

## HISTORIC PRESERVATION ORDINANCE REVISION (Ordinance No. 2183)

### FREQUENTLY ASKED QUESTIONS

Updated JULY 29, 2020

#### 1. Why is historic preservation important?

Historic buildings and sites have intrinsic value. They tell the story of our past and contribute to the culture and aesthetic of a community. Built from higher quality natural materials, these buildings have withstood the test of time and are more environmentally and structurally sound when maintained. Economically, historic preservation gives people a “sense of place,” attracting residents and visitors alike. In downtowns across the country, people cite “distinctiveness,” “charm” and “character” as reasons for visiting and spending money in these communities.

The Historic Preservation Commission (HPC), which was established in Westfield in 1984, serves a variety of purposes that are listed in the Historic Preservation Ordinance. They include, among other things, identifying the presence of historic districts and landmarks to maintain the essential element of municipal character and identity.

#### 2. What qualifies as a historic landmark or historic district?

The criteria have not changed from those in the current ordinance and are based upon the National Register of Historic Places Criteria of Eligibility (36 CFR 60.4).

They include:

1. Character, interest, or value as part of the development, heritage, or cultural characteristics of the Town, State, or Nation;
2. Identification with a person or persons who significantly enriched the Town, State, or Nation;
3. Site of a historic event which had significant effect on the development of the Town, State, or Nation;
4. Embodiment of distinguishing characteristics of a type, period, or method of construction, architecture, or engineering;
5. Identification with the work of a builder, designer, artist, architect, or landscape architect whose work has influenced the development of the Town, State, or Nation;
6. Embodiment of elements of design, detail, materials or craftsmanship that render a site architecturally significant or structurally innovative;
7. Unique location of singular physical characteristics that make a district or site an established or familiar visual feature; and
8. Likely to yield information important in prehistory or history.

### **3. What is the difference between listing on the National Register of Historic Places, NJ Register of historic places, and local designation?**

The National Register of Historic Places is the official list of the nation's historic resources worthy of preservation. In 1966, the National Historic Preservation Act (80 Stat. 915, as amended) established a National Register of Historic Places to include districts, sites, structures, buildings, and objects of local, state and national significance.

The New Jersey Register of Historic Places is the official list of New Jersey's historic resources of local, state, and national interest. Created by the New Jersey Register of Historic Places Act of 1970 (N.J.S.A. 13:1B-15.128 et seq.), the New Jersey Register is closely modeled after the National Register program. Both Registers have the same criteria for eligibility, nomination forms, and review process. Nearly every municipality in New Jersey has properties significant in architecture, history, archaeology, engineering and/or culture that are eligible for the New Jersey and National Registers.

A local designation provides for the most effective protection of historic resources by giving a municipality the ability to regulate activities which affect historic resources. Certain activities may have an adverse effect on historic resources and the historic fabric of Westfield, including demolition of historic buildings, or modifications to historic buildings which negatively impact their historic character. In Westfield, as in other NJ municipalities, a Historic Preservation Ordinance is in place to help preserve the historic character of the community and prevent such adverse actions.

### **4. Why do we need to update our Historic Preservation ordinance, and why now?**

The pace of demolition of homes in Westfield has raised concern among residents that we are losing the historic character of our town. Residents overwhelmingly voiced their concern about the loss of our historic buildings and reinforced their enthusiastic support for proactive historic preservation efforts during the public input phase of the Master Plan process. 80% of respondents agreed that historic preservation was very important, and 49% agreed that residential teardowns is one of the major issues facing Westfield today.

In the past 20 years, there have been nearly 1,000 homes demolished, of which 53 were within identified historic districts, equating to 2.6 destroyed historic properties a year. At this rate, other than those that are historically designated, there will be no remaining historic properties in Westfield for future generations.

The Town of Westfield has had an historic preservation ordinance in effect since 1984. The current Historic Preservation ordinance was adopted in September 2008 (Ord. No. 1922), has not been updated since, and contains provisions which are inconsistent within the state's Municipal Land Use Law (MLUL). The revisions to the ordinance make it consistent with state law and enable the Historic Preservation Commission to apply for recognition as a Certified Local Government (CLG). As a CLG, Westfield can apply for significant grant monies from the State to protect designated buildings such as our firehouse, and other buildings that may be designated in the future, such as the northside train station building.

Over the last 10 years, other towns in NJ with the CLG designation have received more than a million of dollars from the State that could have also benefited Westfield had we been a CLG.

And lastly, and very importantly, it is never good policy for a municipality to be noncompliant with state law. Beyond the benefits of achieving CLG status, we have an obligation to ensure we are in full compliance with state law which this revised ordinance is intended to do.

## **5. What are the benefits of having this CLG designation?**

The Certified Local Government program allows municipalities to participate more directly in state and federal historic preservation programs. These include access to funding. States receive annual appropriations from the Federal Historic Preservation Fund. States are required to give at least 10% of their funding to CLGs as subgrants. These grants can fund a wide variety of projects, including surveys, National Register nominations, rehabilitation work, design guidelines, educational programs, training, structural assessments, and feasibility studies, to name a few. According to the State Historic Preservation Office, in 2019, approximately \$101,000 in CLG grants were awarded. For 2020, they will be awarding \$120,000. Access to technical assistance is also provided. As a CLG, communities have direct access to State Historic Preservation Office (SHPO) staff for assistance with their Historic Preservation Commission, building assessments, surveys and nominations, and general preservation assistance. State staff and the National Park Service offer regular training for CLGs as well, an added benefit. New Jersey has a designated CLG Coordinator.

Participation in the CLG program requires that a municipality have an ordinance and a Commission that conforms to the requirements of both the MLUL and the National Park Service approved New Jersey Certified Local Government Guidelines.

## **6. What are the major changes reflected in this ordinance?**

There are four significant changes:

- 1). The ordinance modifies the designation process for historic properties by allowing not only the Commission to nominate individual landmarks and districts for designation by the Council, but also adding the ability for the Planning Board to nominate. These nominations may be made and sent directly to the Council for consideration. Property owners also now have the ability to nominate their own individual property or assist in the process of designating the historic district in which their property is located.

In order for nominations to be considered they must meet specific requirements (see #2 above).

The Town Council is the only body with the authority and jurisdiction to approve zoning changes in Town. Every homeowner is already subject to zoning requirements regulating the size, height, use and aesthetics of their homes, which is necessary to ensure the integrity of our neighborhoods. Since historic designation is considered a zoning overlay by MLUL, this power is legally required to exist with the governing body to be consistent with zoning law. Our current ordinance is considered “zoning by referendum” which is specifically prohibited by MLUL.

The Town's priority is to save the few remaining historically significant buildings and houses built in the 1700s and 1800s before they are torn down. We understand that the change to the consent provision in the new ordinance may give residents pause, but it is consistent with the zoning power that is granted by the State and is already exercised by the Council today in all zoning decisions.

2) In response to feedback from historic district residents, this revised ordinance is intended to make it more user-friendly by accomplishing two things: It takes out the requirement to submit paint colors to the HPC, and it removes the fees that are paid to the town associated with submitting the form for Certificate of Appropriateness.

3) In order to avoid teardowns of historically significant buildings that happen "under the radar" (such as the building at 261 Clark Street which was the original Westfield Tennis Club and was built in 1867 and torn down in June), the changes to the ordinance includes a requirement that all demolition applications for houses built prior to 1930 as well as properties identified in the Historic Preservation Element of the Master Plan be reviewed by an Historic Preservation Officer before a permit is issued. Any properties found to have historic, cultural, architectural, aesthetic, or other significance in accordance with designation criteria shall be referred to the Historic Preservation Commission, which may move to seek designation of the property as a local historic landmark.

4) The amendment also allows for the referral of any application for a site plan, subdivision, or variance request made to either the Planning Board or Zoning Board of Adjustment to the Historic Preservation Commission for the Commission's review and comment on the application. This applies to properties both locally designated by ordinance and those identified in the Historic Preservation Element of the Master Plan.

## **7. How many NJ municipalities have Certified Local Government status?**

There are 47 NJ municipalities that have qualified for CLG status, including neighboring towns Fanwood, Plainfield, North Plainfield, Maplewood and Millburn. You can see the full list here:

[https://www.nj.gov/dep/hpo/3preserve/clg\\_links.htm](https://www.nj.gov/dep/hpo/3preserve/clg_links.htm)

In addition, many municipalities have historic preservation ordinances but have not taken the extra step towards Certified Local Government status. A significant number do not prioritize historic preservation so therefore do not have an historic preservation ordinance at all.

## **8. Will the HPC have the authority to designate historic buildings/districts?**

No. The Commission itself does not have authority to designate. It may only nominate properties for local designation. As per NJ's MLUL, only the Town Council has the authority to designate an historic site/district by ordinance as an amendment to the zoning ordinance and zoning map.

**9. Where are the current historic districts as identified in the Master Plan? Does being in an “identified historic district” and being “historically designated” mean the same thing?**

Homes can be in an “identified” historic district per the Master Plan and not be “designated.” The 2002 Master Plan identified 10 areas that might qualify for historic designation in the future. Only one neighborhood, the Kimball Avenue Historic District, is currently locally designated as historic.

**10. If this ordinance is adopted, will the Town Council immediately begin designating homes without homeowner consent?**

No. The HPC will continue to work collaboratively with property owners to encourage voluntary designation, as they have successfully done in the past. In the last two years, with a renewed emphasis by our elected officials on historic preservation, the Town has designated two properties with property owner consent, as well as two public properties -- Triangle Park and the Reeve House -- both of which are located on Mountain Avenue. These represent the highest number of designations in the last 20 years.

**11. Will the Town Council have the authority to designate a district as historic even if 20% or more of the homeowners in the suggested historic district petition against the designation?**

This procedure is spelled out in the MLUL (at NJSA 40:55D-63) and remains unchanged from the current Historic Preservation Ordinance. If 20% of the owners of the lots or lands included within the district or those within 200 feet of the area object to the proposed designation, a super majority, or  $\frac{2}{3}$  of the Council, is required to approve the designation. However, it is not the intention to designate properties without homeowner consent.

**12. What is the historic property designation process?**

Either the Historic Preservation Commission or Planning Board may nominate districts or individual properties for designation. The Commission is required to prepare a nomination report which they shall consider and adopt at one of their duly noticed meetings.

Nomination proposals may also be made voluntarily by the owner of a historic landmark, or a property owner within a proposed district. In these cases, the party must prepare and submit a nomination report which will be reviewed at a public hearing that is noticed at least 20 days prior to the hearing. At the public hearing the Commission reviews the nomination report and forwards its recommendations to the Town Council.

In either instance, a proposed designation of a property is adopted by amendment to the Land Use Ordinance. All amendments to the Land Use Ordinance are referred to the Planning Board by the Council. Pursuant to the MLUL, for any amendment to a development regulation, the Planning Board is

responsible for a consistency review with the Town Master Plan and “any other matters as the Board deems appropriate,” and submits their findings to the Town Council. The Town Council must designate a property or district by amending the land use ordinance by ordinance at a public hearing. There are multiple opportunities to object to a proposed historic designation built into this process.

**13. If my home is not a historic site but happens to be in a designated historic district and I want to pursue exterior construction, would I need to obtain a Certificate of Appropriateness from the HPC as part of my zoning and building permit process?**

Yes, if you own property in a historic district, you must submit an application for a Certificate of Appropriateness to the Historic Preservation Commission, care of the Town Planning and Zoning Department. The Planning and Zoning Department will review your application against submission requirements and if all required items are submitted with your application, it will be forwarded to the HPC for their review. This requirement exists in the current ordinance and doesn't change.

**14. What are the “Special Requirements for Demolition” in this ordinance and why are we including it?**

The new ordinance includes a review process for demolition of homes and other structures built before 1930 which are identified in the Historic Preservation Element of the Master Plan. The vast majority of demolition permits will likely be approved, but in some instances, the Historic Preservation Commission -- and the Town -- will be given the opportunity to designate the property if it is deemed historically, architecturally or culturally significant and meets eligibility guidelines. This teardown provision simply enables the HPC to ensure that a house/structure does not have any significant historic value to the Town before it's too late.

As an example, Arcanum Hall at the corner of East Broad and Elm Street, is not currently designated as a historic building. Under the current Historic Preservation Ordinance, the owner of the building could file a demolition application, and the Town would be required to issue a permit within 20 days of submission of such completed demolition application, without any consideration of the building's historic significance.

**15. Why was a construction year prior to 1930 chosen as the date for property subject to “Special Requirements for Demolition?”**

The Historic Preservation Element of the Town Master Plan identifies historic districts and historic sites within Westfield. A review of the descriptions of the districts identified therein demonstrates character defining elements which are reflective of a higher level of tradesman construction not present in structures after 1930. Although some new construction may exist in these identified districts, the motivating historical streetscape worthy of historic preservation is more pronounced which deserves enhanced attention.

**16. Is this “Special Requirements for Demolition” provision unique to Westfield?**

No. Surrounding towns, including Plainfield and Millburn, as well as Jersey City contain very similar special requirements for demolition of historic buildings, and other towns have instituted demolition moratoria. Many of them are more stringent than the demolition wording in the revised ordinance with longer and more specific steps necessitated by the individual wishing to demolish the structure. The intent of the Special Requirements for Demolition is to address the rapidity of demolition of our historical assets in recent years.

**17. Many of the historic homes that have been lost in town appear to have sat neglected, either due to the physical and/or financial inability of the homeowner to maintain the property, or the purposeful neglect by builders to claim the building was beyond repair. Does this ordinance address those houses?**

There are provisions within the revised ordinance as well as other town statutes to obtain compliance of maintenance issues and prohibit “demolition by neglect.” The new wording will levy penalties and fines for intentional destructive neglect. Additionally, the revised ordinance addresses the demolition of homes built prior to 1930 or identified in the Historic Preservation Element of the Master Plan by providing for a review to determine if the house is historic and can be saved. Once a demolition permit is filed, it shall be referred to a Historic Preservation Officer, who has 20 days to determine if the property has historic significance, and if it does, it shall be referred to the Commission for their review and potential nomination. If the Historic Preservation Officer or the Historic Preservation Commission finds that the property does not meet the criteria specified in the ordinance, then the demolition permit will be issued immediately.

**18. If I want to sell my house that was built in 1925, how will this affect me?**

The revised ordinance has nothing to do with house sales, only with demolition.

**19. What are some of the historic homes and/or landmarks that have been demolished as a result of not having an historic preservation ordinance that is compliant with state law? What are some of the landmarks at risk?**

We have lost the American Red Cross building on Elm St, the James Ross house (also known as the Bagger house), built in 1785 and demolished by a builder after promising to relocate it, the original clubhouse of the Westfield Tennis Club on Clark St (built in 1860) which was torn down in June 2020, and many others. There is currently an application before the Planning Board to demolish a home built in 1757. There are very few homes left in Westfield that were built in the 1700s, and fewer than 100 homes identified in our Master Plan remain from the 1800s, out of approximately 10,000 homes in

Town. Every attempt should be made to save the few notable historic homes that remain before it's too late.

There are several iconic landmarks that are not currently designated, and over which the Town would be powerless to intervene if demolition were proposed. These include landmarks such as Arcanum Hall and the Flatiron Building downtown. The Ordinance update will enable the Town to work to possibly preserve these landmarks for future generations, which is particularly important as we embark on significant redevelopment projects to revitalize our downtown.

**20. Will this ordinance negatively affect my property values?**

Designation does not negatively impact property values. In fact, review of the empirical data indicates that historic preservation has a positive effect on property values. "The economics literature clearly comes down in favor of a positive effect of historic districting on property values," according to real estate and historic preservation expert Donovan Rypkema (1994). In New Jersey, it was found that, "properties listed on the national, state or local historic registers [throughout the state of New Jersey] have a market value of \$6 billion, of which about \$300 million can be attributed to the value-enhancing effect of historic designation." (New Jersey Historic Trust 1998, p.6).

**21. Can the Town provide any financial incentives or tax abatements as an incentive for property owners to designate their historic homes?**

Potentially. We are currently investigating the legality of tax abatements on the value of property improvements for homes in designated historic districts, similar to the "area in need of rehabilitation" designation that was recently approved for our downtown Special Improvement District.

**22. I have a question that is not answered here, what should I do?**

Please submit your question to [HPC@westfieldnj.gov](mailto:HPC@westfieldnj.gov) and it will be answered and included in this online document.

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*The following questions and answers were added on July 29, 2020.*

**23. What is the process for a homeowner that applies for a demolition permit once this ordinance is in place?**

The process for obtaining a demolition permit will continue as before. When a property owner seeks to demolish any structure within the Town of Westfield, that owner must apply for a demolition permit and follow the requirements laid out in [Westfield General Ordinance §§ 8-6 and 8-7](#). Among other



things, that section requires completing a written application, providing proof of insurance, and providing proof that the taxes on the property are current. As an administrative matter (unless the applicant requests otherwise), the demolition review process for pre-1930 structures will occur after submission of the written application but before undertaking the additional steps required under § 8-7 (e.g., asbestos certification, rodent baiting, neighbor notification).

The historic review process itself for pre-1930 structures is a two-step process. First, the “Historic Preservation Officer” (that is, the secretary or other designated member of the HPC) will review the structure to see whether it possesses such historical, cultural, architectural, aesthetic or other significance, in accordance with the requirements set forth in the National Register of Historic Places Criteria of Eligibility (36 CFR 60.4) and the criteria set forth in the local preservation ordinance such, that the Town may want to either delay or prevent the demolition, provide for the moving of the structure, or intervene in some other manner. Second, if the HPO determines that the structure may possess such historical, cultural, architectural, aesthetic or other significance as defined under federal law and local ordinance, he/she will refer the application to the entire HPC, who can either agree with or reject that determination. If the HPC determines that the structure should not be demolished, it can recommend that the property be historically designated or relocated, or otherwise saved.

In most towns, including Westfield, prior to submission of a formal zoning application, many property owners will seek an informal review of an application prior to it being submitted to the Zoning Department. It is contemplated that this informal process will occur as well with HPO informal review of a proposed demolition, such that a property owner (at his/her discretion) can meet with the HPO prior to submitting an actual demolition application to obtain an informal opinion as to whether or not they would refer the application to the HPC.

**24. If a structure is not designated or was constructed after 1930, can HPC or the Council deny the demo application for any other reason?**

Under State law, if an applicant for a demolition permit completes all the local requirements of [Westfield General Ordinance §§ 8-6 and 8-7](#), the construction official must issue a demolition permit within 20 days of a completed application.

**25. If there is no demolition application but a conforming addition/alteration plan is submitted to the building department, can or will it go to HPC for review before the application is approved?**

If it is not designated, then it would not go to the HPC. If it is a designated property, then it would be required to go to the HPC for a certificate of appropriateness.

**26. How does the demolition review process for pre-1930 structures change, if at all, the application process for site plan, subdivision, or variance requests?**

Approvals for site plans, subdivisions, and variances are a power of the Planning Board and the Board of Adjustment, not the HPC. If your property is locally designated as a historic site or as part of a historic district, or is identified within the Historic Preservation Element of the Town Master Plan either individually or as being within an identified historic district and you seek approval from either the Planning Board or Zoning Board of Adjustment for a site plan, subdivision, or variance, then your application before the Board is referred to the HPC for their review and comment. In these cases, the HPC does not have approval authority, only advisory powers.

**27. What individual properties or districts are currently designated historic by the Town of Westfield? Which individual properties or districts have been identified in the historic preservation element of the Town's Master Plan as potential sites or districts for historic designation?**

Individual properties and districts that have already been locally designated as historic can be found [within §14 and §15 of the Historic Preservation and Designation Ordinance](#).

Individual properties and districts that are contained on the historic preservation element of the Town's Master Plan (meaning that they have already been identified on the Town's Master Plan as possessing such historical, cultural, architectural, aesthetic or other significance, in accordance with the requirements set forth in the National Register of Historic Places Criteria of Eligibility (36 CFR 60.4) and the criteria set forth in the local preservation ordinance that they could qualify for local designation), can be found [here](#).

Individual properties or districts that have been identified on the National or State Register of Historic Places, but not necessarily designated locally, can be found [here](#).

**28. Please explain specifically how the current historic preservation ordinance "doesn't comply with NJ municipal land use," and specifically how the proposed ordinance will correct those shortcomings. As this a central concern, clarity is needed.**

The primary way in which the ordinance does not comply with State law is the historic designation process. Under State law, designating a property or a district as historic is considered to be an amendment to the zoning map of the Town, by means of a "zoning overlay." All changes to a local zoning map (whether historic designations or otherwise) must follow a very specific process set out in State statute (N.J.S.A. 40:55D-62.1 and 40:55D-63). If 20% or more of those affected by the zoning map change file a written objection to the change, then the governing body may still approve the zoning map change, but only by a two-thirds vote rather than by a simple majority vote.

Westfield's current historic designation process is unique in the State: It prohibits historic designation by the Town Council if 25% or more of those affected oppose designation. This provision is directly contrary to the objection procedure in N.J.S.A. 40:55D-63, which authorizes a governing body to override an objection by a two-thirds majority vote. Further, the Town has also been advised by the

State Historic Preservation Office that Westfield's current designation procedure amounts to "zoning by referendum," something that is explicitly outlawed by N.J.S.A. 40:55D-62, which states that "No zoning ordinance and no amendment or revision to any zoning ordinance shall be submitted to or adopted by initiative or referendum."

**29. Our house was built in 1930. Which category do we fall into?**

Under the proposed ordinance, homes constructed *prior to 1930*, as well as properties identified within the Historic Preservation Element of the Town Master Plan, either individually or as being within an identified historic district, are subject to the "Special Requirements for Demolition" section of the ordinance.

**30. If there is an exact replacement (such as a porch or window), both in design and material, then is a Certificate of Appropriateness necessary? How about if I am doing something temporary, like putting up curtains on my porch?**

No. Assuming your house was historically designated, and you are repairing or replacing exterior facade elements with the exact material already there, no HPC review is required. You could just proceed with the repairs and secure a regular town building permit if required depending on the nature of the work. Curtains would be considered "temporary," so no HPC review is required.

**31. Boulevard is already a historic area per the signage, how will this be different?**

Boulevard is not currently a historical designated district by the Town. The signs were put up by residents to show their pride in their homes and to signify that the area is historical in nature, but the neighborhood is not officially designated at present.

**32. Please explain this statement: "However, it is not the intention to designate properties without homeowner consent."**

It is not the intention of the current Town Council to designate properties without property owner consent. The new demolition process is an HPC review process to help determine if the home has any significance from which a designation may be sought. This is only a review process, and it is still subject to review and approval by the Town Council.

That said, there are properties within the Town of Westfield that are not currently designated as historic by the Town of Westfield and are so character-defining that a future Town Council may want to prevent their destruction. One such property -- as an example only -- is Arcanum Hall, the iconic building at the corner of East Broad and Elm Street. Under current law, a demolition permit to knock down this building would be required to be issued within 20 days of a completed application.

The State legislature has given to the elected officials in New Jersey's 565 municipalities the power to preserve properties that define the character of their towns. While this power should be used sparingly

and judiciously, Westfield should not be the only town in the State that unilaterally disarms itself from this power.

**33. If designated, what is required of a homeowner to obtain a certificate of appropriateness to change or replace roof, fencing, lighting or awnings on the street-facing facade? How long does it usually take?**

There is both a formal and an informal process to obtain approval to the exterior facade of a street facing home.

First, under the informal process, the owner of a historically designated property may go to a regularly scheduled monthly meeting of the HPC, describe to the members what the owner plans to do, and show plans, sketches or materials, if desired. The HPC can decide that what is being proposed is of such a minor nature to not require a formal application, and it can approve the proposed changes at that meeting. This process is particularly applicable to “minor” certificates of appropriateness.

Second, under the formal application process, the property owner would fill out and submit an application for a certificate of appropriateness to the Town Planner’s office. This application can be accessed online, picked up at the Town Planner’s office (which is in the Building Department on North Avenue), or it can be obtained by emailing the Town Planner, Don Sammet, at [dsammet@westfieldnj.gov](mailto:dsammet@westfieldnj.gov).

Within 20 days of receipt of an application, the Town Planner and several members of HPC will:

- Classify the application as “major” or “minor”
- Declare the application to be complete or ask the applicant for additional information if it is not complete.

The application will be heard and voted on at one of the regularly scheduled commission meetings. The Commission meets on the last Monday of every month at 7:30 PM at Town Hall.

- Once a minor application is deemed complete, it may be scheduled for review at the next regularly scheduled HPC meeting.
- Once a major application is deemed complete, it may be scheduled to be heard at a publicly noticed HPC meeting. Like Planning and Zoning applications, applicants seeking to obtain a “major” certificate of appropriateness must notify property owners within 200 feet of the applicants’ property and must publish notice of the hearing on the application in the newspaper.
- The Commission must render a decision on any major application within 45 days of the date on which it is deemed complete.

A detailed description of the application process can be found in the proposed ordinance section 7, “PROCEDURES FOR FILING AN APPLICATION.”

The amount of time these processes take generally depends on how large and complicated the application is. A minor application going through the “informal” process could take a matter of weeks. Minor applications heard by the HPC generally run 4-6 weeks, while the process for major applications typically takes an average of 6 - 8 weeks.

**34. Some residents have received a map of the Town of Westfield that shows properties that may be designated as historic. What is this map, and is it up to date?**

In New Jersey, each municipality is given the power to adopt a “Master Plan.” Westfield’s first comprehensive master plan was adopted in 1965, and has undergone revisions periodically since then, including in 1977, 1991, 2002, 2009 and again in 20019. Once adopted, master plans are required to be “re-examined” at least every 10 years. (All of the Town’s Master Plans, going back to 2002, can be accessed [here](#).)

In Westfield’s 2002 Master Plan reexamination, a “historic preservation plan” element was added to the Town’s Master Plan. Among other things, this historic preservation plan element identified approximately 100 buildings as potentially meeting the requirements for historic designation, pursuant to the to the National Register Criteria for Designation, 36 CFR § 60.4, and the local historic designation ordinance. Some of these properties (such as those within the Kimball Avenue Historic District) were subsequently locally designated as historic. Many others have not yet been, although their inclusion in the 2002 Master Plan (and subsequent master plans) “should nonetheless be one of the factors used in decision-making by the Planning Board, the Board of Adjustment, the Town Council and Town administration, other governmental agencies and the general public.” (2002 Master Plan)

Some of the homes identified in the 2002 Master Plan as potentially meeting the historic designation criteria have since been demolished, either wholly or in large part. The map that is on the Town’s website is a static document that reflects the original properties contained in the 2002 Master Plan element. The Historic Preservation Commission is in the process of updating this map based upon the current reality of the properties that were identified in 2002.

**35. Why was the date of 1930 chosen as the cut-off date for demolition review?**

Various dates were discussed in the Council’s Code Review and Town Property Committee, which consists of Councilmembers Dawn Mackey, Mark LoGrippe, Scott Katz, and Mark Parmelee. The date that was ultimately used as the cut-off for demolition review relates to the country’s historic chestnut tree blight. Beginning in 1905, a fungus deadly to chestnut trees was introduced into this country. The disease swept the nation, hitting an apex in the mid to late 1920’s. The blight wiped out most American chestnut trees by 1940. During the height of the blight, the trees were being cut down before they became unusable, and they were being used for construction. Much of Westfield’s homes from about 1912 to 1933 have interior molding, posts, spindles, etc., made from chestnut. The idea of 1930 emanated from saving the classic Westfield home that we have all probably seen and been in, characterized on the interior by its chestnut molding and the classic bungalow look on the outside.