Historic Preservation Commission

335 South Broadway
De Pere, WI 54115
http://www.de-pere.org

Regular Meeting

Agenda

Monday, May 15, 2017 **6:00 PM** **De Pere City Hall Council Chambers**

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the **Historic Preservation Commission** of the City of De Pere will be held on **May 15, 2017** at **6:00 PM** in the **De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI 54115.**

This meeting can be viewed LIVE at www.depere.tv. This meeting is also rebroadcast on TW Cable Channel 4 and AT&T U-verse Channel 99 throughout the week and available on demand at www.depere.tv.

Call to Order

1. Roll Call
2. Introduction of newest De Pere Historic Preservation Commissioner, Joanne Vomastic-Muka, who was appointed to the Commission on April 18, 2017.
3. Approval of the minutes of the April 17, 2017 Historic Preservation Commission meeting.
4. Follow-up discussion regarding the HPC nomination and designation and Common Council approval of the Queen Anne style "James Harbridge House" at 503 Fulton Street.
5. Discussion regarding the HPC desired focus elements of a Certificate of Appropriateness.
6. Discussion regarding information learned by De Pere HPC attendee at the April 28-29, 2017 Wisconsin Association of Historic Preservation Commissions State Conference in Reedsburg, WI.
7. Request for De Pere Historical Preservation Commission support for a Historic Window Restoration Workshop at the Heritage Hill State Historical Park.
8. Discussion regarding the progress of the City of De Pere Intensive Survey Update.
9. Recommendation for the relocation of the Joliet Historical Marker 189.

Adjournment

Any person wishing to attend this meeting, who, because of disability, requires special accommodations should contact the City Planner's office at 339-4043 by Noon on the day of the meeting so that arrangements can be made.

Agenda Sent To:
Alderpersons
City Administrator
Mayor
Department Heads
TV, Newspapers & Radio Stations
Kress Family Library
De Pere Chamber of Commerce
Joe De Rose, Wisconsin Historical Society

City of De Pere, Wisconsin

Request For Historic Preservation Commission Action

MEETING DATE:	**May 15, 2017**
DEPARTMENT:	**Planning**
FROM:	**Peter Schleinz**
SUBJECT:	**Introduction of newest De Pere Historic Preservation Commissioner, Joanne Vomastic-Muka, who was appointed to the Commission on April 18, 2017.**

De Pere resident Joanne Vomastic-Muka was appointed to serve on the De Pere Historic Preservation Commission (HPC) on April 18, 2017. The HPC no longer has a vacant position. Please join us in welcoming Joanne as the newest member of the HPC.

RECOMMENDATION: No formal action required.

City of De Pere, Wisconsin

Request For Historic Preservation Commission Action

MEETING DATE:	**May 15, 2017**
DEPARTMENT:	**Planning**
FROM:	**Kelly Barker**
SUBJECT:	**Approval of the minutes of the April 17, 2017 Historic Preservation Commission meeting.**

ATTACHMENTS:

- HPC_Apr2017_Minutes_Draft(PDF)

Historic Preservation Commission

335 South Broadway
De Pere, WI 54115
http://www.de-pere.org

Regular Meeting

Draft Minutes

Monday, April 17, 2017 6:00 PM De Pere City Hall Council Chambers

Call to Order

The meeting was called to order at 6:00 PM by Commissioner Gene Hackbarth

Attendee Name	Title	Status	Arrived
Scott Crevier	Alderperson	Present	
Mike Fleck	Chairperson	Excused	
Gene Hackbarth	Commissioner	Present	
Brian Netzel	Vice Chairperson	Excused	
Kate Sabel	Commissioner	Excused	
Sue Sands	Commissioner	Present	
Adam Turriff	Commissioner	Present	

Also present: City Planner Peter Schleinz.
With both the Chairman and Vice Chair excused from the meeting, it was necessary to elect a chair pro-tem to run the meeting. Scott Crevier moved to nominate Gene Hackbarth. Upon vote, motion carried unanimously.

2. Approval of the minutes of the March 13, 2017 Historic Preservation Commission meeting.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Scott Crevier, Alderperson
SECONDER:	Sue Sands, Commissioner
AYES:	Scott Crevier, Gene Hackbarth, Sue Sands, Adam Turriff
EXCUSED:	Mike Fleck, Brian Netzel, Kate Sabel

3. Public Hearing on a property owner request to nominate and designate the Queen Anne style James Harbridge House at 503 Fulton Street in De Pere, built in 1867, as a local historic site (Parcel #ED-448).

City Planner Peter Schleinz called the public hearing to order at 6:03 PM. He summarized the details regarding the nomination and designation of 503 Fulton Street, making note that all adjacent property owners within 100 feet of the site, along with the homeowners themselves, who are also the petitioners, were notified of the public hearing. Peter called three times for anyone to speak. No one was in attendance to speak. Peter called the hearing to a close at 6:06 PM.

A. Notice of Public Hearing

The notice was available to the HPC members and public at the meeting.

4. Recommendation regarding the nomination and designation of the Queen Anne style James Harbridge House at 503 Fulton Street in De Pere, built in 1867, as a local historic site (Parcel #ED-448). Submitted by Roger and Susan Dart.*

Gene Hackbarth reviewed the steps that must be followed upon the nomination and designation of a historic site. Because there have been very few local designations in the City of De Pere (just two), Gene asked that Peter review what the Historic Preservation Commission's responsibilities would be, as well as the local property owners' responsibilities. Peter reviewed what the homeowner's responsibilities will be in the event

Attachment: HPC_Apr2017_Minutes_Draft (5817 : Minutes)

that the property is designated as a historic site. He stated that it mostly impacts the exterior facade of the structure, not the interior nor the landscaping. If the property owner chooses to replace windows, siding, or other exterior features, they would need to get a certificate of appropriateness, which would be submitted to the Historic Preservation Commission for review and approval before they could proceed with any project. Gene asked where the property owner would get the form to apply for a certificate of appropriateness. Peter replied that the form is in the design phase at this time since the City does not currently have a form on file. Peter, along with the building inspection department, is in the process of developing the form and it should be completed shortly. This form, once completed, will be available online. Scott Crevier asked whether it is the HPC who approves the certificate of appropriateness, or if it needs to be approved by Council. Peter answered that it only needs to be approved by the Historic Preservation Commission. Scott then asked for clarification of the difference between a historic structure, historic site, or historic district. He asked that, since this nomination is for only the house, should it be designated as a historic structure rather than a site, since the garage is not included in the nomination. Peter replied that it is up the HPC to decide whether to designate the house as a site or a structure. Since the garage was built in 2006, the commission would not include it in the nomination of the house. Peter mentioned that there are five criteria used to nominate a historic structure and the commission members can use any or all of the criteria in their nomination. Gene stated that he would be comfortable nominating the property as a historic structure. Scott then asked Gene to identify which of the five criteria he is basing his approval on. Peter outlined the five criteria, of which 3 of the 5 are met by this property. Gene added that it is important to note that when the historic district was created, the property met both the State Historical Society and the Department of the Interior's criteria for designation. Gene Hackbarth moved, seconded by Scott Crevier, to nominate and recommend designation of the house at 503 Fulton Street as a local historic structure. Upon vote, motion carried unanimously. Scott Crevier added that he would like this information to be provided to the City Council.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Gene Hackbarth, Commissioner
SECONDER:	Scott Crevier, Alderperson
AYES:	Scott Crevier, Gene Hackbarth, Sue Sands, Adam Turriff
EXCUSED:	Mike Fleck, Brian Netzel, Kate Sabel

5. Discussion regarding the proposed second quarter 2017 projects that the Historic Preservation Commission agreed to attempt to complete.

City Planner Peter Schleinz reminded everyone that the second quarter has begun and reviewed the timeline of second quarter projects, which includes:
- Historical Marker - led by Brian Netzel, Gene Hackbarth, and Mike Fleck.
- N. Broadway Plaques - led by Peter Schleinz.
- May Historic Preservation Month - entire Commission.
Since this is a discussion only item, no action is required at this time.

RESULT:	**DISCUSSED**

6. Discussion regarding the progress of the City of De Pere Intensive Survey Update.

City Planner Peter Schleinz reviewed the progress of the intensive survey. The consultant will be starting her survey work shortly and it will continue throughout April & May. Peter stated that the project is very close to being on schedule at this time. He

Attachment: HPC_Apr2017_Minutes_Draft (5817 : Minutes)

asked if any HPC members have any questions of the consultant at this time. No one did. Gene Hackbarth mentioned that the curator of the De Pere Historical Society is very willing to work with the consultant to provide information regarding the intensive survey. Peter replied that he will pass on that information to the consultant. Because this is a discussion only item, no action is needed at this time.

RESULT:	DISCUSSED

7. Discussion regarding placement of Wisconsin Preservation & Archeology Month posters.

Discussion followed regarding the placement of the two posters. It was decided that the posters would be placed at the library and the Community Center and that Peter would be in charge of their placement at these locations.

RESULT:	DISCUSSED

8. Future Agenda Items

Gene Hackbarth stated that he should have a recommendation for the relocation of historical marker 189 at the May meeting. He is also working on a proposal to the commission for sponsoring or co-sponsoring a historic window workshop for people who own buildings that need renovation. He will have more information regarding this project at the May meeting as well. Scott Crevier stated that he contacted the St. Norbert College student who offered tours of six historic SNC buildings on campus last year to see if he'd like to do it again this year during May's Historic Preservation Month. Scott replied that he is waiting to hear back from the student and will update the commission when he does.

RESULT:	DISCUSSED

Adjournment

Scott Crevier moved, seconded by Adam Turriff, to adjourn the meeting at 6:40 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Kelly Barker

Attachment: HPC_Apr2017_Minutes_Draft (5817 : Minutes)

City of De Pere, Wisconsin

Request For Historic Preservation Commission Action

MEETING DATE: **May 15, 2017**

DEPARTMENT: **Planning**

FROM: **Peter Schleinz**

SUBJECT: **Follow-up discussion regarding the HPC nomination and designation and Common Council approval of the Queen Anne style "James Harbridge House" at 503 Fulton Street.**

At the May 2, 2017 Common Council meeting the James Harbridge House, located at 503 Fulton Street, was approved by Common Council as a locally designated "historic structure". This approval followed the HPC nomination and designation, which took place at the last HPC meeting on April 17, 2017.

The structure was approved by a unanimous vote of 7-0. The property owners and two of our HPC members were in attendance at the meeting.

The next steps to finalize the designation is to create a legal document for recording with the Register of Deeds office that acknowledges that the house is recognized as a historic structure. The document has been drafted and signed by our HPC Chair and is awaiting signature by the owner.

RECOMMENDATION: No action required.

City of De Pere, Wisconsin

Request For Historic Preservation Commission Action

MEETING DATE: **May 15, 2017**

DEPARTMENT: **Planning**

FROM: **Peter Schleinz**

SUBJECT: **Discussion regarding the HPC desired focus elements of a Certificate of Appropriateness.**

At the upcoming June 2017 HPC meeting, staff will be presenting the review process and application for a Certificate of Appropriateness. The Certificate of Appropriateness is needed for exterior modifications to structures, sites, and districts that are "locally" designated as historic. There are a plethora of items that are called out in the Historic Preservation Code that such a certificate must address.

It is understood that all elements of historic renovations can be important. However, to get the HPC started with helping the public understand what might be considered most important when it comes to a review, it would be helpful for staff to know what the HPC is going to look for first (i.e. - identify the priorities.)

Staff requests that the HPC help to identify the higher and lower priorities that a property owner should focus on when applying for a Certificate of Appropriateness in order to help the owner develop a more complete application. Please review Section 38-5(b) of the Historic Preservation Ordinance prior to the meeting.

RECOMMENDATION: Discuss elements that should be considered higher and lower priority elements for staff to focus on when staff helps the public fill out a Certificate of Appropriateness.

ATTACHMENTS:

- Historic Preservation Ordinance (DOCX)

Chapter 38 - HISTORIC PRESERVATION[1]

Footnotes:

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Cross reference— Platting and division of land, ch. 46; building code, ch. 54; zoning, app. A.

Sec. 38-1. - Purpose and intent of chapter.

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 architectural or historic interest or 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 section is to:

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

(2) Safeguard the city's historic and cultural heritage as embodied and reflected in such historic structures, sites, and districts.

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

(4) Stabilize and improve property values.

(5) Protect and enhance the city's attractions to residents, tourists, and visitors, and serve as a support and stimulus to business and industry.

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

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

(Code 1974, § 11.01; Ord. No. 02-01, § 1, 1-2-2002)

Sec. 38-2. - Definitions.

The following words, terms, and phrases, when used in this chapter, 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, reconstruction, or demolition of an historic structure, historic site, or any improvement in an historic district.

City means City of De Pere, Wisconsin.

Commission means the historic preservation commission created under this chapter.

Historic district means an area designated by the common council, on recommendation of the commission, that contains two or more historic improvements or sites.

Historic site means any parcel of land of historic significance due to a substantial value in tracing the history or prehistory of humans, or upon which an historic event has occurred, and which has been designated as an historic site under this section, or an improvement parcel, or part thereof, on which is

Attachment: Historic Preservation Ordinance (5839 : Discussion regarding the HPC desired focus elements of a Certificate of Appropriateness.)

situated an historic structure and any abutting improvement parcel, or part thereof, used as and constituting part of the premises on which the historic structure is situated.

Historic structure means any improvement which has a special character or special historic interest or value as part of the development, heritage, or cultural characteristics of the city, state, or nation, and which has been designated as an historic structure pursuant to the provisions of this chapter.

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 means 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.

(Code 1974, § 11.02; Ord. No. 02-01, § 1, 1-2-2002)

Cross reference— Definitions, § 1-3.

Sec. 38-3. - Historic preservation commission; composition.

An historic preservation commission is hereby created, consisting of seven members. Of the membership, if available in the community, one shall be a registered architect; one shall be an historian; one shall be a licensed real estate broker; one shall be a council member; and three shall be citizen members, one of which must reside within an historic district. Each member shall have, to the highest extent practicable, a known interest in historic preservation. The mayor shall appoint the commissioners subject to confirmation by the common council. Of the initial members so appointed, two shall serve a term of one year, two 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.

(Code 1974, § 11.03; Ord. No. 02-01, § 1, 1-2-2002)

Cross reference— City administration, ch. 10.

Sec. 38-4. - Historic structure, historic site and historic district designation criteria.

(a) For purposes of this chapter, an historic structure, historic site, or historic district 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, archeological, or cultural significance to the city, such as historic structures, sites, or districts which:

(1) Exemplify or reflect the broad cultural, political, economic, or social history of the nature, state, or community;

(2) Are identified with historic personages or with important events in national, state, or local history;

(3) Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship;

(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.

Attachment: Historic Preservation Ordinance (5839 : Discussion regarding the HPC desired focus elements of a Certificate of Appropriateness.)

(b) The commission may adopt specific operating guidelines for historic structure, historic site, and historic district designation providing such are in conformance with the provisions of this chapter.

(Code 1974, § 11.04; Ord. No. 02-01, § 1, 1-2-2002; Ord. No. 13-17, § 15, 8-20-2013)

Sec. 38-5. - Powers and duties of commission.

(a) *Designation nomination and recommendation.* The commission shall have the power to nominate and to recommend to the common council that the Council approve local historic structure, site and district designations, subject to the procedures of section 38-6. Such designation recommendation shall be made based on the criteria set forth in section 38-4. If designated by the council, such historic structures, sites, and districts shall be subject to all the provisions of this chapter.

(b) *Regulation of construction, reconstruction, alteration, and demolition.*

(1) No owner or person in charge of an historic structure, historic site, or structure within an historic district shall reconstruct, alter, or demolish all or any part of the exterior of such property or construct any improvement upon such designated property or properties, or cause or permit any such work to be performed upon such property, or demolish such property unless a certificate of appropriateness has been granted by the historic preservation commission. Unless such certificate has been granted by the commission, the building inspector shall not issue a permit for any such work.

(2) Upon filing of any application for a certificate of appropriateness with the commission, the commission shall approve the application unless:

a. In the case of a designated historic structure or historic site, the proposed work would detrimentally change, destroy, or adversely affect any exterior architectural feature of the improvement or site upon which said work is to be done;

b. In the case of the construction of a new improvement upon an historic site or within an historic district, the exterior of such improvement would adversely affect or not harmonize with the external appearance of other neighboring improvements on such site or within the district;

c. In the case of any property located in an historic district, the proposed construction, reconstruction, exterior alteration, or demolition does not conform to the purpose and intent of this chapter and to the objectives and design criteria of the historic preservation plan for said district;

d. The building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the city and state;

e. The building or structure is of such old and unusual or uncommon design, texture, and/or material that it could not be reproduced without great difficulty and/or expense;

f. Except as provided herein, in the case of a request for the demolition of a deteriorated building or structure, 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. Upon the request for a demolition permit for a structure determined to be unfit for human habitation, occupancy, or use by any authorized public official or agency, the commission may defer the granting of approval for a period of up to six months from the time of such application, during which time the commission and the property owner shall undertake serious and continuing discussions for the purpose of finding a method to save such property. During such period, the property owner and the commission shall cooperate in attempting to avoid demolition of the property. At the end of this six-month period, if no mutually agreeable method of saving the subject property bearing a reasonable prospect of eventual success is under way, or if no formal application for funds from any governmental unit or nonprofit organization to

Attachment: Historic Preservation Ordinance (5839 : Discussion regarding the HPC desired focus elements of a Certificate of Appropriateness.)

preserve the subject property is pending, the building inspector may issue the permit to demolish the subject property without the approval of the commission. If such mutually agreeable method for saving the subject property is not successful or no such funds to preserve the subject property have been obtained and available for disbursement within a period of two months following the end of such six-month period, the building inspector may issue the permit to demolish the subject property without the approval of the commission.

(3) In addition, in determining whether to issue a certificate of appropriateness, the commission shall consider and may give decisive weight to any or all of the following standards:

a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

d. Most properties change over time. Those changes that have acquired historic significance in their own right shall be retained and preserved.

e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(4) If 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 and with the above guidelines, 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 45 days of the filing of the application. Failure of the commission to act upon a request for a certificate of appropriateness within 45 days shall result in the issuance of such certificate.

(5) Agencies of the city and all public utility and transportation companies undertaking projects affecting historic structures, historic sites, or historic districts shall be required to obtain a certificate of appropriateness prior to initiating any changes in the character of street paving,

Attachment: Historic Preservation Ordinance (5839 : Discussion regarding the HPC desired focus elements of a Certificate of Appropriateness.)

sidewalks, utility installations, lighting, walls, fences, structures, and buildings on property, easements, or streets owned or franchised by the city.

(6) The issuance of a certificate of appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the city. A building permit or other municipal permit shall be invalid if it is obtained without the presentation of the certificate of appropriateness required for the proposed work. Insofar as they are applicable to an historic structure, historic site, or improvement in an historic district designated under this section, any provision of the plumbing code, electrical code, or building or housing of the city shall apply unless waived by the appropriate state or city officials. The commission may support or propose such waivers before the appropriate state or city appeals body.

(7) Compliance with certificates of appropriateness shall be started within 12 months after the issuance of the certificate, and the work shall conform to the provisions of the certificate. The city may inspect the work during and after construction in order to assure compliance. Failure to comply with a certificate of appropriateness or failure to obtain a certificate of appropriateness shall be a violation of this section. In addition to other penalties and remedies, the city shall issue a stop work order, and all work shall cease on the designated property. No additional work shall be undertaken as long as such stop work order shall continue in effect.

(8) Ordinary maintenance and repairs may be undertaken without a certificate of appropriateness provided the work involves repairs to existing features of an historic structure or site, or the replacement of elements of a structure with pieces identical in appearance, and provided that the work does not change the exterior appearance of the structure or site and does not require the issuance of a building permit.

(c) *Appeals.* Should the commission deny a certificate of appropriateness due to the failure of the proposal to conform to the guidelines, the applicant may appeal such decision to the common council within 30 days. In addition, if the commission denies a certificate of appropriateness, the commission shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a certificate of appropriateness within the guidelines of this chapter.

(d) *Recognition of historic structures, sites, and districts.* At such time as an historic structure, site, or district has been properly designated, the commission may cause to be prepared and erected on such property, at city expense, a suitable plaque declaring that such property is an historic structure, site, or district. Such plaque shall be so placed as to be easily visible to passing pedestrians. The plaque shall state the accepted name of the historic property, the date of its construction, and other information deemed proper by the commission.

(e) *Other duties.* In addition to those duties already specified in this section, the commission shall:

(1) Work for the continuing education of the citizens about the historical heritage of the city and the historic properties designated under the provisions of this chapter.

(2) Cooperate with the state historic preservation officer and the state historic preservation review board in attempting to include such properties hereunder designated as landmarks or landmark sites, or historic districts in the National Register of Historic Places and the State Register of Historic Places.

(3) As it deems advisable, receive and solicit funds for the purpose of historic preservation in the city. Such funds shall be placed in a special city account for such purpose.

(Code 1974, § 11.05; Ord. No. 02-01, § 1, 1-2-2002; Ord. No. 16-23B.2.0, § 1, 11-1-2016)

Sec. 38-6. - Procedures.

(a) *Designation of historic structures and historic sites.*

(1) The commission may nominate the designation of historic structures and sites, after notification to the property owner(s) of the subject property, by conducting a public hearing thereon. Notice

Attachment: Historic Preservation Ordinance (5839 : Discussion regarding the HPC desired focus elements of a Certificate of Appropriateness.)

of the public hearing shall be published as a class 1 notice under Wisconsin Statutes. At least ten days prior to such hearing, the commission shall notify, by first class mail, the owner(s) of the structure or site subject to designation and the owners of record, as listed in the office of the city assessor, who are owners of property in whole or in part situated within 100 feet of the boundaries of subject property, of the proposed designation and of the time and place of the public hearing thereon. These owners shall have the right to confer with the commission prior to final action by the commission on the designation. The commission shall also notify the following: department of public works, redevelopment authority, parks department, fire and police departments, health department, building inspection department, and plan commission. Each such department may respond to the commission with its comments on the proposed designation or rescission.

(2) 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, and the commission may conduct an independent investigation into the proposed designation or rescission, all as necessary to determine if the structure or site meets the designation criteria of section 38-4. Within ten days after the close of the public hearing, if the commission determines to recommend designation of the structure or site to the common council, it shall notify the owner of the property subject to designation of such decision by first class mail. The commission shall also forward its recommendation to the common council.

(3) *The common council.* The common council, upon receipt of the recommendation from the historic preservation commission shall consider such recommendation, with notice of the council meeting at which the matter is to be considered given as noted in subsection (a)(1) above. The council shall either approve or reject the historic designation. Upon approval of the designation, the common council shall cause the designation to be recorded, at city expense, in the county register of deeds office.

(b) *Designation of historic districts.*

(1) For preservation purposes, the historic preservation commission shall select geographically defined areas within the city to be designated as historic districts and shall, with the assistance of the city planning department, prepare an historic preservation plan in ordinance form for each area for nomination as an historic district. An historic district may be designated for any geographic area of particular historic, architectural or cultural significance to the city, which:

a. Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, or community;

b. Is identified with historic personages or with important events in national, state, or local history;

c. Embodies the distinguishing characteristics of architectural types or specimens inherently valuable for the study of a period or periods, styles, methods, or construction, or of indigenous materials or craftsmanship;

d. Is representative of the notable works of master builders, designers, or architects who influenced their age; or

e. Has yielded, or may be likely to yield, information important to history or prehistory.

(2) Each historic preservation plan prepared for or by the historic preservation commission shall include a cultural and architectural analysis supporting the historic significance of the area, the specific guidelines for development, and a statement of preservation objectives.

(3) Guideline criteria to be considered in the development of historic district plans are as follows:

a. Regulation of construction, reconstruction, alteration, and demolition shall conform to the criteria and standards in subsections 38-5(b)(1)—(3).

b. All new structures shall be constructed to a height visually compatible with the building and environment with which they are visually related.

Attachment: Historic Preservation Ordinance (5839 : Discussion regarding the HPC desired focus elements of a Certificate of Appropriateness.)

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c. The gross volume of any new structure shall be visually compatible with the buildings and environment with which it is visually related.

d. In the street elevation of a building, the proportion between the width and height in the facade should be visually compatible with the building and environment with which it is visually related.

e. The proportions and relationships between doors and windows in the street facade should be visually compatible with the buildings and environment with which it is visually related.

f. The rhythm of solids to voids, created by openings in the facade, should be visually compatible with the buildings and environment with which they are visually related.

g. The existing rhythm created by existing building masses and spaces between them should be preserved.

h. The materials used in the final facade should be visually compatible with the buildings and environment with which they are visually related.

i. The texture inherent in the facade should be visually compatible with the buildings and environment with which it is visually related.

j. Colors and patterns used on the facade (especially trim) should be visually compatible with the buildings and environment with which they are visually related.

k. The design of the roof should be visually compatible with the buildings and environment with which it is visually related.

l. The landscape plan should be sensitive to the individual building, its occupants and their needs. Further, the landscape treatment should be visually compatible with the buildings and environment with which it is visually related.

m. The street facade should blend with other buildings via directional expression. When adjacent buildings have a dominant horizontal or vertical expression, this expression should be carried over and reflected.

n. Architectural elements should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent characteristics of the area.

(4) Review and adoption procedure.

a. *Historic preservation commission.* The historic preservation commission shall hold a public hearing when considering the plan for an historic district. Notice of the time, place, and purpose of such hearing shall be given by publication as a class 1 notice under Wisconsin Statutes. Notice of the time, place, and purpose of the public hearing shall also be sent by first class mail by the city clerk to the council member of the aldermanic district or districts in which the historic district is located, and to all the owners of record, as listed in the office of the city assessor, who are owners of the property within the proposed historic district or are situated in whole or in part within 100 feet of the boundaries of the proposed historic district. Said notice is to be sent at least ten days prior to the date of the public hearing. Following the public hearing, the historic preservation commission shall vote to recommend, reject, or withhold action on the plan. This recommendation shall be sent to all the owners of record of property within the proposed historic district and to the city plan commission and the common council.

b. *The city plan commission.* The plan commission shall review the historic district plan and make a recommendation to the common council. The plan commission shall make its recommendation on the historic district plan within 45 days.

c. *The common council.* The common council, upon receipt of the recommendation from the historic preservation commission and plan commission, shall hold a public hearing, with notice to be given as noted in subsection a., above, and shall, following the public hearing, either designate or reject the historic district. Designation of the historic district shall

constitute adoption of the plan in ordinance form prepared for that district and direct the implementation of said plan.

(c) *Recission of historic designation.* The procedure for recission of historic structure or site designation shall follow the procedure as set forth in section 38-6(a). The procedure for recission of an historic district designation shall follow the procedure set forth in section 38-6(b).

(Ord. No. 02-01, § 1, 1-2-2002; Ord. No. 16-23B.2.0, §§ 2—4, 11-1-2016)

Sec. 38-7. - Interim control.

No building permit shall be issued by the building inspector for alteration, construction, demolition, or removal of a nominated historic structure, historic site, or any property or structure within a nominated historic district from the date of the meeting of the historic preservation commission at which a nomination form is first presented until the final disposition of the nomination by the historic preservation commission or the common council unless such alteration, removal, or demolition is authorized by formal resolution of the common council as necessary for public health, welfare, or safety. In no event shall the delay be for more than 180 days.

(Ord. No. 02-01, § 1, 1-2-2002)

Sec. 38-8. - Conformance with regulations.

(a) Every person in charge of an historic structure, historic site, or improvement in an historic district shall maintain same or cause or permit it to be maintained in a condition consistent with the provisions of this ordinance. The common council may appoint the building inspector or any other individual or group of individuals to enforce this chapter. During the period of the certificate, the duties of the inspection officer may include periodic inspection at intervals provided by the common council of designated historic structures, historic sites, and historic districts.

(b) Every person in charge of an improvement on an historic site or 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 improvement to fall into a state of disrepair, including, but not limited to:

(1) The deterioration of exterior walls or other vertical supports;

(2) The deterioration of roofs or other horizontal members;

(3) The deterioration of external chimneys;

(4) The deterioration or crumbling of exterior plasters or mortar;

(5) The ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;

(6) The peeling of paint, rotting, holes, and other forms of decay;

(7) The deterioration of surrounding environment; e.g., fences, gates, sidewalks, steps, signs, accessory structures, and landscaping;

(8) The deterioration of any features so as to create or permit the creation of any hazardous or unsafe condition or conditions; or

(9) All interior portions thereof which may cause the exterior to deteriorate or become damaged or otherwise to fall into a state of disrepair.

(c) The purpose of this section is to prevent the demolition of a building or structure by neglecting it and permitting damage to it by weather or vandalism.

Attachment: Historic Preservation Ordinance (5839 : Discussion regarding the HPC desired focus elements of a Certificate of Appropriateness.)

(d) The building inspector shall give the commission notice of properties which, in his/her opinion, are unfit for human habitation, occupancy, or use prior to issuance of any raze orders under state statutes or municipal ordinances.

(e) Insofar as they are applicable to an historic structure, historic site, or improvement in an historic district designated under this section, any provision of the Plumbing Code, the Minimum Housing and Property Maintenance Code, Building Code, Heating, Ventilating and Air Conditioning Code, and Outdoor Signs and Outdoor Advertising Structures regulations of the general ordinances may be varied or waived, on application, by the appropriate board having such jurisdiction over such chapter or, in the absence of such board, by the building inspector, provided such variance or waiver does not endanger public health or safety.

(Ord. No. 02-01, § 1, 1-2-2002)

Sec. 38-9. - Penalties for violations.

Any person or persons violating any provision of this section may be fined no less than $200.00 for each separate violation. Each and every day during which a violation continues shall be deemed to be a separate offense. Notice of violations shall be issued by the building inspector.

(Ord. No. 02-01, § 1, 1-2-2002)

Sec. 38-10. - Emergency conditions.

In any case where the building inspector determines that there are emergency conditions dangerous to life, health, or property affecting an historic structure, site, or a property in an historic district, the city may order the remedying of these conditions without the approval of the commission. The city shall promptly notify the commission of the action being taken. When the emergency conditions do not require demolition, the city shall make every effort to carry out the intent of this chapter and to use the design guidelines of the commission when remedying the emergency conditions.

(Ord. No. 02-01, § 1, 1-2-2002)

Sec. 38-11. - Separability.

If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of this chapter and the application of such provision to other persons or circumstances shall not be affected thereby.

(Ord. No. 02-01, § 1, 1-2-2002)

Sec. 38-12. - Appeal of commission decision.

An owner of property affected by a decision of the commission may appeal the decision to the common council. Such appeal shall be in writing, and filed with the city clerk not later than 24 calendar days after receipt of the commission decision at issue. The council may overturn the decision of the commission by a majority vote of the council present.

(Ord. No. 16-23B.2.0, § 5, 11-1-2016)

Attachment: Historic Preservation Ordinance (5839 : Discussion regarding the HPC desired focus elements of a Certificate of Appropriateness.)

Editor's note— Ord. No. 16-23B.2.0, § 5, adopted Nov. 1, 2016, contained provisions for use as § 38-9. Inasmuch as there were already provisions so designated, these provisions have been included herein as a new § 38-12 at the discretion of the editor.

Attachment: Historic Preservation Ordinance (5839 : Discussion regarding the HPC desired focus elements of a Certificate of Appropriateness.)

City of De Pere, Wisconsin

Request For Historic Preservation Commission Action

MEETING DATE:	**May 15, 2017**
DEPARTMENT:	**Planning**
FROM:	**Peter Schleinz**
SUBJECT:	**Discussion regarding information learned by De Pere HPC attendee at the April 28-29, 2017 Wisconsin Association of Historic Preservation Commissions State Conference in Reedsburg, WI.**

Presentation to be made by Gene Hackbarth.

RECOMMENDATION: No action required.

City of De Pere, Wisconsin

Request For Historic Preservation Commission Action

MEETING DATE: **May 15, 2017**

DEPARTMENT: **Planning**

FROM: **Peter Schleinz**

SUBJECT: **Request for De Pere Historical Preservation Commission support for a Historic Window Restoration Workshop at the Heritage Hill State Historical Park.**

Presentation to be made by Gene Hackbarth.

Historic Window Restoration Workshop
Heritage Hill State Park - Daniell-Kress Restoration Center
Thursday, May 18, 2017
5:00 PM-6:00 PM
$10.00

RECOMMENDATION: Take action based on presentation and conversation.

ATTACHMENTS:

- window restoration details (DOCX)

Historic double hung window sash Restoration
May 18th 5:00PM-6:00PM
Limit 20 participants
Daniell-Kress Restoration Center at Heritage Hill State Historical Park.
Fee: $10.00 plus service charge for online registration and payment.
Register online: www.heritagehillgb.org
Make checks payable to Heritage Hill

1. Double hung window function 101.
2. Safe removal of the window sash from the frame.
3. Safe removal of lead paint and glazing that contains asbestos.
4. Wood sash repairs.
5. Cutting and fitting glass.
6. Glazing and painting glass.
7. Sash cord function and replacement.
8. Sash balance spring function and repairs.

Thank You,
Nick Backhaus
Restoration Manager
Heritage Hill State Historical Park
PH: 920.448.5150

Attachment: window restoration details (5790 : Request for De Pere Historical Preservation Commission support for a Historic Window

City of De Pere, Wisconsin

Request For Historic Preservation Commission Action

MEETING DATE:	**May 15, 2017**
DEPARTMENT:	**Planning**
FROM:	**Peter Schleinz**
SUBJECT:	**Discussion regarding the progress of the City of De Pere Intensive Survey Update.**

The consultant, Heritage Research LTD, was on-site in the City of De Pere performing fieldwork during the week of May 1-5, 2017. The consultant completed a review of approximately 50% of the area that needs to be filed visited.

During the next site visit the consultant expects to complete a review of the fairgrounds, some sites that were difficult to access on foot due to street construction, and then wrapping up with driving visits and research at the local Historical Society. This research is expected to occur during the week of June 12, 2017.

There are a few sites that the consultant is considering adding to the survey that were not in the original 2001 survey. Some of the sites may include the fairgrounds, the swimming pool and bath house in Legion Park, among a handful of others.

To date, the project is still on schedule as was reviewed during the April HPC meeting.

RECOMMENDATION: No action required.

City of De Pere, Wisconsin

Request For Historic Preservation Commission Action

MEETING DATE:	**May 15, 2017**
DEPARTMENT:	**Planning**
FROM:	**Peter Schleinz**
SUBJECT:	**Recommendation for the relocation of the Joliet Historical Marker 189.**

Presentation to be made by Gene Hackbarth.

RECOMMENDATION: Take action based on presentation and conversation.