

VILLAGE OF PEWAUKEE
Historic Preservation Commission
April 20, 2020

1. Call to Order and Roll Call

Clerk Smith called the meeting to order at approximately 6:00 p.m.

Roll Call was taken with the following Historic Preservation Commission members present: Trustee Rohde, Commissioner Rogers, Member Kelly Berriman; Member Charles Nichols; Member Jeffrey Philips; Member Tara Sonnenberg; Member Kevan Toby.

Also Present: Mark Blum, Village Attorney; Scott Gosse, Village Administrator; Mary Censky, Village Planner; Casandra Smith, Village Clerk.

a. Election of Chair

Trustee Rohde motioned, seconded by Comm. Rogers to elect Charles Nichols as the Commission Chair. Motion carried 6-0-1 on a roll call vote with Member Charles Nichols abstaining.

2. New Business

a. Review and Discussion of Historic Preservation Ordinance and Role of Historic Preservation Commission

Attorney Blum explained Ordinance No. 2019-13; the creation of a new article under Chapter 40 of the municipal code regarding the Historic Preservation. Attorney Blum reviewed the purpose and intent of the Historic Preservation Commission. The purpose and intent is to safeguard the historical site of the Village and to look at preserving elements of that history either culturally, historically, socially, or politically. A designated property may enhance the Village's attraction and improve the aesthetic character in the Village. A property can be nominated as being a landmark site, district or structure. A nominated property needs owner notification, notifying surrounding residents within 200' of the property and a notice needs be published in the paper as a Class I notice informing that a public hearing will be held. Once the Commission decides on a property determination the Commission would need to consider whether the property exemplifies or reflects the broad cultural, political, economical or social history of the nation, state or community; if the historic personages are important in national, state or local history; if the site embodies 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; representation of the notable work of a master builder, designer, or architect who influenced his or her age; has yielded or may be likely to yield information important to prehistory or history; and the property is consistent with the state or federal landmark criteria. The Commission's role is to see if one or more of the items listed pertains to the designated property. The Commission would need to document the findings that are made as part of their determination.

Attorney Blum indicated that due to the public hearing on the matter before the Commission being held virtually, the Commission will not vote on this property designation today, instead the Commission can take action on the item at the next meeting after citizens have had the chance to speak at the meeting or submit information to the Commission in writing.

Attorney Blum responded to Trustee Rohde stating that the financial burden of the property owner can be taken into account when making a decision on designating a site but it should not be the only reason used in the determination process. Attorney Blum responded to Trustee Rohde stating that the state

law has changed to allow appeals to be taken up with the Village Board. Attorney Blum responded to Commissioner Rogers stating that both a property that is designated and a property that is denied designation can be appealed to the Village Board. Attorney Blum responded to Chairman Nichols stating that the owner can comment during the public hearing and the citizen comment section of the meeting. Attorney Blum stated that the law provides that when a matter is brought to the Commission the applicant is required due process that the applicant, owner, and surrounding properties are given notice and an opportunity to be heard. If a Commission member feels that they are not able to impartially review and determine the merits of the matter then that person should not participate in the debate or in the vote. It is important to know that if any member has gone on record regarding the matter to the point where you do not believe you can fairly hear the information you should not participate in the debate or in the vote.

3. Public Hearings

a. Public Hearing on Application for Listing of St. Mary's Church as a Local Landmark

Administrator Gosse verified the mailing for the public hearings were published and sent out to all residents within 200' of the property. Attorney Blum read the application out loud.

4. Citizen Comments

Jeanette O'Toole @ 402 W. Wisconsin Ave – Ms. O'Toole stated the intent of the application was to designate the church and the property immediately surrounding due to the cultural, religious and social history. Ms. O'Toole responded to Member Jeffrey Phillips stating that the application doesn't include the cemetery as that is private property.

Theresa Hoff @ 1276 Timber Ridge - Ms. Hoff asked that the church not be allowed to dismantle the church during this process. Attorney Blum responded to Ms. Hoff stating that at this point he would hope the church would not take action but there are no laws to preclude the property owner from taking any action on the property but he hopes the church would recognize the possible implication of taking such action.

Sandy Mancotta @ W276N2177 Spring Creek Dr – Ms. Mancotta stated she concurs with Theresa's comment and she hopes Queen of Apostles takes this application into consideration.

Stephanie Fong @ 21205 Mary Lynn Dr, Brookfield – Ms. Fong stated she is a member of Queen of Apostles and she has viewed the application. She asked for clarification on the State and Federal grants that are available. Ms. O'Toole responded to Ms. Fong stating that the property would first need to be registered and therefore she is unsure of the State and Federal totals. Trustee Rohde stated that Wisconsin Historical Society representative Joe DeRose may have more information when he presents at the next meeting.

5. New Business (continued).

a. Discussion Regarding Application for Listing St. Mary's Church as a Local Landmark – NO ACTION TO BE TAKEN AT THIS MEETING

Attorney Blum responded no to Member Kevan Toby, indicating that the Commission doesn't have powers over the interior of the building. Discussion followed regarding the property owner and when the owner would have a chance to speak. It was determined that the property owner was notified and they have the chance to speak during the public hearing section and during the citizen comment section. Member Kevan Toby questioned if the Commission can verify that the building is in good condition as the application states. Attorney Blum stated the property owner could present an inspection but the property owner would need to give the Building Services department permission. Trustee Rohde stated the condition should be submitted in writing and Attorney Blum stated a third party inspection could be submitted for the record as well.

b. Possible Action on Scheduling Future Meeting(s)

The Village Board expressed that either April 29th or April 30th, 2020 would be acceptable for the next meeting which would be determined by the availability of Joe DeRose.

6. Adjournment

Comm. Rogers motioned, seconded by Trustee Rohde to adjourn the April 20, 2020 Historic Preservation Commission meeting at approximately 6:57 p.m.

Motion carried 7-0.

Respectfully submitted,

**Cassandra Smith
Village Clerk**