

**LANDMARKS COMMISSION  
October 11, 2018**

**LAN20181011-1  
UNAPPROVED**

A regular meeting of the Landmarks Commission, City of Cedarburg, Wisconsin, was held Thursday, October 11, 2018 at Cedarburg City Hall, W63 N645 Washington Avenue, lower level, room 1.

The meeting was called to order by Chairperson Judy Jepson at 7:00 p.m.

Roll Call:           Present -   Council Member Kristin Burkart, Judy Jepson, Jim Pape, Tom Kubala, Doug Yip, Robert Ross, James Temmer

                          Excused -   Tomi Fay Forbes

                          Also Present -   City Planner Jon Censky

**STATEMENT OF PUBLIC NOTICE**

Chairperson Jepson acknowledged that the agenda for this meeting was posted and distributed in compliance with the Wisconsin Open Meetings Law.

**COMMENTS AND SUGGESTIONS FROM CITIZENS** – None

**APPROVAL OF MINUTES**

Motion made by Council Member Burkart, seconded by Commissioner Temmer, to approve the minutes of the September 13, 2018 meeting. Motion carried without a negative vote with Commissioner Forbes excused.

**REGULAR BUSINESS**

**Consider New Roofing Material for Mike Jackson d/b/a C. Wiesler's Located at W61 N493 Washington Avenue; and Action Thereon**

Planner Censky advised that the material is the same material already in use on the building. He introduced Joe Taraboi of Amor Roofing, who is representing Mr. Jackson, who advised that the color is slightly darker than the existing roof.

**Action:**

Commissioner Ross moved to approve the new roofing material. The motion was seconded by Commissioner Temmer, which carried without a negative vote, with Commissioner Forbes excused.

**Discuss New State Law Regarding Use of Materials on a Historic Building or a Building in a Historic District; and Action Thereon**

Planner Censky advised that he discussed, with the City Attorney, the new State law that prohibits municipalities from creating codes that prevent building owners from using materials that are similar in appearance, color and scale for buildings located in a Historic District or that are classified as a local landmark. The "conflict with other laws" section of the State law is specific to building width, size of yards, courts, other open spaces, number of stories, and things like that. Planner Censky further

advised that the reference to City Codes that are more restrictive than the State does not trump the use of materials section in the new State Law. In response to a question from Commissioner Kubala, Planner Censky confirmed that state law also trumped the Secretary of the Interior (SOI) guidelines.

Planner Censky added that the Landmarks Commission is more vital now than ever before to sell the benefits of historic preservation. It is due to the Landmarks Commission that downtown Cedarburg has caught the eyes of tourists.

It was noted that “similar” is a very vague term and the Landmarks Commission would determine what is similar. Commissioner Kubala stated that original materials are superior to modern materials and to now allow those new materials would adversely impact the quality and longevity of historic structures. Commissioners discussed the reasons that “similar” materials could be detrimental to the historic building; i.e., replacing wood siding with vinyl, which does not transpire the elements like wood, and would begin to trap water underneath damaging the building structure.

Commissioners agreed that the SOI guidelines were fully researched and provide reasonable direction. The new State law discounts the scientific research behind the SOI guidelines. Commissioner Kubala advised that he contacted the State Historical Society and they advised that they tempered the new law as best they could. They are not in a position to defend the actions of this Landmarks Commission.

Commissioners noted that downtown Cedarburg would not look like it does now without the efforts of the Landmarks Commission.

The consensus of the Commissioners was that they would continue to base their decisions on the SOI guidelines and justify their decisions based on the SOI guidelines. They will also increase their efforts to solicit the support of the property owners to retain the historic integrity of the Historic Preservation District.

### **ADJOURNMENT**

A motion was made by Commissioner Temmer, seconded by Commissioner Ross, to adjourn the meeting at 7:43 p.m. Motion carried without a negative vote, with Commissioner Forbes excused.

Jon Censky  
City Planner

JPC/djd