

BOROUGH OF FREEHOLD

COUNTY OF MONMOUTH

#2022/18

**ORDINANCE OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING TITLE 2
(ADMINISTRATION AND PERSONNEL) BY AMENDING CHAPTER 2.114
(HISTORIC PRESERVATION ADVISORY COMMISSION)**

WHEREAS, the Borough of Freehold (the “Borough”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough of Freehold created a Historic Preservation Advisory Commission (HPC or Commission); and

WHEREAS, the HPC is to promote the conservation of historic properties and historic districts and to invite and encourage voluntary compliance for all historic resources within Freehold Borough; and

WHEREAS, the Governing Body of the Borough believes that an update to the HPC is in order to better satisfy the purposes for which it was created.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Freehold as follows:

Section I

Title 2 “Administration and Personnel” of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline; deletions are noted as struck through [Unmodified sections were omitted for the sake of brevity]:

Chapter 2.114 Historic Preservation Advisory Commission

2.114.010 Establishment of a system of historic preservation regulations.

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- D. The boundaries of the “Freehold Center Historic District” and the “Broad Street Historic District” including those improvements located therein are established as an overlay zoning district to the Borough of Freehold zoning map. Other historic districts or historic properties may be established from time to time according to the criteria enacted by this chapter.

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2.114.030 Definitions

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~~“Building” means a structure created to shelter human activity and any outbuildings or accessory structures associated with a principal structure. any structure, part of a structure, extension thereof, or addition thereto having a roof supported by columns, posts, piers, or walls and intended for the shelter, business, housing or enclosing of persons, animals, or property.~~

~~“Improvement” means any structure, building, work of art or other object or any part thereof installed upon real property by human endeavor and intended to be kept at the location of such construction of installation. for a period of not less than one hundred twenty (120) continuous days.~~

2.114.060 Designation of historic properties, historic districts.

- A. There is established the Freehold Center Historic District and the Broad Street Historic District as set forth on the map attached hereto and made a part hereof, a copy of which shall be on file in the borough clerk’s office. This chapter affects all ~~nonresidential property, all residential rental property and all property,~~ improvements and buildings located in the district. ~~Non-income producing residential property shall not be subject to the provisions of the chapter.~~ The ~~Freehold Center Historical District~~ is historical districts are significant for the reasons set forth in the introduction to the ordinance codified in this chapter.
- B. In addition to the improvements, buildings, structures, objects and sites identified as within the ~~Freehold Center~~ historic districts, the commission shall recommend additional districts and at the request of the owner, consider for historic property designation, any individual improvements, buildings, structures, objects, and sites within the borough which merit historic property designation and protection, possessing integrity of location, design, setting, materials, workmanship of association and being:

2.114.085 Standards and criteria.

A. The purpose of this section is to provide uniform standards and criteria for the regulation of historic landmarks and historic districts for use by the Commission. All projects requiring a Certificate of Appropriateness and all applications for development on historic landmarks or in historic districts shall, in interpreting and applying the standards and criteria set forth herein, be guided by the principles contained in the most current versions of the Secretary of the Interior’s Standards for Rehabilitation (as contained within the Secretary of the Interior’s Standards for the Treatment of Historic Properties), by the Secretary of the Interior’s Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings, as the same may be applicable and appropriate, and as amended and revised from time to time. In utilizing the Secretary of Interior’s Standards, the Commission shall be guided by the provisions thereof including, but not limited to, the following:

* * *

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. Synthetic materials such as vinyl and aluminum are prohibited except if replacing already installed synthetic materials and on upon demonstration that there is no reasonable historical alternative. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

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11. Health, Safety, and Utility Equipment. Buildings may be required to have a variety of equipment related to particular health, safety and utility maintenance. These types of installations can be mandated by the Fire and Building Codes (e.g., fire alarm bells and Siamese connections) or by utilities (e.g., gas and electricity meters). Other equipment is not required by law but is commonly used for safety reasons (e.g., window security bars, security cameras, lighting and intercom panels). Given the relatively small and/or discrete nature of these types of installations, their physical requirements and constraints, and their ubiquitous presence throughout the city, these types of equipment can be installed without having a significant effect on architectural features or detracting from such features or the building or, in the case of buildings in historic districts, from adjacent buildings or the streetscape.
 - a. Any installation should not occur on or in front of a primary façade unless there is no feasible alternative for the installation or the location is mandated by another law or rule. In making a determination that there is no feasible alternative, the Commission will consider whether the need for such equipment on the primary façade is necessitated by recent or related discretionary interior renovations;
 - b. The equipment should be attached in a manner that minimizes damage to, or loss of, any significant architectural features and will be installed at mortar joints or through plain brick, stone or wood to the greatest extent possible;
 - c. If the installation is required by applicable law or rule it should be as small as feasible;
 - d. The finish of the equipment if not otherwise required by law or rule, should match the surrounding building material or will not call undue attention to its presence;
 - e. If the installation requires a conduit: there should be no visible conduit or, if this is not feasible, a maximum of approximately ten (10) inches of visible conduit will be permitted; the conduit will not be placed on decorative surfaces; the visible conduit will be painted

to match the background surface and will be secured into mortar joints where possible; and, if there are multiple proposed or existing installations, the proposed installation of conduit will, to the maximum extent feasible, combine and minimize the amount of conduit;

- f. The installation should be either not visible from a public thoroughfare or as minimally visible as possible (e.g., beneath a band course, underneath a stoop, behind an areaway wall or fence, or behind plantings). Unless the installation meets the requirements of paragraph (a) of this section, the installation will be on a secondary facade; and
- g. The proposed installation will not call undue attention to itself or detract from any significant architectural feature(s) of the building or of adjacent buildings if the work is occurring in a historic district, by virtue of its size or proximity to any such features or buildings.

Section II

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section III

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

Section IV

This Ordinance shall take effect upon final passage and publication in accordance with Law.