

**TOWN OF PERRY, DANE COUNTY, WISCONSIN
HISTORIC PRESERVATION COMMISSION
DRAFT MEETING MINUTES for January 26, 2017**

1. Chair Doug Nelson called the meeting to order at 7:01 p.m.
2. Commissioners in attendance were: Don Mueller, Doug Nelson, and Renaye Leach. Gary Boley and Brad Grundahl attended by conference call.
3. Other attendees were: Joe DeRose from the Wisconsin Historical Society, Margaret Berg, Linda Bluschke, Rick Fredrickson, Ken Hefty, Mick Klein Kennedy, Doug King, and Roger Kittleson.
4. Motion made and seconded to approve the minutes of the November 14, 2016 meeting. Motion carried. Approved minutes will be sent to the Town Clerk.
5. The Commission then reviewed an Application for a Certificate of Appropriateness submitted by the Hauge Church Preservation Association via the Town Clerk and received on January 6, 2017. The Application seeks the Commission's approval of a proposal to mark newly discovered gravesites on or adjacent to the Hauge Log Church Historic Site. Doug Nelson applauded the Association for facilitating the valuable Lawrence University research work and for the thoughtful proposal for marking newly identified burial sites. In response to questions from the Commissioners, Association President Rick Fredrickson explained that each grave would be individually marked, with a possible additional larger commemorative or explanatory marker appropriately placed. He also indicated that the Association would likely reconfigure the driveway to remain clear of the newly located gravesites, as recommended in the Lawrence report. In addition, Rick discussed the research team's recommendation that brush be cleared on the north boundary of the church site to facilitate further testing that may identify additional burial sites. Mick Klein Kennedy volunteered that the Town would be happy to cooperate and assist in the clearing needed to enable the additional discovery work, including filing an application for a Certificate of Appropriateness for the work, should one be required. After some further discussion, Brad moved that the Application for a Certificate of Appropriateness (including the proposed and recommended actions set forth in the attached report) be approved. Gary seconded and the motion was passed unanimously. Town Chair Roger Kittleson commended the Association for their efforts and after further discussion recommended that this same treatment might be applied to any graves that may in the future be identified within the surrounding park.
6. The Commission then turned to the issue of determining whether the Hauge Church Preservation Association's construction in mid-August 2016 of the split rail fence that now surrounds the Hauge Church Site constitutes an activity, action or alteration that falls within the categories of activities that require a Certificate of Appropriateness under the provisions of the Town's Historic Preservation Ordinance and /or the Town of Perry's Hauge Historic District Overlay Plan. Doug Nelson reviewed the timetable pertaining to the original Application for a fence and the subsequent withdrawal of the same. He noted that the question of how the Commission should respond to the Association's construction of the current fence without reapplying for or receiving a

Certificate of approval had been considered at the past two Commission meetings. Following each meeting, the Commission requested an application from the Association, and each request was declined. The issue before the Commission was to arrive at a final, formal determination whether an application was legally required in this case.

Discussion started with Brad asserting his view that an application relating to the fence is needed under the Town's Historic Preservation Ordinance, adding that if such an application were forthcoming, he would likely vote to approve the constructed fence as historically appropriate. Gary and Don stated that they agreed with both Brad's opinion that an application is required and with his intention to approve such an application if submitted. Renaye stated that an application is needed. Doug Nelson agreed that an application was needed, and indicated that he too would approve it, but with a recommendation that the Association consider adding in the future one or more gated sections in the fence to allow pedestrian ingress and egress to assure public enjoyment of both the site and surrounding park.

In response to the Commissioners' statements, Rick cited several reasons for believing that the new split rail fence was a legitimate and historically appropriate reconstruction of a fence that the historical record suggests once surrounded the church. Rick contended that reconstructing a wood fence like the one that previously existed was clearly historically appropriate, and that fact rendered an application for a Certificate unnecessary.

Doug Nelson then put forward the position that however appropriate the new fence may be deemed to be, it would most accurately be described as a "reconstruction", and as such it constitutes an action that falls among those actions cited in the Ordinance that require an application for a Certificate from the Commission. If the Commission opted to ignore that requirement, it would be failing to fulfill a legally required procedure and duty.

Following the Chair's comments, Brad asked Rick, in light of the Commission's views on the Ordinance's requirements and in light of the Commission's evident willingness to approve the fence, might he be willing to submit an application and thereby avoid further contention on the matter. Rick responded that he would be willing to consider doing so, subject to approval from the rest of the Association's board.

Brad commended Rick and then moved that the Commission should formally declare that the fence requires a Certificate and then request an application be submitted within 30-60 days for prompt approval by the Commission. Don seconded.

In response to Rick's offer, Gary urged the Commission not to adopt a formal motion on the matter, but instead simply accept Rick's offer as made in good faith and await the mutually acceptable resolution of the issue. All Commissioners expressed their concurrence with Gary's recommendation and the motion and second were both withdrawn. There was no further discussion or action on the matter.

7. Comments by town residents and any other guests started with Joe DeRose responding to an invitation to comment by saying that the Commission had acted properly and reasonably by following the ordinances, listening to property owners, and coming to reasonable conclusions.

Thanks were offered to Rick on behalf of the Madison Group by Doug King. Mick also thanked the Association and expressed satisfaction at the prospect of an agreement. He added that he appreciated the efforts of all involved and expressed the hope of cooperating with the Association on further research on possible gravesites within the park.

8. In the call for any other business, Renaye suggested starting the process of revising the application procedure to improve communication between the Commission and applicants concerning receipt and notification of meetings.

Linda reminded the Commission of a past list of other opportunities in the town for historic preservation projects to explore. The Commissioners agreed that Linda's suggestion was a timely recommendation that the Commission should pursue.

Brad commended and thanked Rick, and looks forward to cooperation.

9. The next meeting date will be set up by email.

10. There being no further business, the meeting adjourned at 8:07 p.m.

Respectfully drafted by Renaye Leach, Commission Secretary
Respectfully submitted by Doug Nelson, Chair, Perry Historic Commission