

Section IX

NATIONAL REGISTER

FACT SHEET

FREQUENTLY ASKED QUESTIONS ABOUT THE STATE AND NATIONAL REGISTERS OF HISTORIC PLACES IN NEW YORK STATE

What are the State and National Registers of Historic Places? Administered by the State Historic Preservation Office (SHPO), which is part of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), the registers are the official lists of properties that are significant in history, architecture, engineering, landscape design, archeology and culture within local, state and/or national contexts. More than 80,000 historic properties in New York have received this prestigious recognition.

What qualifies a property for listing on the registers? The registers criteria recognize the value of all aspects of New York's diverse culture. Properties must represent a significant historic theme (e.g., architecture, agriculture, industry, transportation) and retain sufficient integrity to illustrate their association with that theme -- specifically, properties must possess integrity of location, design, setting, materials, workmanship, feeling and association. Properties less than 50 years of age, with rare exceptions, are not considered eligible for listing.

What kinds of properties can be included in the registers? Buildings and structures such as residences, churches, commercial buildings and bridges; sites such as cemeteries, landscapes and archaeological sites; districts or groups of buildings, structures or sites that are significant as a whole, such as farmsteads, residential neighborhoods, industrial complexes and cultural landscapes; and objects such as fountains and monuments.

What is a historic district? A historic district is a group of buildings, structures, and sites related architecturally and/or historically and listed together on the State and National Registers. A district may include any number of properties.

What is the process for listing a property on the registers? To begin, an application must be submitted to the State Historic Preservation Office for evaluation. If the property is determined eligible for listing, the nomination sponsor is responsible for providing documentation that describes the property's setting and physical characteristics, documents its history, conveys its significance in terms of its historic context and demonstrates how it meets the register's criteria. Once complete, the nomination is reviewed by the New York State Board for Historic Preservation. If the board recommends the nomination, the New York State Historic Preservation Officer (Commissioner of the Office of Parks, Recreation and Historic Preservation) lists the property on the State Register and forwards it to the National Park Service for review and listing on the National Register.

Can an owner object to having his or her property listed on the registers? Yes. An individual privately owned property cannot be listed over the objection of its owner. A district cannot be listed over the objection of a majority of owners. It is the policy of the SHPO to work closely with nomination sponsors and communities to provide information about the registers program and opportunities for comment.

What are the benefits of being listed on the registers? The State and National Registers are a recognized and visible component of public and private planning. The registers promote heritage tourism, economic development and appreciation of historic resources.

Benefits include:

- Official recognition that a property is of significance to the nation, the state, or the local community.
- Listing raises the community's awareness and pride in its past.
- Owners of historic commercial and rental properties listed on the National Register may qualify for a preservation tax credit. The Tax Reform Act of 1986 allows a 20 percent tax credit for the substantial rehabilitation of income-producing historic properties. The work performed must meet federal preservation standards. [See The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995]

- Not-for-profit organizations and municipalities that own listed properties are eligible to apply for New York State historic preservation grants. Additional grants are available through other public and private sources.
- Properties that meet the criteria for registers listing receive a measure of protection from state and federal undertakings regardless of their listing status. State and federal agencies must consult with the SHPO to avoid or mitigate adverse effects to listed or eligible properties.

Will State and National Registers listing restrict the use of a property? Listing on the registers does not interfere with a property owner's right to remodel, alter, paint, manage, sell, or even demolish a historic property, local zoning or ordinances notwithstanding. If state or federal funds are used or if a state or federal permit is required, proposed alterations will be reviewed by the SHPO staff - regardless of listing status.

How can an owner get a State and National Registers plaque to display on his or her building? The State and National Registers program does not provide plaques. A list of manufacturers is available upon request.

Must owners of listed buildings open their buildings to the public? No. There is absolutely no requirement to open registers listed properties to the public.

Will a property owner be able to leave his property to his children or anyone else he/she wishes? Yes. Listing on the registers in no way affects the transfer of property from one owner to another.

Will listing on the State and National Registers, either individually or in a historic district affect local property taxes or zoning? No. Listing has no direct bearing on any of these local actions.

How do the State and National Registers differ from local landmark designation? State and National Registers listing should not be confused with local landmark designation. Many communities have enacted local historic landmark ordinances that establish local commissions and review procedures for locally designated properties. These commissions-are established and operated independently from the State and National Registers, although the goals are similar -- to protect and preserve properties important in our past.

How does listing protect a building and its surroundings? The registers are a valuable tool in the planning of publicly funded, licensed or permitted projects. Government agencies are responsible for avoiding or reducing the effects of projects on properties that are eligible for or listed on the registers. Listing raises awareness of the significance of properties, helping to ensure that preservation issues are considered early and effectively in the planning process.

Where can I find out more about the State and National Registers? For more information contact the Historic Preservation Field Services at (518) 237-8643 or log on to the OPRHP website at www.nysparks.state.ny.us.

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