose of this article is to:

(1) Effect and accomplish the protection, enhancement, and perpetuation of such Improvements and of districts which represent or reflect elements of the Village's cultural, social, economic, political, and architectural history.

(2) Safeguard the Village's historic and cultural heritage, as embodied and reflected in such Landmarks, Landmark Sites, and historic districts.

(3) Foster civic pride in the notable accomplishments of the past.

(4) Stabilize and improve property values.

(5) Protect and enhance the Village's attraction to residents, tourists, and visitors and service as a support and stimulus to business and industry.

(6) Improve and enhance the visual and aesthetic character of the Village.

(7) Educate the public regarding the need and desirability of a Village historic preservation program and its enhancement of the quality of life.

Sec. 40.481 – Definitions. The following words, terms and phrases, when used in this

article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Certificate of Appropriateness means the certificate issued by the Commission approving alteration, rehabilitation, construction, or reconstruction of a Landmark, Landmark Site, or any Improvement in a Historic District.

Commission means the Historic Preservation Commission created under this article.

Historic District means an area designated by the Commission which contains two or more Landmarks or Landmark Sites, as well as those abutting parcels which the Commission determines shall fall under the provisions of this section to assure that their appearance and development is harmonious with such historic structures or historic sites.

Improvement means any building, structure, place, work of art, or other object constituting a physical betterment of real property or any part of such betterment, including streets, alleys, sidewalks, curbs, lighting fixtures, signs, and the like.

Improvement Parcel is the unit of property which includes a physical betterment constituting an Improvement and the land embracing the site thereof and is treated as a single entity for the purpose of levying real estate taxes. Provided, however, that the term "improvement parcel" shall also include any unimproved area of land which is treated as a single entity for such tax purposes.

Landmark means any Improvement that is

- (1) Individually listed in the National Register of Historic Places;
- (2) Individually listed on the Wisconsin State Register of Historic Places; or
- (3) Designated by the Commission as a Landmark under this article.

Landmark Site means any parcel of land of historic interest or value in tracing the history of aboriginal man or upon which an historic event has occurred and which has been designated a Landmark under this article, or an Improvement Parcel or part thereof on which is situated a Landmark and any abutting Improvement parcel or part thereof used as an constituting part of the premises on which the Landmark is situated.

Sec. 40.482 – Historic Preservation Commission

(a) *Composition.* A historic preservation commission is hereby created, consisting of seven members. Of the initial members so appointed, one shall serve a term of one year, three shall serve a term of two years, and three shall serve a term of three years. Thereafter, the term for each member shall be three years. The village

president shall appoint the commissioners subject to confirmation of the village board. In considering appointments to the Commission the village president and the Board shall endeavor to include individuals with backgrounds and experience in the history of the community, construction contracting, historic preservation or architecture. Notwithstanding the forgoing, at least one member of the Village Board shall be a member of the Commission. In addition, the membership of the Commission shall include a citizen representative from the plan commission.

(b) Landmark, Landmark Site, and Historic District designation criteria. For purposes of this article, a Landmark or Landmark Site designation may be placed on any site, natural or improved, including any building, Improvement, or structure located thereon, or any area of particular historic, architectural, or cultural significant to the village, such as structures or sites which:

- (1) Exemplify or reflect the broad cultural, political, economic, or social history of the nation, state, or community; or
- (2) Are identified with historic personages or with important events in national, state, or local history; or
- (3) Embody the distinguishing characteristics of an architectural type of specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship; or
- (4) Are representative of the notable work of a master builder, designer, or architect who influenced his or her age; or
- (5) Have yielded, or may be likely to yield, information important to prehistory or history.
- (6) Are consistent with the US Department of the Interior, National Park Service National Historic Landmark Criteria as set forth in 36 CFR Vol 1 (7-1-11 edition) Sec 65.4.

(c) Additional operating guidelines. The Commission may adopt specific operating guidelines for Landmarks, Landmark Sites, and Historic District designation, provided such operating guidelines are in conformance with the provisions of this article.

(d) Powers and Duties of the Commission

(1) *Designation.* The Commission shall have the power, subject to Sec. 40.482(b) and 40.482(e), to designate historic Landmarks, Landmark Sites, and Historic Districts within the Village limits. Such designation shall be made based upon the criteria established under Sec. 40.482(b). Once designated by the Commission, such Landmark, Landmark Site, and historical district shall be subject to the provisions of this article.

(2) *Regulation of construction, reconstruction, and alteration*

- a. Any application for a permit from the building inspector involving a designated Landmark, Landmark Site, or Improvement in an Historic

District shall contemporaneously be filed with an application to the Commission for a Certificate of Appropriateness.

b. No owner or person in charge of a Landmark, Landmark Site, or Improvement in an Historic District shall alter or reconstruct all or any part of the exterior of such property, construct any Improvement upon such designated property or cause or permit any such work to be granted upon such property, unless a Certificate of Appropriateness has been granted by the Commission. Unless such approval has been granted by the Commission or the village board, the building inspector shall not issue any permit for any such work.

c. Upon the filing of an application with the Commission, the Commission shall determine:

1. Whether, in the case of a Landmark or Landmark Site, the proposed work would detrimentally change, destroy or adversely affect any exterior architectural feature of the Improvement or site upon which such work is to be done.

2. Whether, in the case of the construction of a new Improvement upon a Landmark Site or within a Historic District, the exterior of such Improvement would adversely affect or not harmonize with the external appearance of the other neighboring Improvements on such site or within the district.

3. Whether, in the case of any property located in a Historic District, the proposed construction, reconstruction, or exterior alteration does not conform to the purpose and intent of this article.

4. Whether the denial of a Certificate of Appropriateness will deprive the owner of all reasonable use of, or economic return on, the property.

d. If, based on the determinations outlined in Sec. 40.482(d)(2) c., the Commission determines that the application for a Certificate of Appropriateness and the proposed changes are consistent with the character and features of the property or district, it shall issue the Certificate of Appropriateness. Upon the issuance of such Certificate, the building permit shall then be issued by the building inspector. The Commission shall make this decision within 90 days after the filing of a complete application with the Commission. If, at the end of the ninety-day period, the Commission has not made its decision, the application shall be deemed approved by the Commission. Nothing contained herein shall be deemed to prevent the appeal of any denial hereunder to the village board after the Commission has denied an application.

e. Should the Commission fail to issue a Certificate of Appropriateness due to the failure of the proposal to conform to the guidelines in this article, the applicant may appeal such decision to the village board within 45 days of the Commission's final decision. In addition, if the Commission so fails

to issue a Certificate of Appropriateness, the Commission shall work with the applicant for a period of 45 days following the date of denial in an attempt to obtain a Certificate of Appropriateness within the guidelines of this article. Nothing contained in this subsection shall be deemed to prevent the appeal of an earlier denial by the Commission, whether such appeal might occur during or after the forty-five-day period where the parties are required to cooperate as described immediately above.

f. Ordinary maintenance and repairs may be undertaken without a Certificate of Appropriateness, provided that the work involves repairs to existing features of a Landmark, Landmark Site, or Improvement within an Historic District, does not change the exterior of the Landmark, Landmark Site, or Improvement within an Historic District and does not require the issuance of a building permit.

g. Agencies of the village and all public utility and transportation companies, undertaking projects affecting Landmarks, Landmark Sites, or Historic Districts, shall be required to obtain a Certificate of Appropriateness prior to initiating any changes in the character of street paving, sidewalks, utility installations, lighting, walls, fences, structures and buildings on property, easements, or streets owned or franchised by the village.

(3) Regulation of demolition.

a. No person in charge of a Landmark, Landmark Site, or Improvement within a Historic District shall be granted a permit to demolish such property without the written approval of the village board.

b. Any application to the building inspector for a permit to demolish a Landmark, Improvement on a Landmark Site, or Improvement within a Historic District shall contemporaneously be filed with the Commission. The Commission shall review the application and shall, within 90 days of the filing of that application, make a recommendation to the village board with respect to that demolition.

c. Upon receipt of the recommendation of the Commission or, if no recommendation is made, 90 days after the filing of the original application, the request for demolition shall be submitted for review and consideration by the village board. The board shall make its decision respecting demolition within 120 days of the board's receipt of the recommendation from the board's receipt of the recommendation from the Commission or the expiration of the time period allowed for the Commission's review.

d. In evaluating the petition for demolition, the village board shall consider the following:

1. The age and physical condition of the Landmark, Improvement on a Landmark Site, or Improvement within a Historic District.
2. The cost of repairs of the Landmark, Improvement on

Landmark Site, or Improvement within a Historic District as compared to the fair market value of that Improvement.

3. Whether the denial of a demolition permit would result in the loss of all reasonable and beneficial use of or return from the property

4. Whether any hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair.

6. The historic significance of the Landmark, Improvement on a Landmark Site, or Improvement within a Historic District.

e. Upon approval of the petition for demolition by the village board, the building inspector shall issue the permit to demolish the property provided all other codes and village ordinances are complied with.

f. Should the Commission fail to recommend issuing a demolition permit due to the failure of the proposal to conform to the guidelines in this article, the applicant may appeal such decision to the village board within 45 days of the Commission's final decision. In addition, if the Commission fails to recommend issuing a demolition permit, the Commission shall work with the applicant for a period of 45 days following the date of denial in an attempt to obtain a Certificate of Appropriateness within the guidelines of this article. Nothing contained in this subsection shall be deemed to prevent the appeal of an earlier denial by the Commission, whether such appeal might occur during or after the forty-five-day period where the parties are required to cooperate as described immediately above.

(4) *Other permits required.* The issuance of a Certificate of Appropriateness or demolition permit under this article shall not relieve the applicant from obtaining the other permits and approvals required by law. Building permits or other municipal permits shall be invalid if they are obtained without the presentation of the Certificate of Appropriateness required for the proposed work. Insofar as they are applicable to a Landmark, Landmark Site, or Improvement in a Historic District designated under this article, any provision of the plumbing code, electrical code, or building or housing code of the village shall apply, unless waived by the appropriate state or village appeals body.

(5) *Time to commence work.* Any work authorized under a Certificate of Appropriateness or demolition permit issued under this article shall be commenced within 12 months after the issuance of the Certificate or permit. The village may inspect the work during and after construction or demolition in order to ensure compliance with this article. Failure to comply with a Certificate of Appropriateness or demolition permit or failure to obtain a Certificate of Appropriateness or demolition permit shall be a violation of this article. In addition to the other penalties and remedies, the village shall issue a stop work order, and all work shall cease at the designated property. No additional work shall be undertaken as long as such stop work order shall continue in effect.

(6) *Recognition of landmarks, landmark sites, and historic districts.* At such time as a Landmark, Landmark Site, or Historic District has been properly designated, the Commission may cause to be prepared and erected on such property at village expense a suitable plaque declaring that such property is a Landmark, Landmark Site, or Historic District. Such plaque shall be so placed as to be easily visible to passing pedestrians. The plaque shall state the accepted name of the property, the date of its construction of significant, and other information deemed proper by the Commission.

(7) *Other duties.* In addition to those duties already specified in this article, the Commission shall:

a. Work closely with the State of Wisconsin historic preservation officer and the state historic preservation review board in attempting to include such properties hereunder designated as Landmarks or landmarks sites or Historic Districts in the National Register of Historic Places and the State Register of Historic Places.

b. Work for the continuing education of the citizens of the village about the historic heritage of this village and the Landmarks and Landmark Sites designated under the provisions of this article.

Sec. 40.483 – Designation Procedures

(a) Designation of Landmarks, Landmark sites, and Historic Districts

(1) *Notice.* The Commission may, after notice and public hearing, designate Landmarks, Landmark Sites, and Historic Districts, or rescind such designation, after application of the criteria in Sec. 40.482(b) above. At least ten (10) days prior to such public hearing, the Commission shall notify, by 1st class mail, the owners of record, as listed in the office of the village assessor, who are owners of the property in whole or in part as well as the owner of all lands located within 200 feet of the boundaries of the property affected. Such notice shall include the time and place of the public hearing as well as the place, structure, or object to be designated a Landmark or Landmark Site or the defined geographical area to be designated an Historic District. Notice of the hearing shall be published as a Class 1 legal notice pursuant to Chapter 985 of the Wisconsin Statutes. The Commission shall also notify the following: the village administrator, the department of public works, the department of parks and recreation, building inspector, village planner, fire and police departments, and plan commission. Each such department shall respond to the Historic Preservation Commission by filing its own comments on the proposed designation.

(2) *Public hearing.* The Commission shall then conduct such public hearing and, in addition to the notified persons, may hear expert witnesses and shall have the power to subpoena such witnesses and records as it deems necessary. The Commission may conduct an independent investigation into the proposed designation or rescission. Within ten (10) days after the close of the public hearing, the Commission may designate the property as either a Landmark or Landmark Site or the geographically defined area as an Historic District, or rescind such designation. After the designation or rescission has been made, notification shall be sent to the property owners as well as the owner of all lands located within 200 feet of the boundaries of property affected. Notification shall also be given to the

village clerk, building inspector, plan commission, and the village assessor. The Commission shall cause the designation or rescission to be recorded, at village expense, in the county register of deeds office.

(b) Appeal. Any owner of property that is affected by the designation of a Landmark, Landmark Site, or Historic District may appeal said decision to the village board. The village board may overturn a decision of the Historic Preservation Commission by a simple majority vote of the village board.

(c) Amendment. Any owner of property that is affected by the designation of a Landmark, Landmark Site, or historic district or the village may seek an amendment of the designation of a property as a Landmark, Landmark Site, or its inclusion in an historic district. Consideration of an amendment shall be commenced by written request filed with the Commission stating the specific amendment sought, the basis for the amendment and specifically, whether the amendment meets the criteria for the designation of a Landmark, Landmark Site, or Improvement within a historical district. The notice and public hearing requirements for the establishment of a Landmark, Landmark Site, or historic district shall be followed with respect to consideration of the amendment. Following any public hearing, the Commission shall make a determination on the application for amendment. If any person is aggrieved by decision of the Commission with respect to the amendment, they may appeal that decision to the village board.

(d) Documentation of the Landmark. Whenever a landmark, landmark site or historic district are designated pursuant to this chapter a notification of said designation shall be recorded with the Waukesha County Register of Deeds acknowledging that the property shall be henceforth subject to the requirements of this chapter.

Sec. 40.484 – Conformance with regulations

(a) Every person in charge of a Landmark, Landmark Site, or Improvement in a historic district shall maintain the same or cause or permit it to be maintained in a condition consistent with the provisions of this article. The village board may appoint the building inspector to enforce this article. Notwithstanding the foregoing, limited and sensitive upgrading of mechanical, electrical and plumbing systems, and other work required by applicable building codes, to make the property functional is permitted. Nothing in this subsection relieves an owner from having to obtain any other building permits or municipal permits as required by village ordinance. Insofar as they are applicable to a Landmark, Landmark Site, or Improvement in a historic district designated under this article, any provision of the plumbing code, electrical code, or building or housing code of the village shall apply, unless waived by the appropriate state of village appeals body.

(b) In accordance with Wisconsin Statute Section 62.23(7)(em) 2m., any owner of property designated under this article as a Landmark, Landmark Site, or Improvement within a historic district may, when undertaking repairs or replacement of such property, use materials that are similar in design, color, scale, architectural appearance, and other visual qualities to the original materials.

Sec. 40.485 – Maintenance of Landmarks, Landmark Sites, and historic districts.

(a) Maintenance. Every person in charge of a Landmark, Improvement on a Landmark Site, or an Improvement in an historic district shall keep in good repair all of the exterior portions of such Improvement and all interior portions thereof which, if not so maintained, may cause or tend to cause the exterior portions of such Improvements to deteriorate, decay, or become damaged or otherwise fall into a state of disrepair. This provision shall be in addition to all other provisions of law requiring such Improvement to be kept in good repair.

(b) Conditions dangerous to life, health or property. Nothing contained in this article shall prohibit the making of necessary construction, reconstruction, alteration, or demolition of any Landmark, Improvement on a Landmark Site, or Improvement within a historic district pursuant to an order of any government agency or pursuant to any court judgment for the purpose of remedying conditions determined to be dangerous to life, health, or property. In such case, no approval from the Commission shall be required.

Sec. 40.486 – Restoring Landmarks

Any damaged structure which has been designated as a Landmark pursuant hereto may be restored in its present location upon recommendation by the Commission and approval of the village board.

Sec. 40.487 – Penalties for violations

Except as otherwise provided, any person who shall violate any provisions of this article, or any rule, regulation, or order made hereunder, upon conviction of the same, shall be subject to a penalty as provided in Sec. 1.102 of this Municipal Code.

SECTION II

Section 40.436(d) of the Municipal Code of the Village of Pewaukee is hereby repealed.

SECTION III

All Ordinances or parts of Ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

SECTION IV

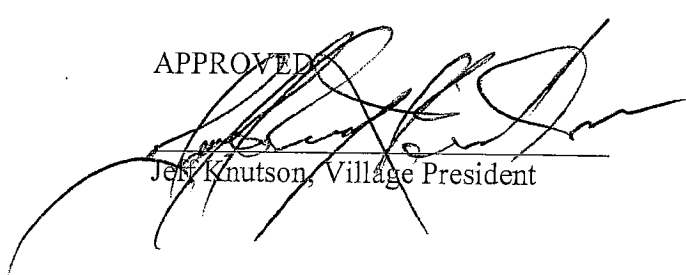
The several sections of this Ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the ordinance.

SECTION V

This Ordinance shall take effect upon passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending Ordinance therein.

PASSED AND ADOPTED by the Village Board of the Village of Pewaukee, this 17 day of September, 2019.

APPROVED

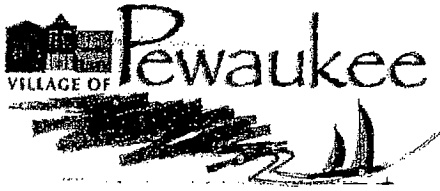


Jeff Knutson, Village President

Countersigned:



Cassie Smith, Village Clerk



HISTORIC LANDMARK NOMINATION FORM

Property Address:

449 W. Wisconsin Ave., Village of Pewaukee

Historic and/or Common Name of Property:

St. Mary's Church

Owner of Property:

Queen of Apostles Catholic Church

Type of Property: (Circle) Home Structure Private or Public Site District

Condition: (Circle) Excellent Good Fair Deteriorated Unaltered
 Original Site or Moved - Date of Move: _____

Significance - Period: (Circle)

Prehistoric 1800-1899 or after 1900 Historic Architectural Agricultural

Statement of Historical Significance:

St. Mary's Church exemplifies the cultural, social and religious history of the foundation of Pewaukee. It also has significant architectural value, as it is the only remaining Gothic Revival structure in the Village. St. Mary's is a major visual landmark in the area and we have a responsibility to preserve the church for future generations. The church should also be preserved out of respect for the founders of our community and as an important example of architecture during that period of time.

The State of Wisconsin Historical Society has stated that St. Mary's is most likely eligible for Historic status on the State and Federal registries allowing for generous tax credits as well as Federal grants to be used towards the rehabilitation of the facility.

Contact Name: Jeannette O'Toole

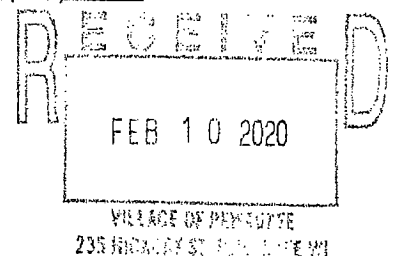
Telephone: (262) 719-3377

Email Address: jsotoole@gmail.com

Date of Submission: 02/10/2020

Return form to address below, Attn: Historic Landmarks Commission:

235 Hickory Street
Pewaukee, WI 53072



WISCONSIN CERTIFIED LOCAL GOVERNMENT

HISTORIC PRESERVATION COMMISSIONS

Historic Preservation and Wisconsin's historic preservation commissions add value to communities. Historic Preservation improves our quality of life, reinvigorates our neighborhoods, and is what gives our communities each their own distinctive character. It celebrates the places that are important to us, and identifies the places that tell our history.



What is a Certified Local Government (CLG)?

A CLG is any city, village, county, or town that has been certified by the State Historic Preservation Office (SHPO) and the Department of the Interior to meet these basic criteria:

- ▶ Establish by ordinance a qualified historic preservation commission
- ▶ Enforce state or local legislation for the designation and protection of historic properties
- ▶ Maintain a system for the survey and inventory of local historic resources
- ▶ Provide public participation in the local historic preservation program

Wisconsin Requirements for Certified Local Governments

The CLG must adhere to all of the federal and state requirements or the SHPO may revoke the CLG certification. The Wisconsin SHPO has established these additional requirements:

- 1 The CLG must enact and enforce a historic preservation ordinance that regulates historic property.
- 2 A CLG must provide annual reporting to the SHPO on CLG activities.
- 3 A CLG must send copies of meeting minutes and agendas to the SHPO following each meeting.
- 4 The ordinance must not allow historic property owners to opt-out of local historic designation.
- 5 Designation must not require owner consent.
- 6 The commission must approve work on locally designated properties and recommendations may not be advisory.

What is a Historic Preservation Commission (HPC)?

The governmental entity responsible for overseeing design review in a municipality's locally designated districts. Wisconsin Act 176 requires that all decisions of the HPC have an appeal process for the property owner. These appeals typically go before the city council, town board or county board depending on which jurisdiction is covered by the ordinance.

How are Historic Preservation Commissions funded?

Commissions generally receive a small amount of funding from their local government. Since 1985, CLGs are eligible to apply for competitive Historic Preservation Subgrants from the Wisconsin SHPO. Each year, several communities receive grants up to \$25,000 for a total of approximately \$100,000 awarded to subgrant projects. In the past ten years, the SHPO granted \$984,598 to 37 different CLGs.

What is a Landmark?

A building, structure, object, or site identified under the guidelines of the local historic preservation ordinance as a historic resource of particular significance.

What is a Certificate of Appropriateness (COA)?

A document issued by a HPC that allows an applicant to proceed with a proposed alteration, demolition, or new construction in a designated area or site on a designated local landmark, following a determination of the proposal's suitability according to applicable criteria.



WISCONSIN
HISTORICAL
SOCIETY

THIS PROJECT WAS FUNDED THROUGH THE GENEROUS
SUPPORT OF THE JEFFRIS FAMILY FOUNDATION

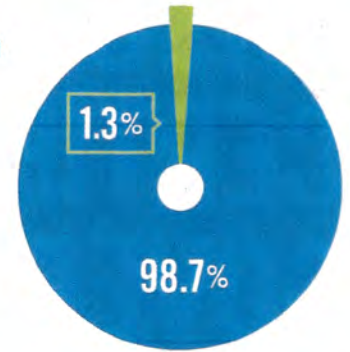
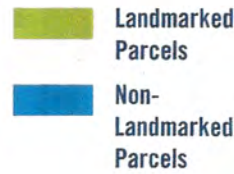
This data is based on a 2018 survey of 70

Wisconsin Certified Local Governments that received responses from 56 communities. Property owners who had recently applied to CLGs for Certificates of Appropriateness also received customer satisfaction surveys to rate their experience working with CLGs.

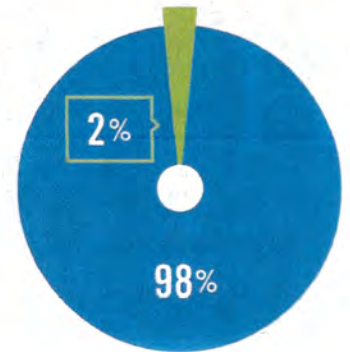


STATEWIDE STATISTICS

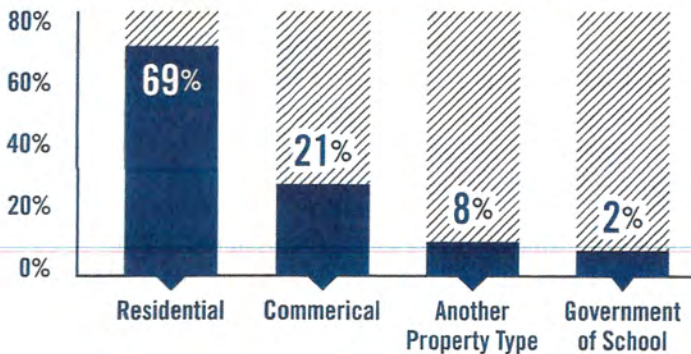
% OF LANDMARKED PARCELS IN CLG COMMUNITIES



COA APPROVAL

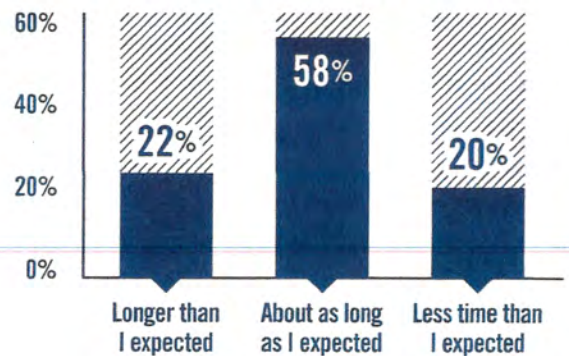


TYPES OF COA PROJECTS



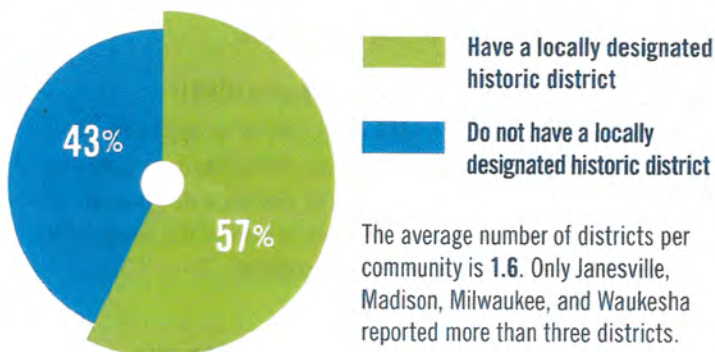
From 2015-2018, on average, 918 COA applications were reviewed statewide per year.

HPC REVIEW TIME OF COAs



Met or exceeded expectations of 78% of applicants

% OF REPORTING COMMUNITIES THAT HAVE A LOCALLY DESIGNATED HISTORIC DISTRICT



HISTORIC PRESERVATION COMMISSION TRAINING

► wihist.org/hpc-training

The Wisconsin SHPO Historic Preservation Commission Training is a comprehensive training for new commissioners as well as a reference site for experienced commissioners covering every aspect of commission operation and historic preservation.

WISCONSIN CERTIFIED LOCAL GOVERNMENTS

► wihist.org/clg

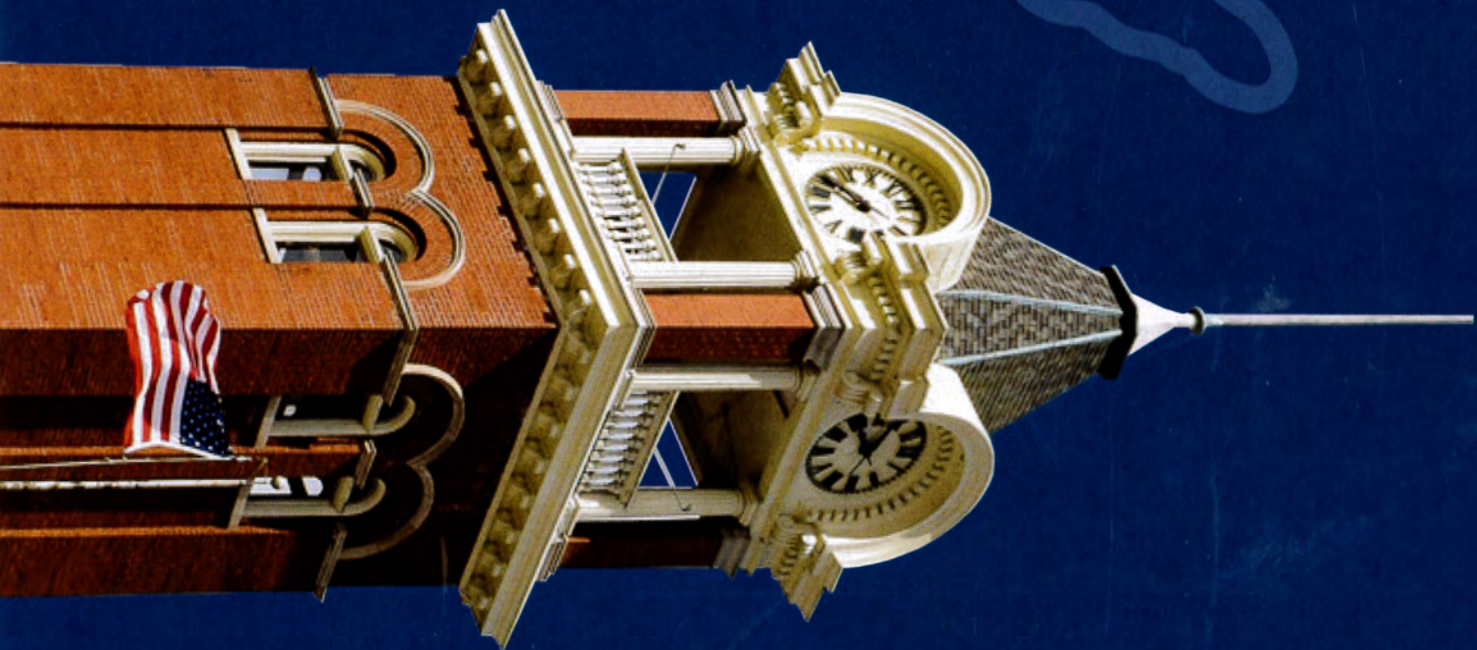
The Wisconsin SHPO provides training and assistance to CLGs as well as a competitive subgrant program to fund preservation projects in CLG communities.

HOW TO PRESERVE YOUR HISTORIC BUILDING

► wihist.org/preserve-your-building

This collection of articles provides owners with best practices for restoring and rehabilitating historic buildings.

For the full report, visit wisconsinhistory.org/clg-report



WISCONSIN CERTIFIED LOCAL GOVERNMENT

HISTORIC PRESERVATION
COMMISSIONS REPORT 2019



WISCONSIN
HISTORICAL
SOCIETY

This study was funded through the generous support of the Jeffris Family Foundation



“

I'm a strong believer in preservation ordinances. The stronger the preservation ordinance, the higher the property values, creating a better quality of life.”

TOM JEFFRIS

Historic Preservation and Wisconsin's historic preservation commissions add value to communities. Historic Preservation improves our quality of life, reinvigorates our neighborhoods, and is what gives our communities each their own distinctive character. It celebrates the places that are important to us, and identifies the places that tell our history.

This is the first comprehensive look at the work of the commissions and their accomplishments in Wisconsin. The project examined the scope of landmark designations, the number of reviews, the rates of customer satisfaction, and documented successful commission projects.

The results of this data are included in this report. The study quantifies the work of commissions, helps us understand how historic preservation commissions function across the state, identifies issues of concern to applicants, and provides key issues for future commission training.

What is a Certified Local Government (CLG)?

A Certified Local Government (CLG) is any city, village, county, or town that has been certified by the State Historic Preservation Office (SHPO) and the Department of the Interior to meet these basic criteria:

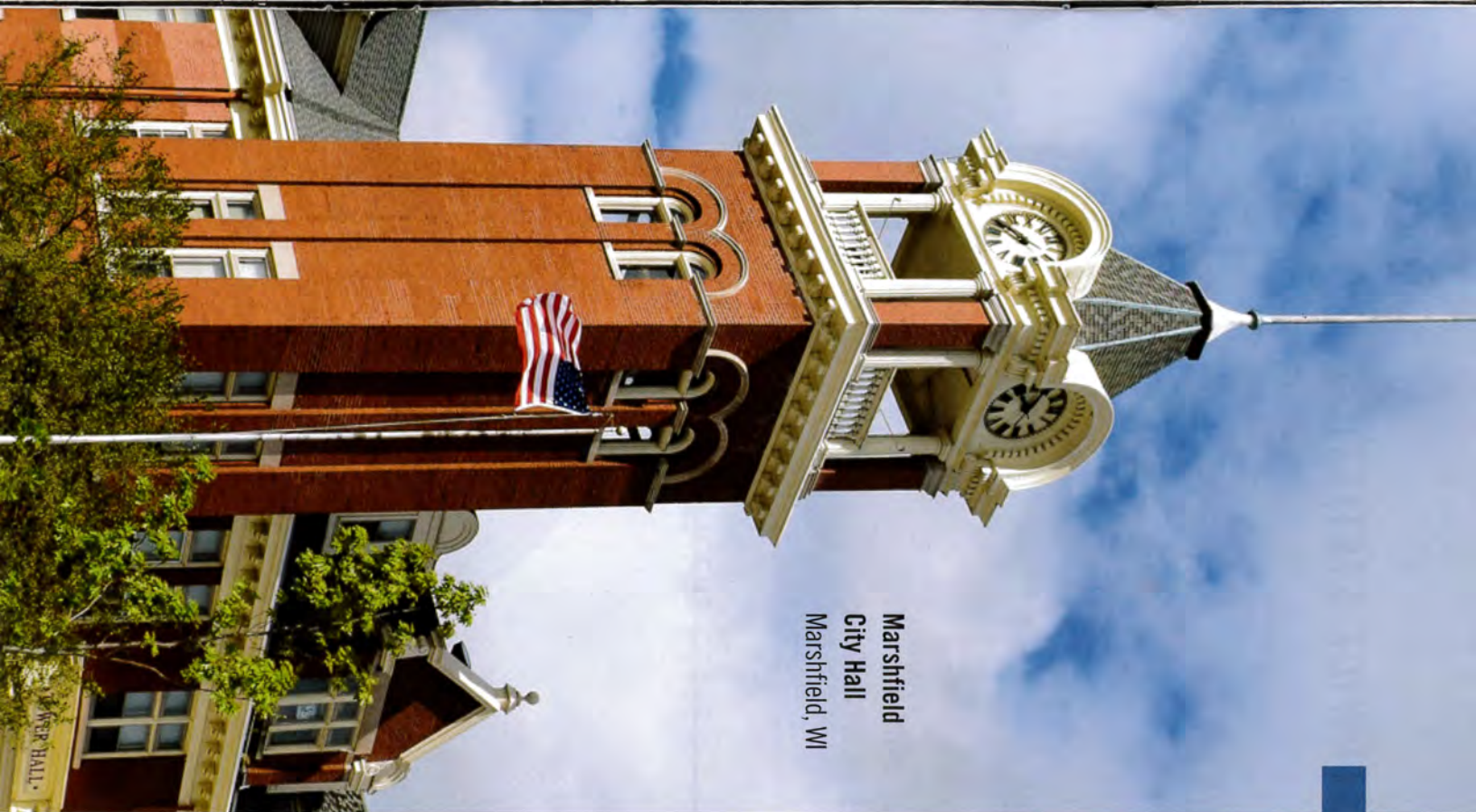
- ▶ Establish by ordinance a qualified historic preservation commission
- ▶ Enforce appropriate state or local legislation for the designation and protection of historic properties
- ▶ Maintain a system for the survey and inventory of local historic resources
- ▶ Provide for public participation in the local historic preservation program

Wisconsin Requirements for Certified Local Governments

Federal law allows the state to establish additional requirements for CLGs. The CLG must adhere to all of the federal and state requirements or the SHPO may revoke the CLG certification. The Wisconsin SHPO has established these additional requirements:

- 1 The CLG must enact and enforce a historic preservation ordinance that regulates historic property.
- 2 A CLG must provide annual reporting to the SHPO on CLG activities.
- 3 A CLG must send copies of meeting minutes and agendas to the SHPO following each meeting.
- 4 The ordinance must not allow historic property owners to opt-out of local historic designation.
- 5 Designation must not require owner consent.
- 6 The commission must approve work on locally designated properties and recommendations may not be advisory.





Marshfield
City Hall
Marshfield, WI

What is a Historic Preservation Commission (HPC)?

The governmental entity responsible for overseeing design review in a municipality's locally designated districts. This term is synonymous with Design Review Board, Board of Architectural Review, and other similar designations. Wisconsin Act 176 requires that all decisions of the HPC have an appeal process for the property owner. These appeals typically go before the city council, town board or county board depending on which jurisdiction is covered by the ordinance.

How are Historic Preservation Commissions funded?

Commissions generally receive a small amount of funding from their local government. Since 1985, CLGs are eligible to apply for competitive Historic Preservation Subgrants from the Wisconsin State Historic Preservation Office to conduct historic preservation surveys, nominate properties to the National Register of Historic Places, create educational projects, and draft municipal preservation plans. Each year, several communities receive grants up to \$25,000 for a total of approximately \$100,000 awarded to subgrant projects. In just the past ten years of this program, the State Historic Preservation Office granted \$984,598 to 37 different CLGs.

What is a Landmark?

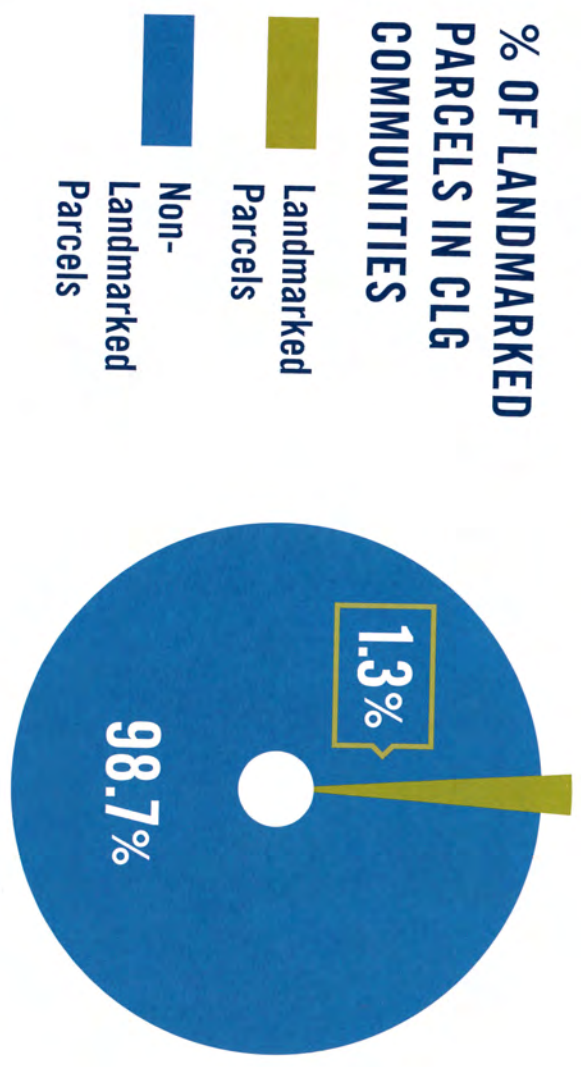
A building, structure, object, or site identified under the guidelines of the local historic preservation ordinance as a historic resource of particular significance.

What is a Certificate of Appropriateness (COA)?

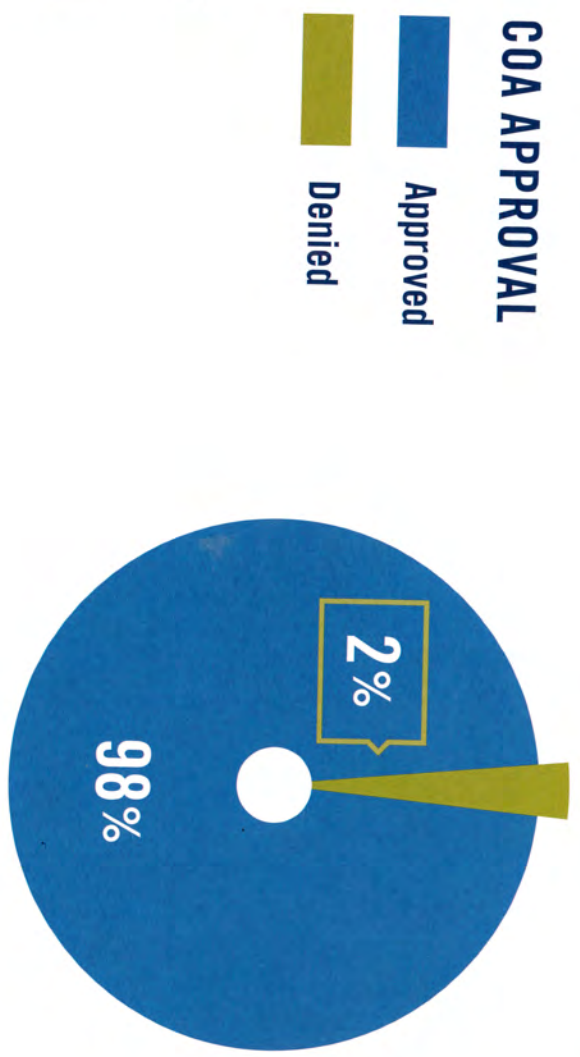
A document issued by a Historic Preservation Commission (HPC) that allows an applicant to proceed with a proposed alteration, demolition, or new construction in a designated area or site on a designated local landmark, following a determination of the proposal's suitability according to applicable criteria.

STATEWIDE STATISTICS

% OF LANDMARKED PARCELS IN CLG COMMUNITIES

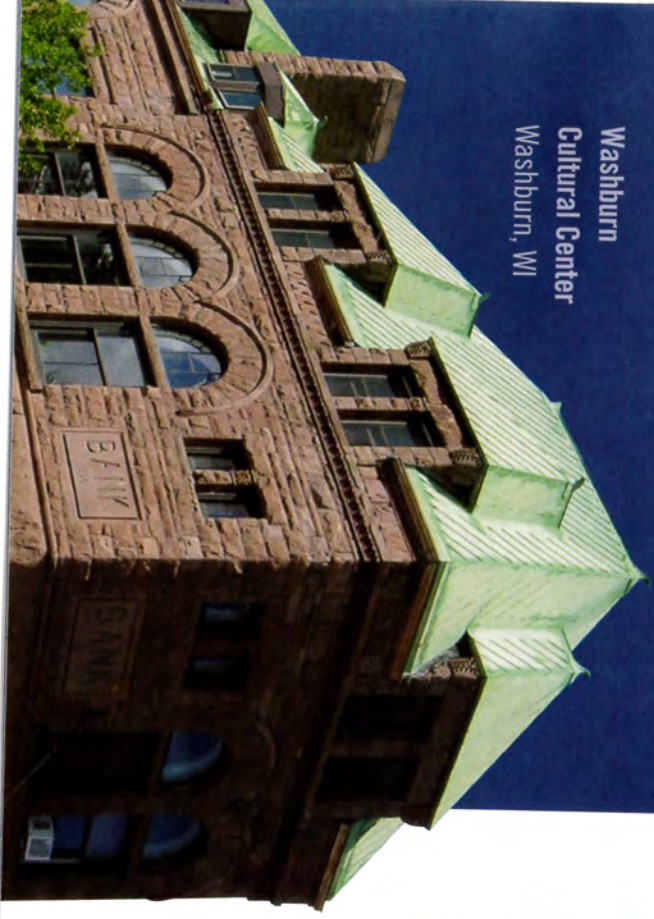


COA APPROVAL

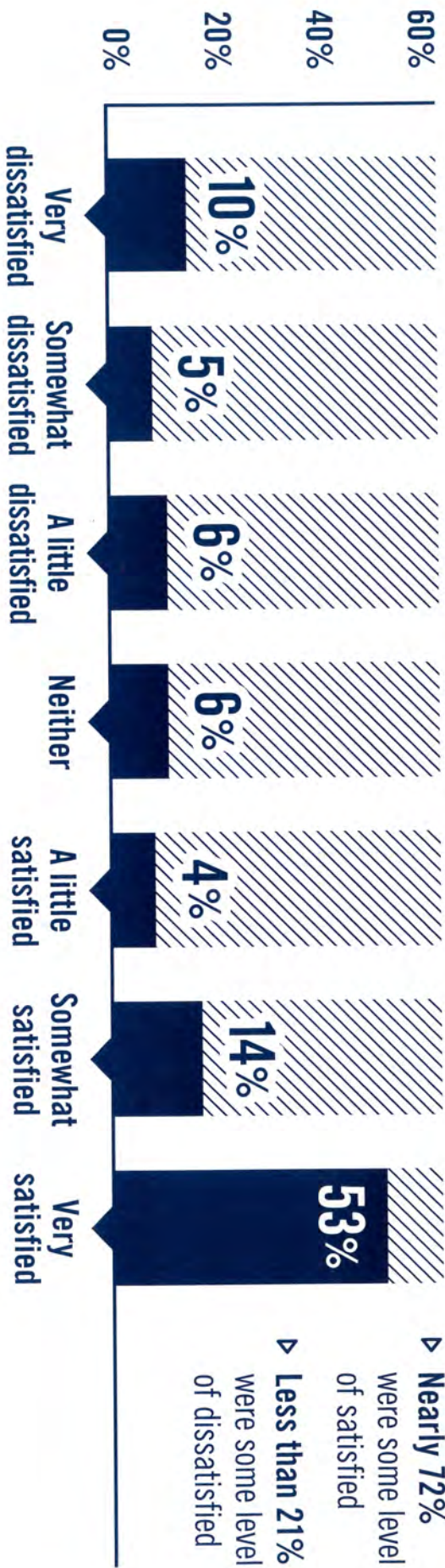


The State Historic Preservation Office contracted with the University of Wisconsin Survey Center to collect data. The then 70 CLG communities were contacted for the collection of statistical data, 56 responded. The Survey Center also distributed customer satisfaction surveys to property owners who had applied to CLGs for Certificates of Appropriateness (COAs) between July 2015 and fall of 2018. Two years of applicants from Milwaukee and Madison also received a survey. A total of 206 COA applicants responded.

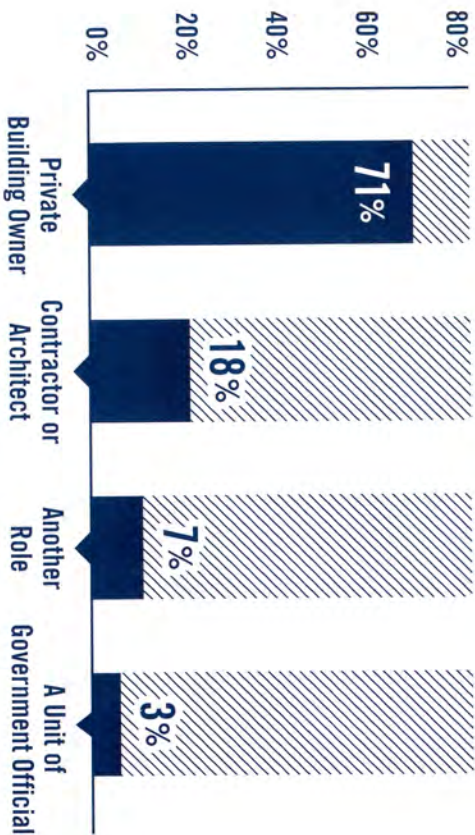
Washburn
Cultural Center
Washburn, WI



APPLICANT SATISFACTION

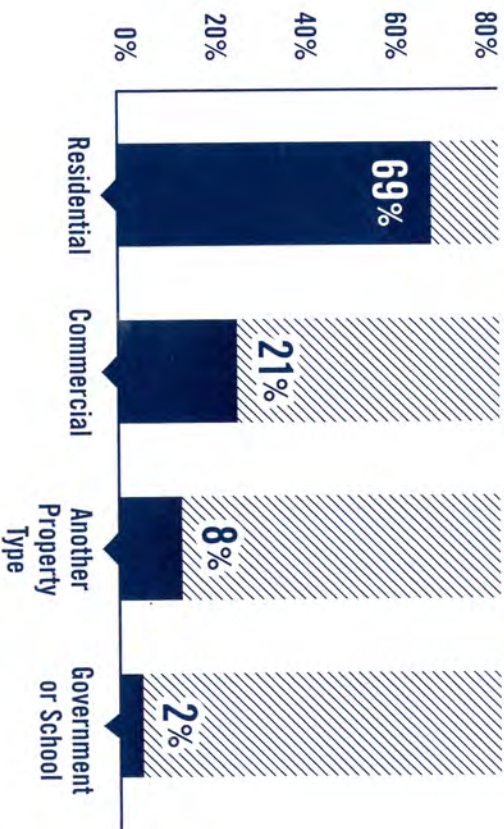


WHO APPLIED FOR COAS?



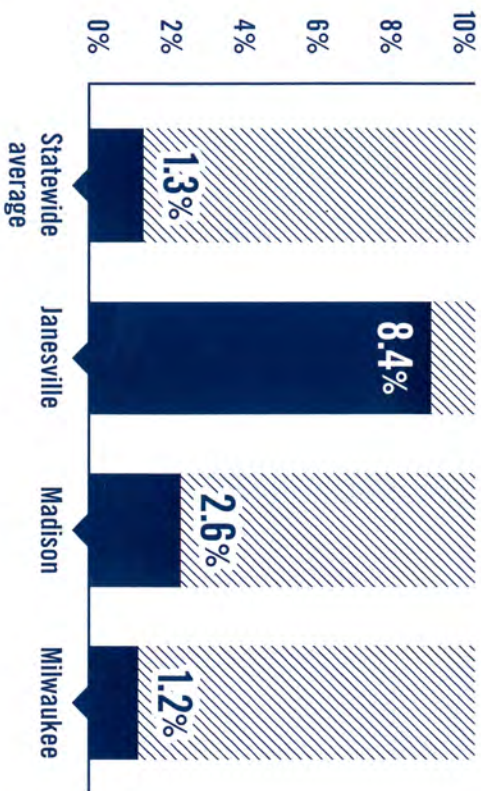
Between 2015 and 2018, on average, **918 COA applications** were reviewed statewide per year.

TYPES OF COA PROJECTS

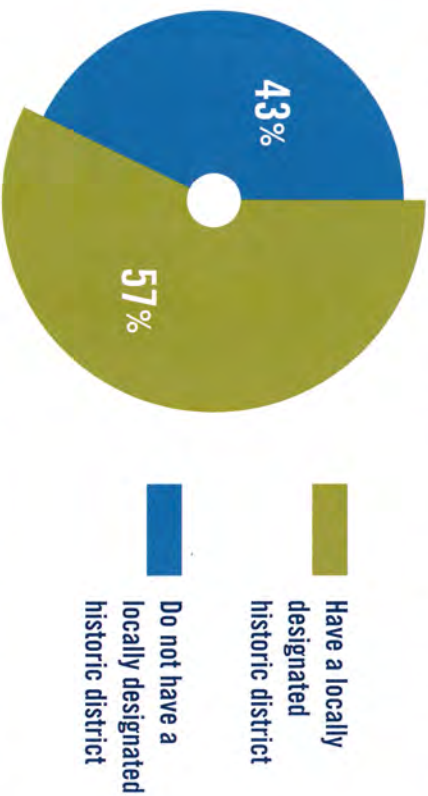


The majority of projects reviewed were residential.

CLG'S WITH THE HIGHEST % OF LANDMARKED PARCELS



% OF REPORTING COMMUNITIES THAT HAVE A LOCALLY DESIGNATED HISTORIC DISTRICT



The average number of districts per community is **1.6**. Only Janesville, Madison, Milwaukee, and Waukesha reported more than three districts.

HPC REVIEW TIME OF COAS



OF INDIVIDUAL LANDMARKS PER COMMUNITY

- ▶ **4** communities had **over 100** individual landmarks
- ▶ **7** communities had **between 50 and 99**
- ▶ **38** communities had **fewer than 50**
- ▶ **3** communities had **no individual landmarks**
- ▶ **4** communities **did not respond** to the question

KEY TAKEAWAYS

- ▶ 72% of COA applicants were satisfied with the process.
- ▶ From 2015 to 2018, a little more than 98% of COAs were approved.
- ▶ Just 1.3% of parcels were locally landmarked in reporting communities.
- ▶ Some applicants reported the need for clearer guidelines for their projects and better communication from their HPCs.

Left: Thomas H. Spence house in La Crosse.

Bottom middle: James Barber house in Eau Claire.

Bottom right: Frederick and Mary Woltersdorf house in Eau Claire.



CASE STUDIES

CHALET OF THE GOLDEN FLEECE

Historic Preservation Commissions provide technical expertise to historic property owners. The Chalet of the Golden Fleece is a local landmark in New Glarus and a heritage tourism destination. This building was constructed for Edwin P. Barlow as his home in 1938. Mr. Barlow is known for founding the annual New Glarus festival commemorating Wilhelm Tell. The building now serves as a museum of Swiss culture. It was added to the State and the National Register of Historic Places in 2015. Sandy Blum, Chair of the Friends of the Chalet of the Golden Fleece Museum, had this to say about her experience in working with the New Glarus Historic Preservation Commission: "I have had several interactions with our local Historic Preservation Commission. They have helped us with matters such as roof replacement, eave replacements and porch replacements. They have helped us to ensure the Chalet is repaired and maintained in a historically correct fashion. They have given us guidance in everything from materials to workmanship. As our volunteer group is mostly a collection of good hearted citizens with no or minimal background in historic properties, having the Preservation Commission to consult with has truly been a plus!"





NEW RICHMOND DOWNTOWN FAÇADE GRANT PROGRAM

Local units of government look to Historic Preservation Commissions to provide expert review of work funded by the local government. In the city of New Richmond, the Historic Preservation Commission plays an active role in promoting the preservation and restoration of the downtown commercial buildings, which date back to the early 20th century. The municipal government provides an annual amount for downtown façade grants which require a match by the private business owner. The Historic Preservation Commission reviews the project applications, including renderings and descriptions of the proposed work. The Commission references their downtown design guidelines and offers feedback to the businesses when necessary to improve their projects. Ultimately the Commission chooses to approve funding, up to \$5,000 per applicant. Grant recipients must complete the project within one year. The city of New Richmond highlights the progress of the project with before and after photos on social media to bring recognition to the project. In the past two years, the Commission has awarded nearly \$40,000 which has incentivized an additional \$185,000 in private investment.

OSHKOSH HISTORIC PLAQUE PROGRAM

The city of Oshkosh has many historically significant residential, commercial, and institutional buildings. To recognize these properties in the present and their place in their collective past, the Oshkosh Landmarks Commission instituted a Historic Plaque Program to share the history of these buildings and the community. The Commission conducts research and reviews applications for plaques based on established criteria as well as facilitates purchase of approved plaques for designated buildings. Property owners at 1703 Michigan Street, the D.C. Buckstaff Residence, the Arnold-Cummings House, ten properties on North Main Street, and properties on Washington Avenue have all received plaques.





HISTORIC PRESERVATION COMMISSION ASSISTS PROPERTY OWNER IN EVANSVILLE

Local property owners take advantage of the expertise and professional connections established by Historic Preservation Commissions. Evansville is a small community with a rich collection of historic buildings in northwestern Rock County. In 1978, its downtown and the surrounding area were listed in the National Register of Historic Places. Building owner Paul Saevre has been working to restore a building in the historic downtown district. According to Mr. Saevre, “When we started this process a few months after purchasing the building, we knew we wanted to have the building look like it did in 1903 when it was built. The building inspector and economic development director got me in touch with . . . the Historic Preservation Commission and how they could help.” The owner was grateful for the help and also for a Commission-led educational seminar. Ultimately Mr. Saevre hopes that the “building returns to being a valuable asset to the economic strength of the downtown Evansville district; much of this due to the help we have received from the Historic Preservation Commission.”



CITY OF GREEN BAY BECOMES WISCONSIN'S 73RD CERTIFIED LOCAL GOVERNMENT

The city of Green Bay, Wisconsin's first and oldest city, became Wisconsin's newest Certified Local Government in May of 2019. This act marks a significant milestone in Green Bay's evolving view of the benefits of historic preservation. On the city's west side, two historic districts and a railroad passenger depot were added to the National Register of Historic Places. This area then benefited from a surge in investment and found a new social vibrancy. At the same time, on the city's east side, the urban renewal of the 1960s and 70s continued to lose appeal. Interest in both new investment and historic preservation began to take root on the city's east side after the closing of the Port Plaza Mall. The listing of the Hotel Northland and the Green Bay YMCA on the National Register sparked significant investment and benefited from state and federal preservation tax credits. Green Bay's CLG designation will help to address the preservation needs of the city, both with funding and technical assistance to nominate additional properties to the National Register of Historic Places and to bring additional economic, environmental, and social benefits of historic preservation to Green Bay.



FAÇADE GRANT PROGRAM RAISES PROPERTY VALUES IN STEVENS POINT

In the city of Stevens Point, the Historic Preservation Commission approves applications for the city's façade grant program. This program has raised property values in downtown, improved the aesthetics, and enticed business and development. The property at 1055 Main Street is a great example of a transformed building that sat vacant for years. It was purchased locally and renovated significantly using both local façade grant dollars (\$90,000) and historic preservation tax credits. After renovation, an expanding company located in the second floor office suite and another local insurance company leased the entire first floor which allowed them to expand as well. Also on the second floor, the remaining two apartments are being updated for future downtown residents. All of this presentation activity has led to improved vitality in the downtown. More employees at these businesses are patronizing other small businesses downtown.

LAKESIDE PARK BECOMES A LOCAL LANDMARK IN FOND DU LAC

Lakeside Park in Fond du Lac is 400 acres of public land with several historic features. One of those features is a bowstring arch bridge built circa 1890. This bridge had become hazardous for public use and was slated for replacement. The Historic Preservation Commission designated this resource as a local landmark. For the public to continue using the bridge, a full restoration would have to be undertaken, including guard rails that would detract from the architectural beauty of the bowstring arch design. After further research, it was found that other cities reuse bowstring arch bridges as bicycle paths and the Lakeside Park planning committee had bicycle paths as a priority. The city of Fond du Lac fully restored and repainted the bowstring arch with paint selection by the Historic Preservation Commission, and relocated it along the Fond du Lac Loop biking trail through Lakeside Park. A new bowstring arch replica with appropriate public guide rails is in its former location for safe public crossing, while the historic bowstring arch is situated by Deneveu Creek with many cyclists, walkers, and photographers enjoying its beauty and new use.





STOUGHTON LANDMARKS COMMISSION EXPANDS PUBLIC OUTREACH EFFORTS

The Stoughton Landmarks Commission initiated greater public outreach efforts in the community. Their goals are to educate the broader community about the benefits of historic preservation and why preserving buildings is critical to preserving the unique history of Stoughton, to explain how the Landmarks Commission is a source of restoration advice and information, and to reinforce that the Commission is an ally who works for the benefit of all residents.

To become more publicly accessible, the Commission started attending the local farmers market in downtown Stoughton. Recently, they participated in the Earth Day Expo in the downtown, helping to make the connection between historic preservation and sustainability. The goal is for the public to see that commissioners are neighbors and friends who serve the community.

Outreach specifically to owners of local landmarks began in earnest by coordinating “Meet-Up” events at the annual Syttende Mai Norwegian heritage festival, and initiating a mini-grant program to help owners with appropriate repairs to their landmark buildings.



LOCAL DESIGNATION HELPS MARKET PROPERTIES IN EAU CLAIRE

Local businesses in the city of Eau Claire take advantage of the partnership developed between the Historic Preservation Commission and the UW-Eau Claire History Department. The owners of two properties converted into bed and breakfasts felt that local landmark designation would help in marketing their properties. The Historic Preservation Commission reviewed these designation requests which included detailed historical research completed by the UW-Eau Claire Public History class. This research identified people historically associated with the properties that the Commission determined merited local landmark designation.

RESOURCES

HISTORIC PRESERVATION COMMISSION TRAINING ▶ wihist.org/hpc-training
The Wisconsin State Historic Preservation Office's Historic Preservation Commission Training is a comprehensive training for new commissioners as well as a reference site for experienced commissioners covering every aspect of commission operation and historic preservation.

WISCONSIN CERTIFIED LOCAL GOVERNMENTS ▶ wihist.org/CLG
The Wisconsin SHPO provides training and assistance to CLGs as well as a competitive grant program to fund preservation projects in CLG communities.

THE NATIONAL ALLIANCE OF PRESERVATION COMMISSIONS ▶ nappcommissions.org
NAPC is a national membership organization that provides commissions with training, resources, mentoring, and a network of members to support commissions dealing with the same responsibilities and issues across the country.

WISCONSIN MAIN STREET PROGRAM ▶ wedc.org/programs-and-resources/main-street
The Main Street Program at the Wisconsin Economic Development Corporation provides expertise in downtown planning, management and development to communities looking to preserve and revitalize their downtown business district.

STATE AND NATIONAL REGISTER OF HISTORIC PLACES ▶ wihist.org/NR-FAQ
The State and National Registers recognize historic sites, buildings, structures, objects and districts that have been determined to be significant in local, state, or national history.

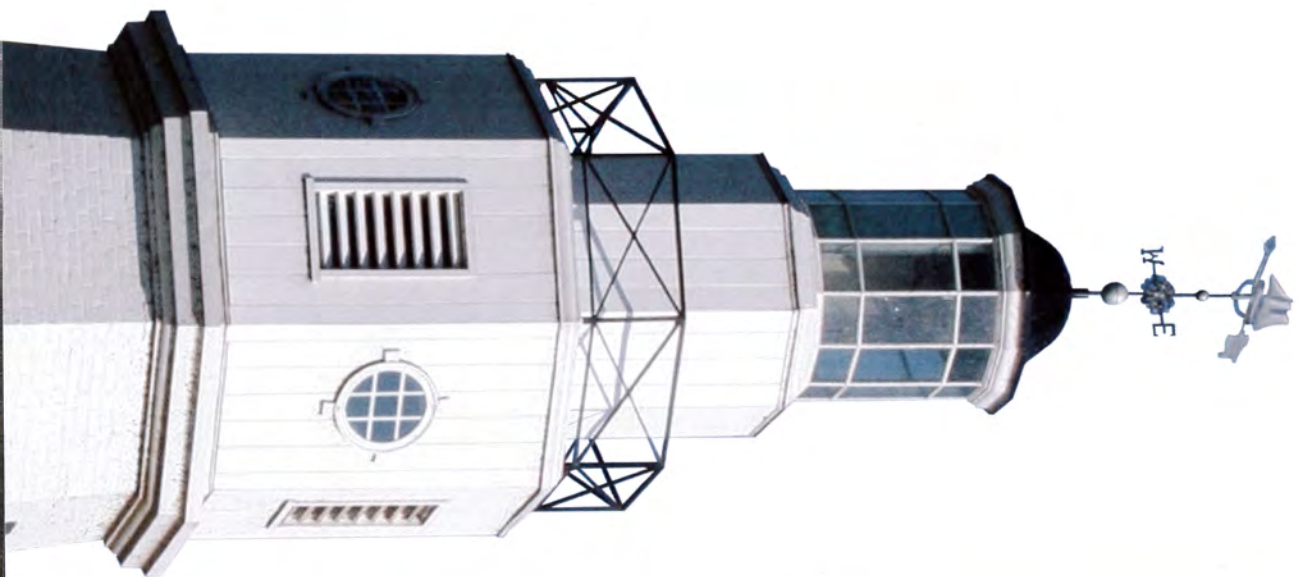
HISTORIC PRESERVATION TAX CREDITS ▶ wihist.org/HP-TC
The Wisconsin SHPO also administers the historic preservation tax credit program in Wisconsin. Owners of buildings eligible for listing in the National Register of Historic Places may apply for preservation tax credits for qualifying rehabilitation projects.

HOW TO PRESERVE YOUR HISTORIC BUILDING ▶ wihist.org/preserve-your-building
This collection of articles, written by preservation professionals, provides owners with best practices for restoring and rehabilitating historic buildings.

HUMAN BURIALS, MOUNDS, AND CEMETERIES ▶ wihist.org/burials
Learn about the state and federal laws that protect burial sites, Native American mounds, and other places where human remains are buried.

To get a copy of this report visit wisconsinhistory.org/CLG-report

Left: Kimberly Point Lighthouse in Neenah.





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