

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

DISTRICT #4

Resolution or Ordinance (Blue) _____
Waiver of First Requested _____
Recommendations of Boards, Commissions & Committees (Green) _____
Other Business (Pink) X

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE : May 23, 2007 B of T June 7, 2007

SUBJECT: Nomination of the Sheldon Peck House as a Landmark Site Under the Village's
Historical Commission Ordinance

SUBMITTED BY: William T. Lichter, Village Manager

BACKGROUND/POLICY IMPLICATIONS:

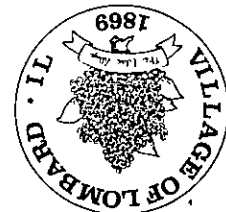
Please see attached memorandum

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____
Village Manager W. T. Lichter
Date 5/23/07

NOTE: All materials must be submitted to and approved by the Village Manager's
Office by 12:00 noon, Wednesday, prior to the Agenda distribution.



To: Honorable President and Board of Trustees

From: William T. Lichter, Village Manager

Date: May 23, 2007

Subject: Nominaton of Sheldon Peck Homestead as a Landmark Historic Structure

Attached is a letter from the Lombard Historical Society nominating the Sheldon Peck Homestead for recognition as a Landmark Site under the Village's Historical Commission ordinance (Sections 32.075 through 32.079 of the Village Code). Also attached is a memorandum from the Village Attorney outlining the steps to be followed for the Landmark Site designation process.

As indicated in Mr. Bayer's memorandum, if the Lombard Historical Society and the Village of Lombard would like to have the Peck House designated as a Landmark Site, the initial step is for the Society, with consent of the Village, to make a written request to the Lombard Historical Commission for Landmark Site designation. The Commission would thereafter proceed in a manner indicated in Mr. Bayer's memorandum.

Should the Landmark Site designation ultimately be granted to the Peck House, the implications are as follows:

1. Prior to any alteration, removal in part, new construction reconstruction, restoration, remodeling or other modification of the Peck House, a "certificate of appropriateness" would need to be obtained from the Historical Commission (see Sections 32.079(E) and (F) of the Village Code).

2. Demolition of the Peck House could be delayed by the Historical Commission for a period of up to six (6) months (see Section 32.079(E)(3) of the Village Code).

The purpose of this agenda item is to determine if the Board of Trustees concurs with the request of the Historical Society. If you do, it is recommended that a motion be approved indicating your concurrence and requesting that a letter be sent to the Historical Commission stating that the Village concurs with the request of the Lombard Historical Society to seek Landmark Site designation for the Sheldon Peck Homestead.

March 31, 2007

The Lombard Historical Commission

Nomination of Sheldon Peck House for Historic Landmark Recognition

The Board of Directors and I have met and we wish to nominate the Sheldon Peck Homestead, 355 E Parkside (located at the corner of St. Charles Road, Grace Street and Parkside), to be recognized as a Landmark Historic Structure within the boundaries of the Village of Lombard.

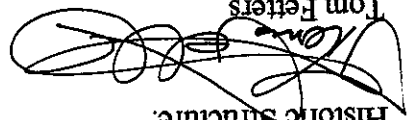
The Peck house was built in 1837 by Sheldon Peck and his family. Peck, from Vermont, has since become well known in the Art World as an early portrait painter and his unusual and distinctive paintings are displayed in many major museums.

The homestead, besides being the family home, also served as the first school in Babcock's Grove, and, we believe, a link in the Underground Railroad that moved escaped slaves northward.

The Sheldon Peck Homestead has been previously awarded a Historic Plaque by the Lombard Historical Society that indicates the date of the original structure and the original owner. However, we feel that it is worthy of recognition by the Lombard Historical Commission as a Landmark Historic Structure.

Information supporting the historic nature of the Sheldon Peck House is available from our files at the Lombard Historical Museum at 23 W. Maple Street, although this information seems to be well known by most of the village residents. The Historical Society provides regular tours of the Sheldon Peck Homestead two days a week for interested parties that stop by to see the historic structure and its furnishings.

This letter represents the Board of Directors decision to request the Lombard Historical Commission to apply for Village Recognition of the Peck Homestead as a Landmark Historic Structure.



Tom Feters

President

Lombard Historical Society

- In response to your inquiry relative to the above-captioned matter, please be advised as follows:
1. The Sheldon Peck House (hereinafter the "Peck House") is owned by the Lombard Historical Society (hereinafter the "Society"), who received ownership thereof pursuant to a bill of sale dated 9/30/96.
 2. The property on which the Peck House is located is owned by the Village.
 3. Pursuant to an agreement between the Society and the Village, entitled "Peck House Easement and Use Agreement," (hereinafter the "Agreement"), the Village has granted the Society an easement relative to the property on which the Peck House is located, (hereinafter the "Easement Parcel"), which allows the Peck House to remain on the Easement Parcel until April 14, 2008.

Subject: Designation of the Sheldon Peck House as a Landmark Site Under the Village's Historical Commission Ordinance (Sections 32-075 through 32.079 of the Village Code)

To: William T. Lichter, Village Manger, Village of Lombard
From: Tom Bayer, Village Attorney
Date: February 21, 2007
Via E-Mail and U.S. Mail

MEMORANDUM

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 LANCE C. MALINA
 MICHAEL A. MARKS
 THOMAS M. MELODY
 JANET N. PETSCH
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 EVERETTE M. HILL, JR.
 MICHAEL T. JURUSIK
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KLEIN, THORPE AND JENKINS, LTD.

LAW OFFICES

4. Until the Agreement expires, pursuant to Sections 2A, 2B and 2C of the Agreement, the Village is obligated to:

A. Maintain a fire insurance policy in applicable amounts for the Peck House. The Society shall be responsible for all deductibles should a loss occur, and such policy shall name the Society as an additional insured.

B. Provide water, sanitary sewer, electrical, telephone and natural gas service for the Peck House without charge.

C. Provide for the maintenance of the landscaping on the Easement Parcel without charge.

5. Based upon my review of the e-mail you received from Pat Poskocil on January 17, 2007, and the letter you received from Pat Poskocil and Jack Jones dated February 6, 2007, it would appear that the Lombard Historical Commission has already made preliminary findings relative to the Peck House's qualification for "Landmark Site" designation under the Village Code, and is requesting (see last paragraph of the February 6, 2007 letter) that the Lombard Historical Society (owner of the building) and the Village (owner of the land on which the building is located) file a formal written request for "Landmark Site" designation for the Peck House.

6. If the Lombard Historical Society and the Village would like to have the Peck House designated as a "Landmark Site" under the Village's Historical Commission Ordinance (Sections 32.075 through 32.079 of the Village Code - hereinafter the "Ordinance"), the following actions should be taken in order to comply with the Ordinance:

A. The Society, as owner of the Peck House, with the consent of the Village, as owner of the Easement Parcel, should make a written request to the Commission for Landmark Site designation for the Peck House. (Section 32.077 of the Ordinance)

B. Upon receipt of such a written request, the Commission must meet to determine whether the Peck House is worthy of Landmark Site designation because of one or more of the following criteria:

(i) The character, interest or value as part of the development, heritage or cultural characteristics of the Village.

(iii) The identification with a person or persons who significantly contributed to the cultural, economic, social or historical development of the Village.

- (iii) The architectural significance of a building which is at least 50 years of age and is a good example of a specific architectural style containing distinctive elements of design, detail, materials or craftsmanship, or is an example of a style which had an impact on the community. Such a building must retain much of its original architectural integrity.
 - (iv) The archeological importance of a site which has yielded, or may be likely to yield, information important in pre-history or history.
- (Sections 32.079(C) and (D) of the Ordinance)
- C. If the Commission determines that the Peck House meets one or more of the aforementioned criteria, the Commission must set a date, time and place for a public hearing on the proposed Landmark Site designation, with written notice of said public hearing to be given as follows:
- (i) By certified mail, return receipt requested, to the Village and the Society; and
 - (ii) By publication in a local newspaper.
- Both notices must be given no more than thirty (30) days nor less than fifteen (15) days prior to the public hearing. (Section 32.079(D) of the Ordinance)
- D. The Commission is required to make a record of the public hearing. In this regard, I would recommend using a court reporter so that a permanent transcript of the public hearing is prepared. (Section 32.079(D)(1) of the Ordinance)
- E. Within thirty (30) days after the close of the public hearing, the Commission must make a written recommendation, relative to the Landmark Site designation, to the Village Board. (Section 32.079(D)(2) of the Ordinance)
- F. The Village Board must take formal action to either approve or reject the recommendation of the Commission. If the Village Board action is to approve the Landmark Site designation, it should be done pursuant to the adoption of an ordinance so designating the Peck House. (Section 32.079(D)(3) of the Ordinance)
- G. If the Landmark Site designation is approved by the Village Board, certified copies of the designating ordinance must be:
- (i) Sent to the Bureau of Inspectional Services;
 - (ii) Sent to the Plan Commission;
 - (iii) Sent to the Society (by certified mail, return receipt requested);

- (iv) Sent to the Village (by certified mail, return receipt requested);
 - (v) Filed with the County Assessor's Office; and
 - (vi) Recorded with the DuPage County Recorder's Office.
- (Section 32.079(D)(3) of the Ordinance)

Finally, please note that as the Commission is a formal commission of the Village, it is subject to the Open Meetings Act. As such, notice of any of the meetings referenced above must be posted at the Village Hall, and given to all news media that have requested notice of Village meetings, at least 48 hours prior to the meeting. In addition, the agenda for the meeting should be attached to the meeting notice.

If there are any questions, please feel free to call.

February 6, 2007

Lombard Historical Society (LHS) Board of Management
Mr. Thomas Fethers, LHS President

Village of Lombard Board of Trustees
Mr. William Mueller, President, Village of Lombard
Mr. William Lichter, Manager, Village of Lombard

Dear Community Leaders,

The following letter is a formal request from the Lombard Historical Commission to proceed to designate the Sheldon Peck Homestead as a "Landmark Site" under the Village of Lombard's Historical Commission ordinance (Sections 32.075 through 32.079 of the Village Code hereinafter the "Ordinance").

1. LHS Sheldon Peck Homestead (hereinafter the "Peck House") is owned by the Lombard Historical Society (hereinafter the "Society"), who received ownership thereof with a "bill of sale" dated 9/30/96.

2. The property on which the Peck House is located at 355 Parkside Street, Lombard, Illinois, (Lot 1 of Block 1 in Cambridge manor, a subdivision in the west half of Section 8, Township 39, North Range 11, East of the third principal meridian, in DuPage County) is owned by the Village of Lombard (hereinafter the "Village").

The Historical Commission previously met and determined the Peck House is worthy of Landmark Site designation because of the following:

1. The Peck House is more than 150 years of age and is the oldest house in Lombard. Peck House was in the original Commission survey and identified as historic by local history research in 1972 and 1976.
2. The Peck House is the original home of nationally famous folk artist, Sheldon Peck, whose portraits now hang in ranking art museums such as Art Institute of Chicago and National Folk Art Museum in New York.
3. Peck House remained within Peck family ownership until given to LHS. It is recognized by family documents and research as an Underground Railroad site.

The Society, as owner of the Peck House, with the consent of the Village, as owner of the said parcel, should make a written request to the Commission for Landmark Site designation for the Peck House (Section 32.077 of the Ordinance). Upon receipt of this letter, the Historical Commission will hold public hearings on the recommendation.

Lombard Historical Commission Landmark Committee

Mr. Jack Jones and Mrs. Patricia Poskocil

