

VILLAGE OF GERMANTOWN
N112 W17001 Mequon Road
Germantown, WI 53022

Meeting:	Historic Preservation Commission
Date and Time:	Monday, November 17th, 2014 6:00 p.m.
Location:	Village Hall Conference Room A

- I. **CALL TO ORDER:** This meeting has been given public notice in accordance with Wisconsin Statutes, Section 19.83 and 19.84 in such form that will apprise the general public and news media of subject matter that is intended for discussion and action.
- II. **ROLL CALL:** Chair Trustee Rick Miller, Members Denise Hoinacki, Jerry Hoinacki, Christine Kauth, Barbara Mendenhall.
- III. **PUBLIC INPUT:**
- IV. **APPROVAL OF MINUTES:** Sunday September 7, 2014 and Monday October 6th, 2014.
- V. **NEW BUSINESS:** None.
- VI. **UNFINISHED BUSINESS:**
- A. Monthly update and discussion of the Historic Preservation Commissions ongoing survey of the Village of Germantown's historic sites and properties.
 - B. Discuss updating the driving tour brochures of the Village of Germantown's historic properties.
 - C. Review and discuss updates and changes to the Village of Germantown website in regards to the Historic Preservation Commission.
 - D. Review any Certificates of Appropriateness.
 - E. Review plaque installation for St. John's Church and Historic Cemetery.
- VII. **ADJOURNMENT:**

PLEASE NOTE that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Village Clerk at 250-4740.

Notice is given that a majority of the Germantown Village Board may attend to gather information about an agenda item over which they have decision making responsibility. This may constitute a meeting of the Village Board per State ex. Rel. Badke v. Greendale Village Board even though the Village Board will not take formal action at this meeting.

HISTORIC PRESERVATION MEETING MINUTES
September 7, 2014

CALL TO ORDER: Jerry Hoinacki, chairman pro tem called the meeting to order at 10:20 a.m.

ROLL CALL: Members Denise Hoinacki, Jerry Hoinacki, and Chris Kauth present. Trustee Rick Miller and Village President Dean Wolters were also present. Barb Mendenhall, absent.

PRESENTATION: The commission presented the Germantown Historic Property plaque to St. John's Church as an official historic property.

ADJOURNMENT: There being no further business, the meeting was adjourned 10:50 a.m.

Respectfully Submitted,

Denise Hoinacki - Secretary
Historic Preservation Commission

HISTORIC PRESERVATION COMMISSION MEETING MINUTES

October 6th, 2014

CALL TO ORDER: Chair Trustee Miller called the meeting to order at 4:39 p.m.

ROLL CALL: Present were: Trustee Rick Miller, Denise Hoinacki, Jerry Hoinacki, Chris Kauth and Barb Mendenhall. Also present was Kip Wagner.

PUBLIC INPUT: There was none.

APPROVAL OF PREVIOUS MINUTES: *A motion was made by B. Mendenhall, seconded by C. Kauth to approve the minutes of the meeting held on Monday, September 15th, 2014. Motion carried 5-0.*

NEW BUSINESS:

- A. Review the Certificate of Appropriateness process in regards to building permits: J. Hoinacki spoke to the building inspector about the process of applying for a building permit. There was no knowledge of the preservation code in regards to 26.05 (3)(a). See Attached Code. There is nothing in place to flag building permits that are issued to properties with the HD overlay. He is will follow up with Jeff Retzlaf on the procedure to be used.
- B. Can a stone structure be moved?: C. Kauth has made inquiries to many sources on this subject. She is still trying to find an answer and will report back later.
- C. Are there preservation grants available for properties located within the Village of Germantown?: B. Mendenhall gave handouts on available grants.

UNFINISHED BUSINESS:

- A. Monthly Update and Discussion of the Historic Preservation Commission Ongoing Survey of the Village of Germantown's Historic Sites and Properties: Nothing to report.
- B. Discuss Updating the Driving Tour Brochures of the Village of Germantown's Historic Properties: There was nothing to report.
- C. Review and Discuss the Updates to the Village of Germantown Website in Regards to the HPC: There was nothing to report.
- D. Plaque Installation Updates at the Jacob Schlaefer Homestead and St. John's Church and Historic Cemetery: Kip Wagner reported that the plaque at the Schlaefer Homestead has been installed. It is located on one of the fence pillars closest to the house. J. Hoinacki will contact the Schaetzels to inquire if there has been a decision on where the plaque will be installed at the church and cemetery.

ADJOURNMENT: There being no further business, the meeting was adjourned at 5:14 p.m.

Respectfully Submitted,

Denise Hoinacki - Secretary
Historic Preservation Commission

26.05 - POWERS AND DUTIES OF COMMISSION. (Am. Ord. #24-04)

- (1) **IDENTIFY OLDER PROPERTIES.** The Commission shall have the power to compile a list of older properties within the Village.
- (2) **DESIGNATION.** Historic status shall not be imposed on any property unless the owner is in agreement. For property owners choosing to pursue historic status, the Commission shall have the power, subject to section 26.06 () of this chapter, to designate historic structures and historic sites and to recommend designation of historic districts within the Village limits. Such designations shall be made based upon criteria designated in section 26.04 () of this chapter. All historic designations, including individual structures, sites and districts, shall be approved by the Village Board. Once designated, such historic structures, sites and districts shall be subject to all the provisions of this chapter.
- (3) **REGULATION OF CONSTRUCTION, RECONSTRUCTION, ALTERATION AND DEMOLITION OF PROPERTIES WITH HISTORIC STATUS.**
 - (a) No owner or person in charge of a historic structure, historic site or structure within a 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.
 - (b) Upon filing of any application for a certificate of appropriateness with the Commission, the Commission shall approve the application unless:
 1. 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.
 2. In the case of the construction of a new improvement upon a historic site or within a 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.
 3. In the case of any property located in a 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.
 4. 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 Village.
 5. 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.
 6. Whether retention of the building or structure would promote the general welfare of the people of the Village or State by encouraging the study of American history, architecture or design, or by developing an understanding of American culture and heritage.
 7. 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. Provided, however, that the Commission shall approve the application if, in case of a request for a demolition permit, the denial of the permit would result in the loss of all reasonable and beneficial use of or return from the property.
 - (c) 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:

1. 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.
 2. 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.
 3. 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.
 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
 5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 6. 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.
 7. Chemical or physical treatment, such as sand-blasting, 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.
 8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 9. 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.
 10. 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.
- (d) 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 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.
- (e) Agencies of the Village 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, sidewalks, utility installations, lighting, walls, fences, structures and buildings on property, easements or streets owned or franchised by the Village.
- (f) The issuance of a certificate of appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the Village. A building permit or other municipal permit shall be invalid if it is obtained without the preservation of the certificate of appropriateness required for the proposed work. Insofar as they are applicable to a historic structure, historic site or improvement in a historic district designated under this chapter, any provision of the plumbing, electrical, building or housing codes of the Village shall apply unless waived by the appropriate State or Village officials. The Commission may support or propose such waivers before the appropriate State or Village appeals body.
- (g) 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 Village 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 shall be a violation of this chapter. In addition to other penalties and remedies, the Village 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.

- (h) Ordinary maintenance and repairs may be undertaken without a certificate of appropriateness provided that the work involves repairs to existing features of a 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.
- (4) **RECOGNITION OF HISTORIC STRUCTURES, SITES AND DISTRICTS.** (Am. Ord. #22-08) At such time as a historic structure, site or district has been properly designated, the Commission will provide a suitable plaque declaring that such property is a historic structure, site or district. Such plaque shall be so placed as to be easily visible.
- (5) **OTHER DUTIES.** In addition to those duties already specified in this chapter, the Commission shall:
 - (a) Work for the continuing education of the citizens about the historical heritage of the Village and the historic properties designated under the provisions of this chapter.
 - (b) Cooperate with the State Historic Preservation Officer and the State 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.
 - (c) As it deems advisable, receive and solicit funds for the special Village account for such purposes.
- (6) **APPEAL PROCEDURE.**
 - (a) Should the owner of a property dispute the actions of the Commission, the owner may appeal to the Village Board within 30 days.
 - (b) Should the Commission fail to issue a certificate of appropriateness due to the failure of the proposal to conform to the guidelines, the applicant, within 30 days, may appeal such decision to the Village Board. In addition, if the Commission fails to issue a certificate of appropriateness, the Commission shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a certificate within the guidelines of this chapter.
- (7) **APPLICATION FEE.** (Am. Ord. #22-08; Am. Ord. #19-09)
 - (a) Upon submission of the application, an accompanying fee shall be paid to the Village by the property owner.
 - (b) Waiver of Permit Fes. After such a time that a historic structure or site has been properly designated, waiver of building permit fees shall be limited to the repair and restoration of the original exterior structure or site as long as the historic status is maintained. For new construction, all permit fees shall apply.