

# THE NEW JERSEY AND NATIONAL REGISTERS OF HISTORIC PLACES

## WHAT IS THE NATIONAL REGISTER?

The National Register of Historic Places is the official list of the nation's historic resources worthy of preservation. The first historical registry was established by Congress in 1935 through the passing of the Historic Sites Act. This act directed the Secretary of the Interior to designate properties of national importance as National Historic Landmarks. The 1966 National Historic Preservation Act (80 Stat. 915, as amended) established a National Register of Historic Places to include significant districts, sites, structures, buildings, and objects of local, state, and national interest. The 1966 act instructed the governor of each state to appoint a State Historic Preservation Officer (SHPO) to work in partnership with the U.S. Department of the Interior's National Register Office. For New Jersey, the SHPO is the Commissioner of the Department of Environmental Protection. The Historic Preservation Office constitutes the professional staff of the SHPO.

## WHAT IS THE NEW JERSEY REGISTER?

The New Jersey Register of Historic Places is the official list of New Jersey's historic resources of local, state, and national interest. Created by the New Jersey Register of Historic Places Act of 1970 (N.J.S.A. 13:1B-15.128 et seq.), the New Jersey Register is closely modeled after the National Register Program. Both Registers have the same criteria for eligibility, nomination form, and review process. Virtually every municipality in New Jersey has properties significant in architecture, history, archaeology, engineering and/or culture that are eligible for the New Jersey and National Registers.



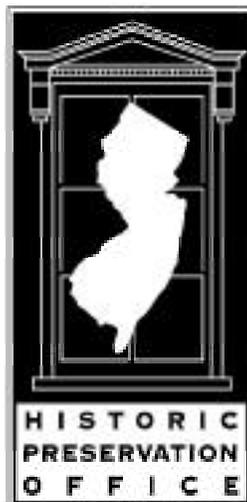
## WHAT BENEFITS DOES INCLUSION ON THE NEW JERSEY & NATIONAL REGISTERS OFFER?

The New Jersey and National Registers provide a degree of review and protection from public encroachment. Section 106 of the National Historic Preservation Act of 1966, as amended, provides for review of any federally licensed, financed or assisted undertaking for properties listed on, or eligible for

listing on, the National Register. The New Jersey Register law requires review of any state, county or municipal undertaking involving properties listed on the New Jersey Register. These reviews are designed to prevent destruction or damage of historic resources by public agencies.

Registered historic properties located in the Pinelands are automatically designated as "historic resources of significance" subject to review by the Pinelands Commission.

Inclusion on the National Register enables the owner of a property to take advantage of several financial benefits. The Tax Reform Act of 1986 permits owners and some lessees of historic buildings to take a 20% income tax credit on the cost of rehabilitating such buildings for industrial, commercial or rental residential purposes. The rehabilitated building must be a certified historic structure that is subject to depreciation, and the rehabilitation must be certified as meeting standards established by the National Park Service. Furthermore, Historic Preservation Bond Fund matching grants and low interest loans for rehabilitation and restoration are available to state, county and municipal agencies and non-profit organizations with properties listed on the New Jersey Register.



Property owners and county and local officials are notified and given an opportunity to comment, and a public meeting is held for historic districts. Applications are then presented to the New Jersey State Review Board for Historic Sites, which is made up of professionals in the fields of architecture, history, architectural history, and archaeology. If passed by the State Review Board, the application is prepared for the SHPO's signature. Once signed by the SHPO, the property is listed on the New Jersey Register and simultaneously recommended for the National Register. The nomination is then sent to Washington for consideration for the National Register.



previously, but tax benefits will not apply unless the property is actually listed on the National Register.

If a private property owner (or a majority of owners in a historic district) objects to New Jersey Register listing by notarized letter to the SHPO, the property may still be listed on the New Jersey Register. However, the owner's objections will be given thorough consideration by the SHPO before making any decision.

**ARE THERE ANY OTHER WAYS TO PROTECT HISTORIC BUILDINGS IN NEW JERSEY?**

In addition to inclusion on the New Jersey and National Registers, preservation of New Jersey's historic properties may be accom-

plished through local historic preservation ordinances. Over 90 municipalities have enacted some kind of local historic preservation ordinance. These ordinances vary from municipality to municipality. Some ordinances provide strong regulatory provisions including architectural review of alterations, demolition, and new construction within the designated historic areas. Locally designated historic districts may be certified by the Secretary of the Interior for federal tax advantages.

Local landmarks and historic district regulations that may affect private property owner actions are completely separate from New Jersey and National Register regulations. The New Jersey and National Registers provide a degree of review and protection from public actions only.

**WHAT IF AN OWNER OBJECTS TO A PROPERTY BEING LISTED?**

Listing on the New Jersey and National Registers does not place restrictions on private property owner rights. Within the limits of local municipal zoning laws, private property owners can do anything they wish with their property, provided no federal or state license, permit, or funding is involved.

If a private property owner (or a majority of private property owners in a historic district) objects to National Register listing by notarized letter to the SHPO, the nomination is sent to the National Register Office for a Determination of Eligibility, but the property is not listed on the National Register. A Determination of Eligibility provides for review of federally sponsored encroachments as detailed



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