



Milwaukee Historic Preservation Commission Staff Report

Living with History

HPC meeting date: 3/11/2013
Ald. Robert Bauman District: 4
Staff reviewer: Paul Jakubovich
PTS #85467

Property	929 N. 33RD ST.	
Owner/Applicant	THOMAS E FRITZ AMY B FRITZ 927 N 33RD ST MILWAUKEE WI 53208	Thomas and Amy Fritz 929 N. 33rd St. Milwaukee, WI
Proposal	Install reflector-type solar collectors on south slope of roof at front gable.	

Staff comments

The Commission at its February meeting discussed the installation and decided to hold the matter pending further research including consultation with Wisconsin State Historical Society staff because the subject property is a contributing structure located in the Concordia National Register Historic District as well as the locally-designated district. Since then, the City Clerk's office, the Office of Environmental Sustainability and the City Attorney's office have also contributed to the body of information.

To briefly review the situation, an array of large reflector-type solar panels, clearly visible from the street, was recently installed on the south slope of the roof without the required building permit and Certificate of Appropriateness (COA). This was an oversight on the part of the contractor doing the work and an application for a COA has been submitted.

HPC staff and the broader preservation community support the installation of alternative energy systems including geo-thermal, solar and wind. Solar collectors approved by HPC up to this point have been installed in a decidedly seamless manner where they are not visible from the street.

Each commission member was e-mailed an opinion by the City Attorney's Office as well as a summary by City Clerk James Owczarski that included the following points:

1. The Fritzs, by the Code of Ordinances, are entitled to a hearing and, within a limited period of time, a decision on their request for a CoA.
2. The HPC has the authority to review this request for CoA. It may approve, deny or approve it in a modified form. It must do so, however, in terms that comply with the state statute pertaining to the installation of solar energy systems which places significant limitations on the ambit of the HPC's authority. Should the CoA be denied or granted under conditions unacceptable to the Fritzs, they may appeal that decision to the full Common Council.
3. As this is a tax credit project, the granting of the CoA would not violate the City's MoA with the SHPO. Were this a grant of federal money, the project would be subject to SHPO as well as federal review. This would not change the conclusions drawn in #2 above, but would add additional layers of review.
4. Every effort should be taken to ensure that future solar projects be installed with the appropriate permits and, when required, with a CoA. Among other things, this will permit HPC staff to make suggestions that might improve the project or mitigate its negative effects on a property while at the same time complying with the state statute.

The Wisconsin State Statue regarding the installation of solar equipment, which was discussed at the February HPC meeting, is also included in the City Attorney's letter. Please review it.

Given the thorough investigation and the facts presented, it is the opinion of staff that this installation should be approved, but that in the future all other similar proposals for solar equipment be reviewed by HPC prior to installation and in consultation with HPC staff.

Recommendation

Recommend HPC Approval

Conditions**Previous HPC action**

Previous Council action