

Chapter 19

Historic Resources

HISTORY OF THE REGION



Photograph courtesy of the Borough of Shippensburg's website

The Delaware Indians lived in the area known as Shippensburg for thousands of years, most notably at Indian Spring Pond, known today as Dykeman Pond or the Duck Pond. Shippensburg is the oldest community in the Cumberland Valley and the second oldest west of the Susquehanna River in Pennsylvania. The European settlement of the area began when William Penn and his family purchased the property now occupied by Shippensburg as a hunting reserve. The first permanent European settlers were illegal squatters who moved into the reserve from Harrisburg. In July 1730, twelve Scotch-Irish families arrived and built cabin homes along Burd Run. The settlement received its name from Edward Shippen, a prominent resident of Lancaster, who obtained the patent to the land from the heirs of William Penn. Shippen purchased

908 acres of this area in 1737, and in 1750, Shippensburg was named as the first county seat for Cumberland County. The Cumberland County courts were established at Widow Piper's Tavern, at the southwest corner of East King Street and Queen Street. Today, this building has been restored and serves as the home of the Shippensburg Civic Club. The historic features of the Region are shown on Figure 19.1 the Historic Resources Map.

HISTORY OF SHIPPENSBURG UNIVERSITY

The University was established in 1870 as the Cumberland Valley State Normal School. The first class of 217 students was admitted in April 15, 1873. In 1917, the Commonwealth of Pennsylvania purchased the school and it became part of the State Normal School system. The college received a charter on October 12, 1926, making it the first normal school in Pennsylvania to become a teachers college. The name of the school was officially changed to the State Teachers College at Shippensburg on June 3, 1927. In 1937, the business curriculum was added, and in 1939 it became the first teachers college in Pennsylvania - and the fourth in the nation - to be accredited by the Middle State Association of Colleges and Secondary Schools. In 1959, the college added a graduate program, and in 1962 the arts and sciences curriculum was added. In 1982, Pennsylvania created the State System of Higher Education and the college officially became "Shippensburg University of Pennsylvania" on July 1, 1983. Old Main is the oldest building on campus.



SHIPPENSBURG BOROUGH HISTORIC RESOURCES

Native Americans were the first settlers drawn to Shippensburg's springs and convenient location along the main North to South valley path. In the early 1730's, Pennsylvania pioneers built log cabins beside Burd Run, but Shippensburg's legal settlement began in 1737 when Edward Shippen, the Proprietor of 1300 acres, sold land and later had the town laid out by his son-in-law James Burd. In the 267 years since then Shippensburg has grown at a slow rate as its economy drew upon the plentiful water resources and convenient location to sustain a changing variety of commerce and industry. Taverns and wagonmakers served streams of settlers and soldiers moving west in the eighteenth century; tanneries and blacksmiths flourished in the early nineteenth century before several railroad lines brought new furniture and textile factories. Small manufacturing shops proliferated in the early twentieth century, only to gradually disappear. Today, only a few manufacturing plants remain, and Shippensburg depends upon more varied employment within and outside the town. The area's historic landscape reflects the construction done over its past centuries, as log cabins and stone houses were replaced by newly fashionable or frame Federal, Italianate, or Queen Anne structures.

Fortunately Shippensburg's growth has been slow and steady, so that although its buildings have changed over the past decades, no construction booms or urban renewal have destroyed the fabric of its past. This historic resource is important today as a prime attraction for new businesses serving tourists and residents who choose Shippensburg because of its scenic beauty. Balancing growth and change with preservation of historic buildings and sites is a challenge facing both the Borough and the Township.

PRESERVATION EFFORTS

An historic sites survey of Shippensburg Borough was conducted between 1981 and 1983, culminating in the creation of the Shippensburg Historic District. The District was listed on both the State and National Registers of Historic Places on June 7, 1984. The Historic Preservation District Ordinance, enacted in 1986 and implemented with guidelines in 1987, established an area in central Shippensburg that is subject to regulation to protect the exterior of structures. The boundaries of the District, as well as the National Register of Historic Places Sites are shown on Figure 19.1.

The Historic Architectural Review Board (HARB) reviews all proposals for alteration of exteriors visible from the streets of the District, as well as proposed demolition or new construction. The Codes Enforcement Officer incorporates the Board's recommendations in building permits. The Borough Council can override the HARB's recommendations. Initially the regulations of the HARB seemed onerous to some residents and led to controversy that in 1990 prompted Borough Council to appoint a committee to review the procedures. Though few of its recommendations were adopted, fear and dissent have gradually abated as policies have developed which compromise strict historic preservation standards with the needs of Borough property owners.

In the eighteen years since the Historic Preservation District was created, there has been significant progress in saving and restoring historic structures, along with decisions to raze badly deteriorated buildings so that new construction can take place in the downtown area. New state legislation pertaining to abandoned, blighted properties enabled the Borough to facilitate restoration of the significant eighteenth-century stone McCall house. In 2003, the Civic Club of Shippensburg undertook a major preservation project that rebuilt a damaged wall of the Old Court House. HARB nominated this project for a state award, which was granted by Preservation Pennsylvania. HARB also nominates owners of exemplary rehabilitation and maintenance projects within the Historic Preservation District for public awards by Borough Council. The large church buildings in the historic Preservation District are notable both for their architectural significance and for their careful preservation. Community support for improving and maintaining the visual quality of the downtown Historic District is manifest in the activities of the Corn Festival, the Chamber of Commerce, DO-IT, and the Non-Profit Housing Corporation, as well as individual homeowners and businesses. However, uncontrolled expansion of the absentee-owned rental housing can imperil the Borough's historic properties. The greatest threat to the Historic District now is the heavy volume of traffic on King Street and on adjacent streets.

Historic preservation is actually carried out in most cases by private property owners, who are most likely to invest in structures originally built by the town's wealthy citizens for display or business. Sometimes these elegant homes are turned over to institutions such as the Shippensburg Historical Society, the Public Library, or the Civic Club. Lesser buildings that reflect important aspects of the town's history may be endangered even if they are within the Historic District, an example being the Mt. Pisgah AME Zion Church on East Orange Street. This church was built by the first Methodist congregation in Shippensburg around 1825, and is the oldest church building still standing in the Borough. Soon after the Civil War, a congregation that split from the Richard Baker African Methodist Episcopal Church bought the building, which it used for over 100 years. Today, this small structure is no longer adequate as a church. Houses such as 22-24 North Washington Street that were built in the nineteenth century by businessmen to house their workers can also be overlooked because they are useful for little but student rental housing today, despite their important historical aspects of the life of working people. An example of successful transition from public to private use is 116 East Burd Street, a structure built in 1880 as a public school, then used as an elementary school for African American children from 1900 to 1934 when the Shippensburg elementary schools were integrated. Afterwards, the building served a Catholic congregation and a United Brethren one until converted into a private home.

Not all of Shippensburg Borough's important historic sites are located within the Historic District. The Dykeman's Spring site on the National Register of Historic Places includes the mansion, the stone Hatch House, as well as the springs and adjacent park. Significant community efforts to fund the restoration of the Hatch House have raised public awareness of the importance of the structure. Concern to preserve the springs as a

potential source of public water and the presence of wetlands should help to preserve an area whose historic significance ranges from Native American settlements and Civil War encampments, to experiments in fish culture and agriculture. Nearby are sites of nineteenth-century factories located on Branch Creek. Other factory sites located throughout the Borough have received little attention as potentially worthy of historic preservation or rehabilitation.

Another locally neglected historic land use is cemeteries. The German cemetery at the corner of East Orange and Queen Streets appears to be little more than a well-kept vacant lot, with no sign of the Lutheran Church that once stood beside it. Spring Hill Cemetery and God's Acre are well marked with protected boundaries, however, the adjoining North Queen Street and Locust Grove Cemeteries are subject to vandalism, careless trespass, and encroachment from nearby properties. Burials began in the cemetery facing Queen Street near Fort Street long before Edward Burd deeded the property to the "People of Color of Shippensburg" in 1842. By the time the Queen Street Cemetery was full, it contained the graves of 28 African American Civil War veterans, as well as veterans of subsequent wars. The cemetery also contained members of families representative of a late nineteenth century black population that reached ten percent of the total population of the Borough and Township. The first African Methodist Episcopal Church, called the Richard Baker Bethel Church, once stood beside the cemetery, as did the building housing the black American Legion Post built after World War II. The Locust Grove Cemetery, which is still in use, is located behind the Queen Street Cemetery. In 2003 a substantial log home on Queen Street, whose ownership could be traced from its' last owner Eleanor London through a line of distinguished black citizenry stretching into the mid-nineteenth century, was razed. Since there is little material evidence left of a black neighborhood known as Pumpkin Center which straddled the Borough and Township line from North Queen Street to the edge of development of Britton Road, preservation of the two burial grounds, now known collectively as Locust Grove Cemetery, is urgent.

SHIPPENSBURG TOWNSHIP HISTORIC RESOURCES

Although Burd Run, where modern settlement of the Shippensburg area began, is in Shippensburg Township, the municipality has only one site listed on the National Register of Historic Places. Until recently its largely rural economy seemed unlikely to jeopardize historic properties. Now rapid development of commercial properties along Baltimore Road, Walnut Bottom Road, and U.S. Route 11 indicates a need to identify historic sites and take steps to preserve them. Research in the records of the Bureau of Historic Preservation in Harrisburg and the Cumberland County Historical Society Library in Carlisle can identify sites already inventoried in historic surveys.

PRESERVATION EFFORTS

The oldest buildings at Shippensburg University are listed on the National Register of Historic Places as the Cumberland Valley State Normal School Historic Site. Included in the site are Old Main, Horton Hall, Stewart Hall, Gilbert Hall, and the President's House. The University's Fashion Archives, a costume museum and research facility housed in Harley Hall, preserves some 14,000 clothing pieces and accessories, mainly nineteenth and twentieth century American in origin, is another significant resource.

Two other properties are listed by the Pennsylvania Historical Museum Commission as eligible for the National Register: The Myers property on Walnut Bottom Road, and a one-room schoolhouse once located on the west side of Britton Road at North Queen Street, which no longer exists. Two other houses, known as the Truscott House and the Craig House, also merit consideration as historic properties that should be preserved. The Craig House sits on a property enrolled in the County's Agricultural Preservation Program, which may provide sufficient protection for the home. The Truscott House, however is located at 606 East King Street which is an area likely to be encroached upon by commercial development or highway improvement. An old red mill on Old Mill Road (located in Franklin County) is a potential site marking processing of agricultural products. The records of the historical survey of the Township may reveal other properties worthy of preservation. Since the Township was primarily agricultural for most of its history, development of sites that illustrate rural life, such as the Craig farmhouse and fields, would compliment the Borough's Historic Preservation District to attract tourism to the Region.

Pennsylvania Historic Museum Commission: National Register of Historic Places
(Sites are mapped on Figure 19.1)

Cumberland Valley State Normal School Historic District (added 1985 - District - #85000076)
Also known as Shippensburg University of Pennsylvania
Roughly bounded by N. Prince St., Stewart, Old Main, Gilbert and Henderson Drs., Shippensburg Township
Figure 19.1 #1



Historic Significance:	Event, Architecture/Engineering
Architect, builder, or engineer:	Sloan, Samuel
Architectural Style:	Late Victorian
Area of Significance:	Education, Architecture
Period of Significance:	1850-1874, 1875-1899, 1900-1924
Owner:	State
Historic Function:	Education
Historic Sub-function:	College
Current Function:	Education
Current Sub-function:	College

Dykeman's Spring (added 1999 - Building - #99000645)
Also known as Ainsworth Fish Farm Dykeman Rd., 0.25 mi E of PA 696,
Shippensburg Borough
Figure 19.1 #2



Historic Significance:	Person, Information Potential, Architecture/Engineering, Event
Architect, builder, or engineer:	Dykeman, George R.
Architectural Style:	Italian Villa
Historic Person:	Dykeman, George R.
Significant Year:	1870, 1881
Area of Significance:	Agriculture, Architecture, Engineering, Prehistoric
Period of Significance:	1850-1874, 1875-1899, 1900-1924, 1925-1949
Owner:	Local Government (Private)
Historic Function:	Agriculture/Subsistence, Domestic, Landscape
Historic Sub-function:	Agricultural Fields, Fishing Facility Or Site, Natural Feature, Processing, Single Dwelling, Village Site
Current Function:	Agriculture/Subsistence, Domestic, Landscape, Recreation And Culture
Current Sub-function:	Agricultural Fields, Conservation Area, Fishing Facility Or Site, Natural Feature, Outdoor Recreation, Single Dwelling

Redott-Stewart House (added 1975 - Building - #75001636)
 52 W. King St., Shippensburg Borough
 Figure 19.1 #3



Historic Significance:	Person, Event, Architecture/Engineering
Architect, builder, or engineer:	Unknown
Architectural Style:	Colonial
Historic Person:	Alexander Stewart
Significant Year:	1785, 1750
Area of Significance:	Architecture
Period of Significance:	1750-1799
Owner:	Private
Historic Function:	Domestic
Historic Sub-function:	Single Dwelling
Current Function:	Shippensburg Historical Society
Current Sub-function:	Museum

Shippensburg Historic District (added 1984 - District - #84003346)
 Roughly bounded by Lutz Ave.,
 Kenneth, Spring, and Fort Sts.,
 Shippensburg Borough
 Figure 19.1 #4



Historic Significance:	Event, Architecture/Engineering
Architectural Style:	Other, Late Victorian, Late 19th And 20th Century Revivals
Area of Significance:	Architecture, Exploration/Settlement
Period of Significance:	1750-1799, 1800-1824, 1825-1849, 1850-1874, 1875-1899, 1900-1924
Owner:	Local Government (Private)
Historic Function:	Commerce/Trade, Domestic
Historic Sub-function:	Business, Single Dwelling
Current Function:	Commerce/Trade, Domestic
Current Sub-function:	Business, Multiple Dwelling, Single Dwelling

Widow Piper's Tavern (added 1974 - Building - #74001779)
 Also known as Old Courthouse; Shippensburg Civic Center
 SW corner of King and Queen Sts., Shippensburg Borough
 Figure 19.1 #5



Historic Significance:	Architecture/Engineering
Architect, builder, or engineer:	Unknown
Architectural Style:	No Style Listed
Area of Significance:	Architecture
Period of Significance:	1700-1749
Owner:	Private
Historic Function:	Commerce/Trade, Domestic, Government
Historic Sub-function:	Courthouse, Hotel, Restaurant
Current Function:	Recreation And Culture, Social
Current Sub-function:	Civic, Museum

Other Significant Historic Sites

The following sites listed in Figure 19.2 are historical resources that add to the character of the Region. Some of the sites in the Borough are also listed on the National Register of Historic Places as part of the Shippensburg Historic District. Sites with an asterisk (*) denote Shippensburg Township properties.

Figure 19.2		
SHIPPENSBURG AREA PROPERTIES IDENTIFIED BY THE SHIPPENSBURG HARB TO BE CONSIDERED HISTORIC RESOURCES		
436 E. King Street	Henry Carlile House ca. 1820	Sailhamer Property
427 E. King Street	Campbell-Porter House ca. 1760's	Cohick Residence
340 E. King Street	Agle House, 1863	Witmer Property
332 E. King Street	Smith House, ca. 1770	Damore Property
330 E. King Street	Mifflin House, ca. 1850	Wegner Residence
314 E. King Street	Coffey House, ca. 1800	Rebner-Offner Residence
301 E. King Street	Thrush House, 1870's	Pinci Property
228 E. King Street	Martin House, ca. 1882	Schell Residence
226 E. King Street	Brookins House, ca. 1800	Shover residence
115-117 E. King Street	Hollar House, 1897	Mitros Property
110 E. King Street	Stewart-Kelso House, ca. 1820	Goodhart Residence
75 E. King Street	Hollar Building, 1916	Orrstown Bank
68 E. King Street	McCall House, ca. 1794	Stover Residence
9-11 W. King Street	Altick Building, site of original Black Horse Tavern, ca. 1800	Mitros-Koontz Property
49 W. King Street	Rippey-McLean-McCreary House, ca. 1790	Fry Residence
73 W. King Street	Stewart House, 1878/1936	Shippensburg Public Library
79-81 W. King Street	George McGinnes House and store, ca. 1820	McCune Lumber Company Property
W. King Spring Yard	Gazebo, ca. 1880	Shippensburg Borough
76 W. King Street	Mahon-Rummel House, ca. 1810	Freeman Residence
80 W. King Street	Duncan-McLean House, 1790's	Rose Residence
303 W. King Street	Aughinbaugh-Montgomery House, ca. 1895	Gates Residence
317 W. King Street	Moody-Nevin-Nickles House, ca. 1840	Torri Residence
26. Earl Street	Wunderlich-Saxe House, ca. 1850	Bietsch Residence
205 E. Orange Street	Oldest Church in Shippensburg, ca 1825	Mt. Pisgah AME Zion Church
116 E. Burd Street	Public elementary school for African Americans	Prince Street United Brethren Church
N. Prince Street	God's Acre Cemetery, earliest preserved cemetery in the Borough	Shippensburg Borough
N. Queen Street and Britton Road	Locust Grove Cemetery, an early African American cemetery	Locust Grove Cemetery Committee
213 N. Prince Street *	McCune-Harper-Russell House, ca. 1867	Voyanos Residence
5 Willow Run*	Francis Campell Plantation	Freeman Residence
91 Fogelsonger Road*	Nevin House	Freeman Residence

Figure 19.3
Pennsylvania Historical Commission:
List of Historical Markers in Shippensburg Region

M1	<p>Marker Name: Shippensburg Date Dedicated: June 1, 1948 Location: US 11 E. end of Shippensburg</p>	<p>Marker Text: Founded 1730 by Edward Shippen. Second oldest town in the state west of the Susquehanna River. Important community on colonial frontier. Temporary seat of Cumberland Co., whose first courts were held here in 1750-51.</p>
M2	<p>Marker Name: Fort Franklin Date Dedicated: 1947 Location: US. Rte. 11 (King Street)</p>	<p>Marker Text: Near this point stood a log fort erected about 1740 by early settlers, against Indian raids. It was superseded by Fort Morris, erected in 1755.</p>
M3	<p>Marker Name: Fort Morris Date Dedicated: Nov. 3, 1961 Location: US. Rte. 11 (King Street) at Queen St.</p>	<p>Marker Text: Named for Gov. R.H. Morris, and built by local settlers under the supervision of James Burd after Braddock's defeat in July, 1755. Later garrisoned by provincial troops commanded by Hugh Mercer. The fort site, long marked by the soldiers' well, lies a block to the north on Burd Street.</p>
M4	<p>Marker Name: Old Court House Date Dedicated: Nov. 18, 1947 Location: US. Rte. 11 (King Street) at Queen St.</p>	<p>Marker Text: "Widow Piper's Tavern," used for Cumberland County court-sessions, 1750-1751, until a courthouse was erected at Carlisle, the county seat. The house is now the home of the Shippensburg Civic Club.</p>
M5	<p>Marker Name: Braddock Expedition Date Dedicated: Nov. 3, 1961 Location: US. Rte. 11 (King Street)</p>	<p>Marker Text: In 1755 supplies for Braddock's army were stored here in Edward Shippen's strong stone house "at the back Run." James Burd, the son-in-law of Shippen, opened a road to carry these supplies to the west. After Braddock's defeat remaining supplies were given to sufferers from Indian attacks.</p>
M6	<p>Marker Name: One Room Schoolhouse Date Dedicated: Nov. 3, 1961 Location: PA 696 at Shippensburg University</p>	<p>Marker Text: The Mount Jackson or Potato Point School, originally built in 1865, is an authentically reconstructed one-room schoolhouse. It was relocated here in 1969 by alumni and friends of Shippensburg State College to preserve part of America's educational heritage.</p>

HISTORIC PRESERVATION AT THE STATE AND LOCAL LEVEL

Establishing a local Historic District requires an assessment of the present status of the community's historic resources, knowledge of past historic preservation efforts, and a list of goals and objectives. The advantages of doing so enables the designating community to take advantage of historic preservation incentives available at the national, state, and local governmental levels, such as grants, income tax credits for historic rehabilitation, low-interest loans, and local tax abatements. One of the requirements of establishing a local district is the establishment of a Historic Architectural Review Board, or HARB. The HARB is required to review all proposed erection, reconstruction, alteration, restoration, or demolition of buildings within the district prior to the issuance of any Borough permits pursuant to these actions. HARB reviews and recommendations must be consistent with the design guidelines established at the enactment of the Historic District. The Borough Council has the right to incorporate any of the HARB's recommendations into the permit requirements, but they may also override those recommendations.

The Borough has already designated a Historic District, the boundaries of which are shown on Figure 19.1.

Two Pennsylvania laws provide the legal foundation for municipalities to adopt historic ordinances and regulatory measures.

Act 247 - The Pennsylvania Municipalities Planning Code (MPC)

Acts 67 and 68 of 2001 amended the MPC, strengthening the ability of local governments to protect historic resources through their Comprehensive Plans, Zoning Ordinances and Subdivision and Land Development Ordinances. The following passages and paraphrases from the MPC are the most critical sections regarding this power.

- §603(C)(7) - Zoning ordinances may promote and preserve prime agricultural land environmentally sensitive areas, and areas of historic significance.
- §603(G)(2) - Zoning ordinances are required to protect natural and historic resources.
- §702(1)(ii) - The governing body of each municipality may enact, amend and repeal provisions of a zoning ordinance in order to fix standards and conditions for traditional neighborhood development. In the case of either an outgrowth or extension of existing development or urban infill, a traditional neighborhood development designation may be either in the form of an overlay zone, or as an outright designation, whichever the municipality decides. Outgrowths or extensions of existing development may include development of a contiguous municipality.
- §1106(a)(6) - Multi-municipal Comprehensive Plans shall consider the conservation and enhancement of natural, scenic, historic, and aesthetic resources in their municipalities.

A Historic Overlay Zoning District, unlike the protection offered through the establishment of an Act 167 Historic District (discussed below), can include individual sites as well as clusters, as long as the resources are documented and identified on a historic resources map. A historic overlay district could require new buildings to be similar in type and scale to those already existing. Setbacks should be consistent with the common building setback. Requirements to replicate the existing building line, building height, and bulk could help to preserve the existing neighborhood character.

Act 167 - The Historic District Act (1961)

Townships and Boroughs may create historic districts within their municipalities to protect the historic character through regulation of the erection, reconstruction, alteration, restoration, demolition, or razing of buildings within the district. The Pennsylvania Historical and Museum Commission must certify districts, including a *determination of eligibility* for the National Register of Historic Places. In this way, historic districts established pursuant to Act 167 have the same protection from federal projects as do National Register properties. Act 167 also requires appointment of a HARB. The Borough's Historic District, in addition to being a locally designated area, is also an Act 167 District.

Historical and Museum Commission Act 1945

Act No. 446, approved June 6, 1945, created the Pennsylvania Historical and Museum Commission (PHMC) by consolidating the functions of the Pennsylvania Historical Commission, The State Museum, and the State Archives. The PHMC is an independent administrative board, consisting of fourteen members: nine citizens of the Commonwealth appointed by the Governor, the Secretary of Education (ex officio), two members of the Senate, and two members of the House of Representatives. The Executive Director is appointed by the Commission and is an ex officio member of three groups: the Environmental Quality Board, County Records Committee, and the Local Government Records Committee.

The PHMC is the official agency for the conservation of Pennsylvania's historic heritage. The powers and duties of the Commission fall into these principal fields: care of historical manuscripts, public records, and objects of historic interest; museums; archaeology; publications; historic sites and properties; historic preservation; geographic names; and the promotion of public interest in Pennsylvania history.

The PHMC is funded partially through an annual legislative appropriation, various federal grants, and private donations. Officially recognized local historical organizations may benefit financially through the Commission's eligibility to receive matching funds from various federal programs. The PHMC is active in many phases of historic preservation. The PHMC also conducts a landmark identification program, presenting identification plaques to property owners for attachment on structures included in the Pennsylvania Inventory of Historical Places. The landmark identification program also includes the placement of roadside historical signs at various sites and locations having statewide and national historic significance. Today there are nearly 1,900 such markers across the state.

The Office of Historic Preservation is an arm of the PHMC that has the responsibility to assist the public and private sectors in implementing the Commonwealth's policy to "protect and enhance our irreplaceable resources." To this end, the Office has implemented a five-point program:

- Registering historically and architecturally significant sites and structures on the National Register of Historic Places and on the Pennsylvania Inventory of Historic Places;
- Advising and guiding individuals and organizations regarding historic preservation and its funding;
- Reviewing applications for federal preservation grants;
- Working for legislation at the state level to provide effective tools for historic preservation; and
- Working with other governmental agencies to review the impact of projects, such as highways, on the Commonwealth's historic resources.

Pennsylvania Bureau for Historic Preservation

The Bureau is an agency of the PHMC. The Executive Director of the Bureau is designated as the State Historic Preservation Officer (SHPO).

The Bureau provides technical assistance for the preservation, rehabilitation, and restoration of historic buildings. The Bureau reviews architectural plans and specifications and provides comments on historic building projects for state and federal compliance. They also assist in code-related issues and accessibility programs in the form of letters of support for variances to historic buildings. In an effort to inform the public, public agencies, local governments, and other stewards of historic properties, the Bureau assists in the development and distribution of materials on applying the Secretary of the Interior's *Standards for Rehabilitation* when repairing historic buildings.

The Bureau also administers the Federal Rehabilitation Investment Tax Credit (RITC) program in partnership with the National Park Service. The tax credit program is one of the most successful programs for encouraging private investment in the rehabilitation of historic properties. Since the establishment of the PHMC in 1976, Pennsylvania has been a national leader in certified tax credit projects, completing over 1,800 projects and generating over \$2.5 billion in qualified rehabilitation expenditures. The Bureau provides technical assistance throughout the application process.

The Bureau also administers the State's Historic Preservation Program as authorized by the Pennsylvania History Code and National Historic Preservation Act of 1966. The program is guided by advisory boards as well as the Pennsylvania Historic Preservation Plan.

The Pennsylvania General Assembly is in the process of considering legislation to establish a Historic Homesites Grant Program. Once established, this legislation will provide funds to the Pennsylvania Historical and Museum Commission to support rehabilitation grants (up to \$6,000) to individuals owning and residing in a historic residential building, as well as to individuals intending to purchase and reside in a historic residential building. Likely conditions for eligibility include:

- the building must serve as the owner's principal residence,
- the building must be listed in the National Register of Historic Places or be determined to be a contributing building in a listed National Register Historic District,
- the building must be located in an Act 167 historic district or be designated as a historic property under the local ordinance or city code in Pittsburgh and Philadelphia, and
- all rehabilitation work must conform to the U.S. Secretary of Interior's *Standards for the Treatment of Historic Properties*.

NATIONAL EFFORTS AND LEGISLATION FOR HISTORIC PRESERVATION

Federal programs encouraging historic preservation include:

- the National Register of Historic Places,
- Historic Preservation Tax Credits on federal income tax for qualifying rehabilitation and adaptive reuse of historic buildings used for income-producing purposes,
- Section 106 Review of federally funded or assisted projects that impact historic resources, and
- the Certified Local Government Program was created to facilitate historic preservation at the local level.

The earliest Federal preservation statute was the Antiquities Act of 1906, which authorized the President to set aside historic landmarks, structures, and objects located on lands controlled by the United States as national monuments. It required permits for archeological activities on Federal lands, and established criminal and civil penalties for violation of the act.

The Historic Sites Act of 1935 was the second major piece of Federal historic preservation legislation. This act declared it national policy to preserve for public use historic sites, buildings, and objects of national significance and directed the Secretary of the Interior to conduct various programs with respect to historic preservation.

In 1964, The United States Conference of Mayors undertook a study of historic preservation in the United States. The resulting report, "With Heritage So Rich," revealed a growing public interest in preservation and the need for a unified approach to the protection of historic resources. This report influenced Congress to enact a strong new statute establishing a nationwide preservation policy: The National Historic Preservation Act of 1966.

National Historic Preservation Act of 1966 (NHPA)

The National Historic Preservation Act of 1966 and its subsequent amendments established a legal basis for the protection and preservation of historic and cultural resources. Historic resources are defined as "*any prehistoric or historic district, site, building, structures or object included in, or eligible for inclusion in the National Register; the term includes artifacts, records, and remains which are related to such a district, site, building, structure or object*".

The Act promoted the use of historic properties to meet the contemporary needs of society. It directed the Federal Government, in cooperation with State and local governments, Native Americans, and the public, to take a leadership role in preservation. First, the Act authorized the Secretary of the Interior to expand and maintain the

National Register of Historic Places. This is an inventory of districts, sites, buildings, structures, and objects significant on a national, State, or local level in American history, architecture, archeology, engineering, and culture. Once a property is eligible to be placed on the list, the property, site, or object can be qualified for Federal grants, loans, and tax incentives. Second, the NHPA encourages State and local preservation programs. States may prepare and submit programs for historic preservation for to the Secretary of the Interior for approval. Approval can be granted if they:

- designate a State Historic Preservation Officer (SHPO) to administer the State preservation program,
- establish a State historic preservation review board, and
- provide for adequate public participation in the State program.

Since 1966, Congress has strengthened national preservation policy through other statutes, including the National Environmental Policy Act, several transportation acts, and statutes directed toward the protection and preservation of archeological resources. These laws all require Federal agencies to consider historic resources in their decision making and overlap with provisions of NHPA.

Section 106 Review

Section 106 of the NHPA requires Federal agencies to consider the effects of their actions on historic properties and provide the Council an opportunity to comment on Federal projects prior to implementation. Section 106 review encourages, but does not mandate, preservation.

To successfully complete Section 106 review, Federal agencies must:

- determine if Section 106 of NHPA applies to a given project and, if so, initiate the review,
- gather information to determine which properties in the project area are listed on or are eligible for the National Register of Historic Places,
- determine how those historic properties might be affected by the project in question,
- explore alternatives to avoid or reduce any negative effect upon those historic properties, and
- reach agreement with the SHPO on specific measures to mitigate any adverse effects.

The Executive Branch has also expressed support for preservation through several Executive Orders. Examples include Executive Order No. 11593 of 1971, which instituted procedures for Federal agencies to follow in their property management activities. Executive Order No. 13006 encourages the location of Federal offices and facilities in historic districts and properties within the inner cities. Executive Order No. 13006 also directs Federal agencies to use and rehabilitate properties in such areas wherever feasible and reaffirms the commitment to Federal leadership in the preservation of historic properties set forth in NHPA. Executive Order, No. 13007, signed in 1996, expressed support for the protection of Native American sacred sites.

Federal Tax Incentives for Historic Buildings

According to the Tax Reform Act of 1986, a property owner is eligible for a 20% tax credit, along with a 27.5 to 31.5% straight-line depreciation for the substantial rehabilitation of historic buildings for commercial, industrial and rental residential purposes (not owner-occupied buildings). In addition, the Act allows a 10% tax credit for the substantial rehabilitation of nonresidential buildings built before 1936. The 10% tax credit is not available for rehabilitations of certified structures.

Two Federal Tax Incentive Programs currently apply to preservation activities in Pennsylvania: the rehabilitation investment tax credit and the charitable contribution deduction.

Rehabilitation investment tax credits are the most widely used incentive program. Certain expenses incurred in connection with the rehabilitation of an old building are eligible for a tax credit. Rehabilitation investment tax credits are available to owners and certain long-term leases of income-producing properties that are listed on the National Register of Historic Places. There are two rates: 20% for historic buildings and 10% for non-residential, non-historic buildings built before 1936.

The charitable contribution deduction is taken in the form of a conservation easement and enables the owner of a "certified historic structure" to receive a one-time tax deduction. A conservation easement usually involves the preservation of a building's facade by restricting the right to alter its appearance.

The Federal Tax Incentive Programs are coordinated through the State Historic Preservation Office, Bureau for Historic Preservation, Pennsylvania Historical and Museum Commission in conjunction with the National Park Service. Federal Historic Preservation Certification Applications are available on-line.

The National Park Service "Certified Local Government" (CLG) Program

This program was created in 1980 under the National Historic Preservation Act and is administered by the Pennsylvania Historical and Museum Commission. The Certified Local Government Program provides additional benefits to municipalities interested in historic preservation. Once certified, the local government is then eligible to:

- participate directly in the federal historic preservation program,
- have greater access to historic preservation funds,
- have greater level of information exchange with the State Historic Preservation Office (SHPO),
- have access to technical assistance and training from the SHPO, and
- have a higher degree of participation in statewide preservation programs and planning.

This program was established to allow local governments to participate directly in the national historic preservation program and to provide funding to local governments to carry out their historic preservation responsibilities (survey, inventory, designation and protection of their historic resources). To achieve CLG status in Pennsylvania, a municipality applies to the Bureau for Historic Preservation. All states are required to set aside 10% of their federal historic preservation grant funds to CLG's. These grants are presently offered as a ratio of 60% funding from the Pennsylvania Historical and Museum Commission (PHMC) and 40% match from the CLG.

Critical requirements for CLG designation are:

- adopt and enforce appropriate legislation for designation and protection of historic properties,
- establish a qualified historic preservation commission,
- enact a system for surveying historic properties,
- enact a public participation component as part of the local program,
- adequately perform duties and responsibilities delegated through the certification process,
- provide continuing in-service historic preservation training for HARB and Historical Commission members (8 hrs. training annually per member),
- a good faith effort to appoint HARB members with appropriate professional qualifications for historic preservation backgrounds,
- submit an annual report of the municipality's historic preservation activities, and
- enforce the historic district ordinance.