

NEW JERSEY STATE LIBRARY

CHAPTER 4A

HISTORIC PRESERVATION GRANT PROGRAM

Authority

N.J.S.A. 13:1B-15.111.

Source and Effective Date

R.1994 d.521, effective September 16, 1994.
See: 26 N.J.R. 3105(a), 26 N.J.R. 4182(a).

Executive Order No. 66 Expiration Date

Chapter 4A, Historic Preservation Grant Program, expires on September 16, 1999.

Chapter Historical Note

Chapter 4A, Historic Preservation Grant Program, was adopted as R.1989 d.492, effective September 18, 1989. See: 21 N.J.R. 958(c), 21 N.J.R. 2958(a). Pursuant to Executive Order No. 66(1978), Chapter 4A was readopted as R.1994 d.521. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS

7:4A-1.1 Purpose

This chapter shall constitute the rules of the New Jersey Historic Trust in the Department of Environmental Protection for the Historic Preservation Grant Program providing for the award of grants on a competitive basis for historic preservation projects, for the improvement, restoration, stabilization, or rehabilitation of historic properties owned by State, county and municipal governments and by tax-exempt nonprofit organizations in accordance with the "New Jersey Green Acres, Cultural Centers and Historic Preservation Bond Act of 1987," P.L. 1987, c.265.

7:4A-1.2 Severability

If any portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby.

7:4A-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Act" means the "New Jersey Green Acres, Cultural Centers and Historic Preservation Bond Act of 1987," P.L. 1987, c.265.

"Applicant" means the State, county or municipal government or nonprofit organization that submits an application for a historic preservation grant.

"Approved project period" means the amount of time prescribed in the project agreement during which the grant recipient must complete the approved historic preservation project to be eligible for the full amount of funding authorized for the project.

"Grant recipient" means the applying State government agency, county or municipal government or nonprofit organization named in a project agreement executed with the Trust to receive grant funds for a historic preservation project.

"Historic" as applied to any property, structure, facility or site means any area, site, structure or object approved for listing or which has been certified as meeting the criteria for listing in the New Jersey Register of Historic Places as set forth at N.J.A.C. 7:4.

"Historic preservation cost" means the expenses incurred in connection with a historic preservation project including construction costs and the procurement of engineering, architectural, inspection, planning, legal or other professional services directly related to the historic preservation project.

"Historic preservation grant" means monies approved by the New Jersey Historic Trust for funding of a historic preservation project.

"Historic preservation project" means work directly related to the improvement, restoration, stabilization or rehabilitation of a historic property, structure, facility or site.

"Improvement" means the act of upgrading the basic physical condition of a property in a manner consistent with the Standards and Guidelines for Historic Preservation Projects (36 C.F.R. Part 1207) adopted by the Secretary of the United States Department of the Interior now in effect and as may subsequently be modified, changed or amended. This type of activity includes upgrading mechanical systems, providing appropriate barrier-free access for handicapped persons, and bringing a property into conformance with building codes.

"National Register of Historic Places" means the national list of districts, sites, buildings, structures and objects significant in American history, architecture, archeology, engineering or culture maintained by the Secretary of the United States Department of the Interior under authority of the National Historic Preservation Act, as amended (16 U.S.C. §§ 470 et seq.).

"Nonprofit organization" means a corporation organized under the New Jersey Nonprofit Corporation Act, N.J.S.A. 15A:1-1 et seq. and qualified for tax-exempt status under the Internal Revenue Code of 1986 (26 U.S.C. § 501(c)).

"Project agreement" means a document executed by the New Jersey Historic Trust and a grant recipient which provides grant assistance in an amount and for a historic preservation project approved by the Trust subject to conditions to assure the continued preservation and benefit to the public of an historic property assisted with an historic preservation grant.

"Preservation" means the act or process of applying measures to sustain the existing form, integrity, and material of an historic property.

"Rehabilitation" means the process of returning an historic property through repair or alteration to a contemporary use that is appropriate and compatible with the historic nature of the property, while preserving those portions or features of the property that are significant to its historic, architectural, and cultural values.

"Restoration" means the process of accurately recovering the form and details of a historic property and its setting as it appeared at a particular period of time by removal of later work or by replacement of missing earlier work. Restoration may include a full restoration (exterior and interior) or a partial restoration of the historically and/or architecturally significant parts of a structure. Sufficient documentation from the period must be provided to establish historic form and detail.

"Secretary of the Interior's Standards" means the Standards and Guidelines for Historic Preservation Projects (36 C.F.R. Part 1207) adopted by the Secretary of the United States Department of the Interior now in effect and as may subsequently be modified, changed or amended.

"Site" means the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure whether standing, ruined or vanished where the location itself maintains historic or archeological value regardless of the value of any existing structure.

"Stabilization" means the application of measures designed to sustain the form and extent of an historic resource essentially as it now exists. Stabilization is aimed at halting further deterioration and enhancing safety, rather than attempting to rebuild or recreate lost historic features. Stabilization includes techniques to arrest or slow deterioration of a site, structure, or object. Improvements in physical conditions to make the property safe, habitable, or otherwise useful can be part of stabilization, as can minor repairs that do not change or adversely affect the fabric, appearance, or historic value of the property.

"State Historic Preservation Officer" means the Commissioner of the Department of Environmental Protection designated by the Governor to administer the State Historic Preservation Program to identify and nominate eligible properties to the National Register of Historic Places. The State Historic Preservation Officer establishes the procedures and criteria located at N.J.A.C. 7:4 for receiving and processing nominations and approval of areas, sites, structures and objects, both publicly and privately owned, for listing in the State Register of Historic Places.

"State Register of Historic Places" means the New Jersey Register of Historic Places consisting of areas, sites, structures and objects significant in American history, architecture, archeology and culture which the Commissioner of the Department of Environmental Protection is authorized to expand and maintain under the "New Jersey Register of Historic Places Act," N.J.S.A. 13:1B-15.128 et seq.

"State Review Board" means the body appointed by the State Historic Preservation Officer as part of the State Historic Preservation Program for the purpose of reviewing and recommending to the State Historic Preservation Officer whether or not the nominated area, site, structure or object satisfies the criteria for listing in the State and National Registers of Historic Places.

"Structure" means a work constructed by man and made up of interdependent and interrelated parts in a definite pattern or organization.

"Trust" means the New Jersey Historic Trust, a body corporate and politic with corporate succession established in the Department of Environmental Protection under N.J.S.A. 13:1B-15.111 et seq.