

West Newbury

Historical Commission Meeting Minutes

Meeting date & place: 7:00 pm, August 16, 2022, Town Offices and on Zoom

Members Present: Chairman Bob Janes; Jennifer Conway; Jennifer Munson; Robert Belmont; Elisa Grammer(by Zoom); Associate Member Dot Cavanaugh. Also present, Select Board member Wendy Reed, Architect Lynne Spencer, and members of the public.

Carr Post

Architect/Town Consultant Lynne Spencer said that after the Town initially voted to restore the Carr Post, the project went to bid and came back with bids that were extremely high. This led to recommendations that the Town consider 1) selling the property with conservation or preservation restrictions that would run with the land and require the new owner to restore and maintain the building or 2) engaging in a longterm lease arrangement (30-50 years perhaps) with preservation restrictions, following the model of the Massachusetts Department of Conservation and Recreation (DCR) [Historic Curatorship](#) program.

Ms. Spencer noted that the Town voted to sell the Carr Post with preservation restrictions, as for instance, has happened with the Town of Concord. She said that Historic New England holds many such conservation restrictions.

Ms. Spencer said that she understood that a question had been raised whether statutory or regulatory provisions would be sufficient as opposed to a conservation restriction. Ms. Grammer said that was not her question: she asked whether Massachusetts Historical Commission (MHC) regulations, ["Protection of Properties Included in the State Register of Historic Places," 950 CMR 71](#) apply the Town's transfer of Carr Post. Ultimately Ms. Spencer acknowledged that the Carr Post is on the State Register and said that these rules (which provide that "950 CMR 71.00 establishes a standardized procedure to protect the public's interest in preserving historic and archaeological properties by directing state bodies to notify the MHC as early as possible in the planning process of any project either undertaken by the state body or prior to the state body's funding or licensing, in whole or in part, a private project." and that "If there is state body involvement, the state body shall fulfill its responsibilities under 950 CMR 71.00.") may apply, but are purely advisory. She added that in any event the MHC has 30 days to reply and often provides no reply at all. She said that West Newbury can determine whether it may be prudent to submit the Project Notification Form under these regulations. Ms. Spencer noted that MHC does have ultimate authority over preservation and will need to review any preservation restrictions.

Ms. Grammer asked how the Historical Commission, which has no staff or resources, could assume responsibility for a preservation easement. She explained that Historic New England has a full time professional staff supervising, inspecting, and enforcing conservation easements and that the Cambridge Historical Commission, which manages preservation restrictions, has a staff of at least 7 professionals. Ms. Spencer said that the restrictions would apply only to the building's exterior.

There could be a request for Community Preservation funding for an expert consultant for perhaps 3 years during the active renovation work. After that, there would be a need for ongoing resources to do inspection and enforcement of the preservation easement.

Ms. Spencer clarified that the draft preservation guidelines are not intended to be used as the text in a preservation restriction. This would be part of a request for proposals (RFP) to which potential buyers would respond. The idea is that the buyer would be responsible for renovation of the building, and would have to make a showing of sufficient financial capability to do this. She said that a model is DCR's stewardship program. She said that she had provided a sample preservation easement. This, however, had not been shared with the Historical Commission. Ms. Reed indicated that this document would be forwarded.

With respect to the guidelines' statement that the turret's "structural deficiencies are such that some amount of reconstruction is warranted," Ms. Grammer said that she had heard that the turret would need to be completely rebuilt and asked if that were so. Ms. Spencer said that a new owner may decide not to tear down and reconstruct the turret, but rather could find another way to do it. Ms. Spencer acknowledged that a structural engineer had analyzed the building for the Town, and that the Town might make a decision to share that analysis with a new owner. The new owner could, however, have his or her own structural analysis performed. Mr. Belmont noted that this is an area where inspections would be important.

Ms. Spencer said that it would be possible for a private entity or private nonprofit to accomplish the renovation at a far lower price than could the Town. Mr. Janes said that he knows several local contractors who are interested in doing work on this project and asked if there could be a preference for using them. The buyer, Ms. Spencer said, will be someone devoted to historic preservation. The preservation restriction would set forth the owner's duties to do the renovation, continue maintenance, and limit further additions or modifications to the exterior. In response to Ms. Munson, Ms. Spencer noted that there is not much to the landscape around the building. Drake's Landing owns the parking lot.

Mr. Janes said that the Town could use the Carr Post for several purposes at once, such as a veterans memorial, a museum, a place for the Council on Aging, expansion room for the library, an office for a Town Cemetery Commission, etc. He suggested that the Town might seek state or federal grants that would allow it to keep and use Carr Post. Ms. Spencer replied that the grants are competitive and do not involve that much money. She said that going with grants could delay renovation and complicate the possibility of selling the property to a preservation-minded buyer. It would be better, she said, to sell the property with preservation restrictions.

Ms. Spencer noted that it would be possible for the preservation restriction to include limited Town use. For instance, it could be possible to add a requirement that during the Memorial Day Parade, the Town could use the building's exterior and lawn.

In response to an inquiry from the public, Ms. Spencer said that the next step for Fall Town Meeting is to approve a zoning bylaw amendment that would expand the categories for special permits (which now include things like cider mills and dog kennels) to include office space. The RFP and preservation restriction would not require a vote of the Town.

Historic Markers

Ms. Grammer reported that the two replacement historic markers concerning American Indians had been retrieved from the Haverhill Sign Center. She gave the Director of the Department of Public Works (DPW) the markers and the coordinates for the location of the signs, and expects that the new signs will be installed soon. Ms. Grammer said that with payment for the signs, the Historical Commission's budget for FY 23 is now \$49 and some cents.

Historic Sites Survey Update

Ms. Conway said that she has received the consultants' contract from the MHC and she continues to work with the Town Manager and DPW Director/Procurement Officer to meet grant paperwork requirements. Ms. Conway opened the single bid received and noted that the consultant bidder was Stacy Spies, who had bid at \$29.8K, just below the \$30K amount authorized. *By unanimous vote, the Commission accepted the bid.*

Ms. Conway said that the next step is to alert the MHC about the consultant selection. Ms. Conway will also recirculate the list of resources to be included in this final survey. There will also be a kickoff meeting. Ms. Munson and Mr. Belmont asked about the concerns that had been raised with Ms. Spies' Phase 2 survey. Ms. Conway noted that unlike what was done in Phase 1, the Phase 2 survey lumped many properties together, without as much individual attention and detail. She noted that Phase 3 will ideally include individualized surveys for certain important properties previously dealt with as part of the group, particularly on Maple Street. Mr. Belmont and others agreed that having meetings to discuss this would be important. Ms. Conway said there will be 4 meetings. Ms. Grammer also hoped that in preparing the survey, research already done by the Historical Commission would be used.

Ms. Conway reported that the application for Phase 3 funding will be brought up again at the Community Preservation Committee meeting later this week. When presenting this to the Town for vote, the Finance Committee erroneously set a sunset date for FY 22, even though the article request made it clear that it would take longer. Thus the process for Phase 3 funding needs to be repeated, with another vote at the upcoming Fall Town Meeting.

Cemeteries

Ground penetrating radar at the Almshouse Cemetery

Bob Janes said that he has an application for CPC funding ready for \$3K for ground penetrating radar that would identify the number and location of graves at the Almshouse Cemetery. He said that there may be a chance that once located, the graves could be marked. *The Commission ratified its*

decision at the prior meeting to support this request, and Mr. Janes will present a \$3K request to fund this at the upcoming Community Preservation Committee meeting.

Quaker Cemetery update

Ms. Grammer reported that the Conservation Commission approved, with conditions, Newburyport's proposal to add a foundation that will enable it to raise the dam in the event of flooding where the Merrimack River might back up into the Artichoke Reservoir. She said she does not know where the application before the Department of Conservation & Recreation dam regulators stands.

Town Cemetery maintenance plan

Pursuing the prior meeting's discussion about developing a plan for annual cleanup of the Town-owned cemeteries (Quaker & Almshouse), Ms. Grammer had visited the Quaker Cemetery and found it in very bad shape—overgrown, with trash and some vandalism. She said that since a cutting of bushes, etc. at the Quaker Cemetery near the Artichoke requires Conservation Commission approval, she had inquired about procedures that would need to be met. The Historical Commission would need to file a Request for Determination (RDA), which is the least burdensome regulatory requirement. The Historical Commission would need to present to the Conservation Commission a detailed work plan, showing what work would be done where, and including an aerial map outlining where work would occur—particularly in relation to the reservoir.

Assuming this application is successful, the Conservation Commission would issue a Negative Determination, which would include conditions such as a requirement that work only be done in accordance with the workplan that was submitted, and likely other conditions. As part of the application, the Historical Commission will need to pay about \$130-150 for a notice in the Newburyport Daily News. Ms. Grammer noted that this is more than is left in the current budget, so the Historical Commission will need to find a source of funds. Ms. Reed, a former Conservation Commission member, said that it may be possible to get permission on a permanent basis. She noted that the Town successfully obtained permanent permission to maintain trails in Conservation Commission-jurisdictional areas, so it may not be necessary to reapply every three years.

Ms. Grammer noted that the Quaker Cemetery does not have the massive downed trees that were present at the Almshouse Cemetery, but it does need considerable removal of vines, brush, small trees, etc. Once a clean up has been done, regular maintenance would mostly be quick and light work. Ms. Reed and Mr. Belmont suggested seeing if Pentucket High School students could participate in the initial clean up. It was also suggested that Boy Scouts might assist.

The Historical Commission agreed to visit the Quaker Cemetery on September 18, 2022 to see what work needs to be done where. Ms. Grammer committed to contact DPW Director Wayne Amaral about this, and the Historical Commission's next steps will include consulting with the Select Board about the annual maintenance proposal.

Town Records & Annual Town Report Digitization Update

Ms. Grammer noted that the Annual Town Reports are now all digitized, but problems with Advantage Archives (which tried to overcharge by a couple of thousand dollars), remain. Advantage Archives has yet to remedy problems with the way the latest scanned documents were uploaded to the Library website. Ms. Grammer said that this winter, she and Ms. Cavanaugh would again try to create some order in the unorganized storage area in the basement, but this time Ms. Grammer will use a scanning program on her smartphone as much as possible, to avoid the need to send materials to Advantage Archives. Mr. Belmont said that he also has had success using his smartphone and offered to help in this effort.

Firefighter & Schools History

Mr. Belmont provided an update on his work to write histories and gather photos about the history of the Fire Department and the history of the Town schools. He has worked in the library and hopes to get access to Historical Society records. He plans to share what he has been working on. Ms. Munson said that in walking in the Crane Neck area, she came across the foundation of an old schoolhouse hidden in the bushes, and other artifacts are present—this provides another example of history in the landscape.

Monthly Minute Histories

Ms. Grammer reported that the proposed September Minute History is about Ben Perley Poore. A draft had been submitted to the Commission members. *By unanimous vote the Commission approved the Poore story for September.*

Other Business

- 1) Mr. Janes described communications he has had with descendants of a West Newbury Civil War soldier who served in the 48th. This person was buried at St. James Cemetery in Haverhill, but has no gravestone.
- 2) Mr. Janes received from the Department of Transportation proposed Rocks Bridge signage including large warning signs about the small size of the bridge. He shared photos with the Commission. *The Commission approved the proposed signs, and suggested that signs be placed earlier along the approaches to Rocks Bridge, so that large trucks can turn off before they reach the bridge.*
- 3) Ms. Cavanaugh reported that she had spoken with Judy Marshall, the former owner of Knapps Nursery, which will be made into housing. Ms. Marshall said that a Historical Commission site visit would not work at this time, but offered to provide access to a binder of historic information about the plant nursery. Ms. Grammer said that she would like to scan the binder (using a smartphone) and perhaps make a story about this for the Historical Commission website.

Minutes

By a unanimous vote the Commission approved the minutes of July 7, 2022.

Adjournment

8:37 pm

Next Meeting

September 6, 2022

Meeting Documents

Draft Carr Post preservation documents

Respectfully submitted,

Elisa Grammer