

March 25, 2025

Mayor Nowick and City Council Members

The Historic Preservation Commission of the City of Lambertville respectfully requests your support for the updates to the Historic Preservation Ordinance for the City of Lambertville. Below is a brief explanation of the importance and evolution of the enabling legislation providing local community governments, such as ours, the authority to designate and provide protection for historic resources, and promote the benefits of historic preservation within and for our community.

### **Municipal Historic Preservation**

The most effective protection of historic resources is designation and regulation at the municipal level. Listing on either the New Jersey or National Register of Historic Places does not bar a private property owner from altering or even demolishing a listed property.

The Borough of Haddonfield in Camden County initiated the first municipal designation of historic properties as early as 1971. In 1985, municipal regulation of historic resources was challenged in the courts when the New Jersey Supreme Court declared invalid an ordinance designating and regulating historic sites and districts in Middletown Township, Monmouth County. This challenge to the designation of historic resources led to an amendment to state land-use law to permit the identification and designation of historic sites and districts as part of the municipal planning and zoning process.

### **Municipal Land Use Law**

Local governments in New Jersey derive their authority to identify, evaluate, designate, and regulate historic resources from the state Municipal Land Use Law (MLUL), the enabling legislation for historic preservation zoning (N.J.S.A. 40:55D-1 through 136). Successful preservation requires careful planning. The MLUL recognizes this relationship between planning and protection by including a historic preservation plan element as an optional element of the municipal master plan.

The Municipal Land Use Law requires that all historic sites and historic districts designated in local zoning ordinances be based on identifications in the historic preservation plan element of the Master Plan (c.40:55D-65.1). Thus if a municipality has an ordinance to protect historic places, it must also have a related historic preservation element.

Lambertville has the following tools to identify and safeguard its historic resources:

- 1977 Comprehensive Historic Sites Survey of the Delaware & Raritan Canal Park System
- 1979 Historic Sites Inventory
- 1980 National Register Nomination for the Lambertville Historic District
- 1982 D & R Canal State Park Historic Structures Survey
- 2001 Historic Preservation Master Plan Element (Proposed the local CBD)
- 2002 Zoning Ordinance No. 2002-12, 13 and 14 includes creation of the HPC (LDR 900 establishes the Historic Preservation Commission) and Historic District
- 2006 Zoning Ordinance No. 2006-08 includes demolition review process (includes HPC)
- 2009 Design Guidelines
- 2014 Zoning Ordinance No. 28-2014 amends review criteria within the Historic District
- 2021 Zoning Ordinance No. 32-2021 includes designation of historic landmarks and historic districts

### **The protection of the historic resources lies within the local designation.**

The HPC supports the City's efforts to update the HP Ordinance to reflect preservation best practices as advocated by the National Park Service and the New Jersey Historic Preservation Office. The various

ordinances written and enforced over the past 25 years have been effective, however, it is time to review these in light of the current needs of the community and codify the best practices and policies for maintaining the cultural legacy and architectural integrity of Lambertville. The role of the HPC is to encourage appropriate restoration and preservation of the built environment in the local Central Business District and extension (historic District boundary), review all applications for proposed demolition and advise on projects in the larger National Register Historic District which encompasses all of the City of Lambertville between the river and Route 29. The revised ordinance will assist in guiding appropriate, sensitive development and change for the community over time to respond to the changing needs and impacts from the environment.

Part of our cultural identity as members of the Lambertville community is a result of acknowledging the past and respecting history and allowing for current and future layers of time and representations of civilization to add to the story and embody the legacy of the community and physical environment of Lambertville. The HPC Ordinance is intended to establish a strong Historic Preservation Commission, guided by the best practices under the direction of the National Park Service and NJHPO in collaboration with the City of Lambertville's Planning Commission. Updating our governing legislation will enable better policies and practices for historic preservation in Lambertville.

Respectfully,

The Historic Preservation Commission of the City of Lambertville