

Chapter 12A

HISTORIC PRESERVATION COMMISSION

[HISTORY: Adopted by the Township Council of the Township of Evesham 7-18-2000 by Ord. No. 6-3-2000. Amendments noted where applicable.]

§ 12A-1. Creation; purpose.

There is hereby created an Historic Preservation Commission referred to in this chapter as the "Commission." This Commission shall carry out the responsibilities set forth in N.J.S.A. 40:55D-109 through 40:55D-111 and N.J.A.C. 7:50-6-151 et seq. in addition to the following:

- A. Encourage the continued use of historic resources and facilitate their appropriate reuse.
- B. Safeguard the heritage of the Township of Evesham by preserving resources with the Olde Marlton Village which reflect elements of its cultural, social, economic and architectural history.
- C. Maintain and develop an appropriate and harmonious setting for the historic and architecturally significant buildings, structures, sites, objects, or districts within the Township of Evesham.
- D. Stabilize and improve property values and discourage the unnecessary demolition of historic resources.
- E. Foster and enhance civic beauty and neighborhood pride.
- F. Promote appreciation of the Evesham Township Historic Neighborhood Shops/Services District and any other designated historic districts for the education, pleasure and general welfare of the citizens of the Township and its visitors.
- G. Encourage private reinvestment in existing or new structures in a manner that preserves, restores, repairs or is compatible with the original architectural style which is characteristic of the Historic Neighborhood Shops/Services District or any other designated historic districts in which the structure is located.

§ 12A-2. Composition.

- A. The Historic Preservation Commission shall consist of nine regular voting members and two alternate members. The members shall be divided into three classes as follows:
 - (1) Class A: a person who is knowledgeable in building design and construction or architectural history and who may reside outside of Evesham Township.
 - (2) Class B: a person who is knowledgeable or with a demonstrated interest in history and who may reside outside of Evesham Township.
 - (3) Class C: a person who is a resident of Evesham Township who shall hold no other municipal office, position or employment except for membership on the Township's Planning Board or Zoning Board of Adjustment.
- B. Four of the regular members shall be drawn from Classes A and B; at least one of those four shall be a Class A member, and at least one of those four shall be a Class B member. Five of the regular members shall meet the qualifications of Class C members, and the two alternate members shall be Class C members.

§ 12A-3. Appointment; terms; voting; vacancies.

- A. The Mayor shall appoint all regular and alternate members of the Commission and shall designate at the time of appointment the regular members by class and the alternate members as "Alternate No. 1" and "Alternate No. 2." The term of the regular members first appointed under this chapter shall be as follows: one-year terms

for a Class A member and a Class C member; two-year terms for a Class B member and two Class C members; three-year terms for a Class C member and a member of either Class A or Class B; and four-year terms for a Class C member and a member of either Class A or Class B. The terms of the alternate members first appointed under this chapter shall be one year for Alternate No. 1 and two years for Alternate No. 2. Thereafter, the term of a regular member shall be four years, and the term of an alternate member shall be two years. Notwithstanding any other provision herein, the term of any member common to the Historic Preservation Commission and the Evesham Township Planning Board shall be for the member's term of membership on the Planning Board, and the term of any member common to the Historic Preservation Commission and the Evesham Township Zoning Board of Adjustment shall be for the member's term of membership on the Zoning Board of Adjustment.

- B. Alternate members may participate in discussion of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice be made as to which alternate member is to vote, Alternate No. 1 shall vote.
- C. The Administrative Officer of the Historic Preservation Commission shall immediately notify the Mayor of any membership vacancies along with recommendations made by the Commission to fill such vacancies. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only. Any vacancies occurring on the Commission shall be filled with qualified members within 60 days.

§ 12A-4. Conflicts of interest; removal.

- A. No member may act on any matter in which the member has, either directly or indirectly, any personal or financial interest.
- B. A member may be removed by the Township Council for just cause. Prior to such removal, the Township Council shall conduct a hearing if so requested (within 10 days of notice of intention to remove) in writing by the member.

§ 12A-5. Election of officers; compensation of members and staff.

- A. The Commission shall elect a Chairperson and a Vice Chairperson from its members and select a Secretary who may or may not be a member of the Commission or a municipal employee.
- B. The Township Council shall provide for the Commission in its budget and shall appropriate funds for the expenses of the Commission.
- C. The Commission members shall serve without compensation but shall be reimbursed for expenses incurred in connection with official business, and may obtain the equipment, supplies, and other material necessary to its effective operation, within the limits of grants, gifts or funds appropriated, if any, by the Township Council.
- D. The Commission may employ, contract for and fix the compensation of experts and other staff and services as it shall deem necessary, except that the Commission shall obtain its legal counsel from the Township Attorney at the hourly rate of compensation set forth in the Township Attorney's contract with the municipality. Expenditures pursuant to this subsection shall not exceed, exclusive of gifts, donations, or grants, the amount appropriated by the Township Council for the Commission's use.

§ 12A-6. Rules; procedures and meetings.

- A. The Historic Preservation Commission shall create and adopt internal rules and procedures for the transaction of its business which shall be known as the "Evesham Township Historic Preservation Commission Administrative Procedures." Said rules shall not be inconsistent with the provisions of the Township Land Use Legislation.

- B. The Commission shall make its decisions and recommendations in an open public meeting in compliance with the Open Public Meetings Act in accordance with N.J.S.A. 10:4-6 et seq. Applicants shall be notified of the meetings, attendance requirements and advised of decisions. All written minutes of meetings and proceedings shall be kept including voting records, attendance, findings and recommendations. All such material shall become public record.
- C. A quorum for the transaction of all business shall be five members.

§ 12A-7. Powers and duties.

The Historic Preservation Commission shall have the following powers and duties:

- A. Recommend to the Planning Board and the Township Council sites to be designated as historic landmarks in accordance with the procedures established in § 160-28 of the Zoning Ordinance.
- B. Recommend amendments from time to time, as circumstances warrant, to the landmark designation list and landmark map, including changes or extension of the boundaries of the historic district and creation of new historic districts in the manner set forth in § 160-28 of the Zoning Ordinance.
- C. Research and reevaluate properties listed in the "Cultural Resources Survey" against the criteria for the National Register of Historic Places and prepare nominations for the consideration of the State Historical Preservation Officer. Such properties shall be reviewed in consideration of, but not limited to, the criteria for historic designation as established by the Office of New Jersey Heritage, the Pinelands Commission and the National Park Service.
- D. If the Township is certified under the State's Certified Local Government (CLG) program, the Commission shall, in accordance with the State CLG Guidelines, review and comment on all state and National Register nominations for the historic landmarks within the Township of Evesham.
- E. Advise the Planning Board and Zoning Board of Adjustment on development that affects historic landmarks in accordance with the procedures established in § 160-28 of the Zoning Ordinance.
- F. Review actions, including those involving construction and/or zoning permit applications, which affect the exterior of historic landmarks or architectural features within the historic district in accordance with the procedures established in § 160-28 of the Zoning Ordinance. **[Amended 11-21-2000 by Ord. No. 37-11-2000]**
- G. Assist and advise other municipal agencies and public bodies in the understanding of historic landmark significance and techniques of historic preservation.
- H. Collect and disseminate material on the importance of historic preservation and techniques for achieving same.
- I. Report at least annually to the Planning Board and the Township Council on the state of historic preservation in the Township and to recommend measures to improve same.

