



THE TOWN OF MARBLETOWN, NY
LOCAL DESIGNATION OF HISTORIC LANDMARKS
and the
Marbletown Heritage Preservation Law

In recognition of the need to preserve and celebrate Marbletown's historic architecture, the Town adopted the Marbletown Heritage Preservation Law in the year 2007. In doing so, Marbletown became a New York State Certified Local Government and joined a growing number of municipalities demonstrating their commitment to preservation through local historic landmark designation.

The Marbletown Heritage Preservation law enables the Town, through a public legal process, to identify eligible properties and districts for designation as local historic landmarks, thereby ensuring the preservation of the integrity of those properties. Through landmark status, owners of historic homes can be assured that their properties will be protected for the long term, regardless of new ownership or neighborhood development.

The purpose of the law as stated in section 128 of Town Law is:

“...[To] protect and enhance the landmarks and historic districts which represent distinctive elements of Marbletown's historic, architectural, and cultural heritage; foster civic pride in the accomplishments of the past; protect and enhance Marbletown's attractiveness to visitors and the support and stimulus to the economy thereby provided; and ensure the harmonious, orderly, and efficient growth and development of the Town.”

In crafting the local law, members of the Marbletown Historic Preservation Commission and the Town Board worked closely with New York State's Historic Preservation Office (SHPO) over a two-year period. The idea was to create a document that would be tailored for Marbletown while meeting New York State's requirements, with procedures that would be both respectful to the goals of preservation and sensitive to the needs of property owners. As a result of this effort, some of the Hudson Valley's most handsome historic buildings have been successfully designated as historic landmarks here in Marbletown.

This text is intended as a brief overview for those seeking to understand the intent of the local law, processes relating to it, and the Town's commitment to historic preservation. Individuals or organizations who are considering landmark designation for a property are strongly encouraged to consult the full text of chapter 128 of the Town Law and the application materials, both accessible via the Town's website: www.marbletown.net.

The significance of local landmark designation: The bestowing of landmark designation upon a property is, first and foremost, an acknowledgement of its special stature in the community as an irreplaceable monument to local and regional history. Its protection is thus considered vital to the ability of future generations to experience and interpret vanishing social and architectural traditions.

Once a house is formally designated as an historic landmark, it joins a select group of structures in the town. These properties are subject to a special review process when changes to their exteriors are proposed. The designation of a property also prohibits the kind of extreme or irreversible deterioration that can result from neglect and/or disrepair. The existence of state historic districts (of which there are four in Marbletown), while beneficial, does not provide this level of protection. In other words, without local landmark designation, the town's most significant historic houses could be torn down, altered, or allowed to deteriorate beyond recognition, thus significantly and irrevocably altering the town's essential character.

Criteria for local landmark designation: Properties recommended for designation must meet at least one of the criteria defined by New York State and outlined in the local law. These are properties that:

1. Possess special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation.
2. Are identified with historic personages.
3. Embody the distinguishing characteristics of an architectural style.
4. Are the work of a designer whose work has significantly influenced an age.
5. Embody a unique location or singular physical characteristic, or represent an established and familiar visual feature of the neighborhood.
6. Are listed on the State and/or National Registers of Historic Places, or which are the subject of a pending application for listing, where such property meets one or more of the criteria.

The local landmark designation process: The process by which historic properties are designated begins with a preliminary application followed by a formal application. The law permits any individual or organization to apply for designation of a property or group of properties within the town's borders. Once an application is received, the Historic Preservation Commission conducts an in-depth review, public hearings are held by the Commission and the Town Board, and the process concludes with a final Town Board vote on the designation as an amendment to local law. This procedure ensures that properties recommended for designation have been thoroughly researched and that they meet the criteria for landmark status. It also provides a forum for public input and allows critical opportunity for inquiry and consideration by the final deciding body (the Town Board). An outline of the process is as follows:

Step 1: Preliminary Application

Step 2: Formal application accompanied by application fee (\$50)

Step 3: Review by the Historic Preservation Commission

Step 4: Public hearing held by the Commission

Step 5: Commission vote on whether to recommend designation to the Town Board

Step 6: Recommendation to the Town Board for designation of the property

Step 7: Public hearing held by the Town Board

Step 8: Vote by the Town Board on designation

Step 9: Property owner is officially notified of the decision and if designated, municipal records of property are adjusted to reflect landmark status.

Commission review for changes to local landmarks: Once a property has received designation as a local landmark, subsequent plans for the demolition or moving of a structure, as well as alterations to the exterior, are subject to Historic Preservation Commission review and approval. The Commission is made up of volunteer residents of the town with expertise in the fields of architecture, history, building restoration and community development. Indeed, New York State's Certified Local Government Program requires a specific make-up of members with certain areas of knowledge to ensure a variety and high level of skill. Commissioners are vetted and appointed by the Town Board for specific lengths of service.

Before the Code Enforcement Officer can issue a building permit to the owner of a landmarked property for projects such as building additions, roof replacements, and alterations to exterior architectural elements, the owner must submit proposed plans to the Historic Preservation Commission for review. This review typically includes the consideration of suitability of design, scale and materials, and the potential impact of the project on the integrity of the base structure.

For example the Commission might authorize specified roofing or siding materials and window designs, or review architectural plans for an addition to ensure that major exterior walls of the original landmarked structure remain intact. Once the review is complete and approval granted, the Commission will issue a *Certificate of Appropriateness* to the owner for submission to the Building Department so that the project can move forward under the standard code enforcement procedures.

Alterations not subject to review: Certain types of alterations to landmarks are not regulated by the local law and therefore are not subject to review by the Commission. Renovations on the inside of the house do not require approval by the Commission. Another example is paint color which is not regulated; no review is necessary for the painting of a building's exterior. Unless specifically noted in the official designation, changes to the grounds or outbuildings next to a landmarked structure are not subject to review by the Commission.

Additional benefits of landmark status: For non-profit organizations, in addition to receiving formal recognition of the historical importance of a building and providing a legal framework for its protection, landmark status can significantly bolster fundraising efforts and applications for federal and state grant funding. Information on grant funding and tax abatement is available through the New York State Historic Preservation Office: www.nysparks.org/shpo. Finally, and perhaps most important of all, local landmark status offers a property owner the invaluable benefit of knowing that an historic home will be treasured as such for generations to come.

Frequently Asked Questions

In applying for landmark designation of a property, does the applicant have to be the owner of the property? *No. Any individual or organization can submit a request for landmark designation of a property. In cases where the applicant is not the property's owner, the town is obligated to contact the owner when the application is received, and to provide notification at key points in the designation process (e.g. public hearings). This ensures maximum communication and participation.*

Who makes the final decision on landmark status? *The Historic Preservation Commission recommends designation to the Town Board. The Town Board makes the final decision.*

How long does the designation process typically take? *Assuming an application is complete and well researched, the process can take from two to four months from the receipt of the application.*

Does a house have to be a State or National landmark to be considered? *No. Any house can be considered as long as it meets at least one of the legal criteria (see page 2 of this document).*

Can outbuildings like sheds or barns be landmarked? *Yes. Outbuildings can be landmarked along with a house if they are eligible and meet the legal criteria. Also, it is possible for an accessory building, such as an outstanding barn, to be landmarked on its own.*

Will the Historic Preservation Commission tell me what color to paint my house? *No. Color is not regulated by the Heritage Preservation law.*

What if I want to redecorate or remodel the inside of my (landmarked) house, will I have to get permission? *No. Interiors are not regulated by the Heritage Preservation law.*

What is a Certificate of Appropriateness? *When changes to the exterior of a landmarked house or building are proposed, prior to obtaining a building permit the owner must obtain a Certificate of Appropriateness from the Historic Preservation Commission. This Certificate is required as proof for the Building & Safety Department that the Commission has reviewed and approved the project.*

Historically appropriate repairs can be expensive. What if I have trouble affording them? *The Historic Preservation Commission is made up of a group of Marbletown residents with expertise in the fields of design, architecture, and restoration. These volunteers can work with homeowners on affordable ideas for historically compatible methods and materials.*

I may want to put a modern style addition on my historic house. Is this allowed? *The law specifically states that modern additions may be allowed if appropriately designed and scaled.*

If I sell my (landmarked) house will it still be protected? *Yes, landmark status transcends ownership so that historic properties are guaranteed protection into the future.*

Can I get help filling out the application? *Yes. Historic Preservation Commissioners can assist with the written application once the preliminary application has been approved.*

Where can I get more information? *The Town of Marbletown website: www.marbletown.net. For the local law, click on "Town Code" and go to Chapter 128 "Heritage Preservation". For information on the Historic Preservation Commission, click on "Government".*

N Y State Office of Historic Preservation (SHPO) www.nysparks.com/shpo.

LOCAL HISTORIC LANDMARKS IN THE TOWN OF MARBLETOWN



Cornelius E. Wyncoop House, circa 1767
Designated in 2008



Maple Lawn/Hasbrouck Blanchard House,
1843, Designated in 2009



Lyonsville Reformed Church, 1859
Designated in 2010



Stone Ridge Library, 1797 and 1798
Designated in 2010