

**TOWN OF PERRY, DANE COUNTY, WISCONSIN
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES for Remote Meeting held October 26, 2021**

1. Chair Doug Nelson called the meeting to order at 7:06 pm.
2. Commissioners in attendance were: Gary Boley, Brad Grundahl, Renaye Leach, Don Mueller, and Doug Nelson.
3. Other attendees were: Rick Fredrickson, President of the Hauge Log Church Preservation Association, Peter Lewis, volunteer with HLCPA who prepared application material and James Graham, attorney for the HLCPA.
4. Doug moved and Don seconded to approve the minutes of the March 23, 2021 meeting. Motion carried. Approved minutes will be sent to the Town Clerk.
5. The Commission then began to review an application the Town of Perry has received for a Conditional Use Permit from the HLCPA. The Town Board had requested the Commission to make a recommendation on the appropriateness of the proposed expansion of the historic cemetery at the church site for future burials. The HLCPA submitted an application for a CUP to Dane County Zoning and, as a requirement, they need to seek town approval first. The Town Board referred it to the Historic Preservation Commission because the parcels involved are located in the Dane County-designated Historic Overlay District. The PHPC recommendation will go to the Town Board.

The chair reviewed the CUP process stating the PHPC cannot authorize or deny a CUP but has a responsibility to review proposals to make sure they are historically appropriate. The chair invited the commissioners to state their views about the proposal.

Rick Fredrickson introduced Peter Lewis and Mr. Lewis described his personal history and family ties with the local region and the reasoning behind his support for expanding burial plots at the Hauge Church.

Gary asked if there had been communication with the county and or state Historical Society. Doug said he reviewed materials from the Cemetery Board and the state Historical Society. He stated that he did not receive any specific information that would expressly prohibit the proposed cemetery expansion. Doug added that the only cemetery provision he found was a requirement that existing graves should not be disturbed.

Atty. James Graham explained that the Cemetery Board had been consulted by the HLCPA but not the Historical Society.

Gary said that the purpose of the historical site was to preserve the existing graves of original settlers, not to modify the site to accommodate new burials. Gary also questioned the appropriateness of selling portions of the site to future plot purchasers.

Peter and Rick explained that research by a Lawrence University expert had accurately located the existing graves, assuring that the proposed new plots would not impinge or disturb them.

Gary said it seems inappropriate to reopen the cemetery.

Atty. Graham explained that Statute # 157 allows cemeteries to charge for plots in order to create a care and maintenance fund. He indicated that was the purpose behind the sale of new plots at the Hauge site as described in the CUP application.

Other explanations were given that each grave site would be issued a number and that plot purchasers would be buying entitlement for use not a piece of real estate.

Doug asked about any restrictions on who could be buried there. Rick answered there were no restrictions but a process in place for review by the HLCPA.

Renaye asked for clarification on the plots shown on the site map at the SW corner; if the plots were within 400 ft of the church building as in the Historic Preservation Plan's Restriction #1; if this use constituted a business; what restrictions might be in place for graveside displays that might distract from the historical nature of the site; how future maintenance would be ensured with such a small number of plots; and how the HLCPA would decide who could purchase plots.

Answers given through discussion were that only the plots designated in bold on the site map are to be considered; some of the new plots are within 400 ft of the building; the HLCPA is allowed to raise funds to use to maintain the site; graveside display rules might be considered by the HLCPA; the HLCPA has a planned process in place for ensuring future care and purchasing plots.

Brad redirected the Commission's attention to focus on the central question of the appropriateness of opening the cemetery to new burial plots to be sold for a fee. He expressed the view that the historic cemetery should be left as is.

Don advised that his research showed that if the church were still an active church, it probably could add cemetery plots, but since it is not an active church, the historic appropriateness of adding new graves seems iffy.

Brad moved that the Commission advise the town that the CUP application should not be approved. Gary seconded.

More discussion followed related to Restriction #7 of the Historic Preservation Plan. Doug noted his view that the proposed ground level memorial plaques need not be deemed structures and thus they would not, in and of themselves, be inappropriate. However, he added that the new "use" of operating an active cemetery on the historic site could understandably be viewed as inappropriate. Doug concluded that he would abstain from the vote due to the absence of clear guidance on the matter in the preservation statutes and ordinances.

Brad called the question. Brad, Gary and Renaye voted to recommend that the town not approve the application. Don and Doug abstained. The motion to recommend non-approval carried.

Motion will be conveyed to the Town of Perry Board.

Don moved to adjourn; seconded by Gary. Meeting unanimously adjourned at 8:13 p.m.

This was a remote meeting held by video and telephone conference in compliance with the Wisconsin Department of Justice's (DOJ) Office of Open Government Advisory: Coronavirus Disease 2019 (COVID-19) and Open Meetings.

Commissioner Brad Grundahl hosted the meeting through Zoom. The public could access the remote meeting through the instructions below:

Sign on time between 6:45 and 7:00 pm. Meeting ID is: 838 9416 3844 Password is: 823740 The phone number for phone only without video is 312-626-6799. Anyone having trouble signing on can call Brad at 608-225-4776.

Approved Minutes Respectfully submitted by Renaye Leach, Secretary Perry Historic Commission 06/12/2023

Respectfully drafted by Renaye Leach, Commission Secretary

Respectfully submitted by Doug Nelson, Chair, Perry Historic Commission