



CERTIFIED LOCAL GOVERNMENT PROGRAM

The Certified Local Government Program is a preservation partnership between local, state and national governments focused on promoting historic preservation at the grass roots level. The program is jointly administered by the National Park Service (NPS) and the State Historic Preservation Offices (SHPOs) in each state, with each local community working through a certification process to become recognized as a Certified Local Government (CLG). CLGs then become an active partner in the Federal Historic Preservation Program and the opportunities it provides.

Why become a CLG? There are many reasons that are described in depth in the links provided, but the key reason is the access certification provides to the expert technical advice of the State Offices as well as the NPS. Partnerships with the National Alliance of Preservation Commissions, Preserve America, the National Trust for Historic Preservation, and the National Main Street Center are also networks that CLGs have an opportunity to tap into. Of course, access to Federal funding is another benefit, making certified communities able to access the portion of Federal funds set aside by each SHPO for just CLGs annually. Being a CLG also shows your community's commitment to keeping what is significant from the past for future generations. As a certified town, city, or county seeking other opportunities, it becomes easy to demonstrate a readiness to take on a preservation project and be successful.

How to Become a Certified Local Government

Is your community ready to enhance their commitment to historic preservation? Then now is the time to become a Certified Local Government (CLG) and an active partner in the National Preservation Program.

First step is to contact the State Historic Preservation Office (SHPO) in your state and ask for the CLG Coordinator, each state has one. The SHPO facilitates this Federal program for the National Park Service (NPS) and will assist your community with the certification process. The completed application is then sent to NPS for final review and official certification.

What is a CLG required to do?

A community must address the following minimum goals to demonstrate to the State and NPS that they are committed to historic preservation.

- Establish a qualified historic preservation commission.
- Enforce appropriate State or local legislation for the designation and protection of historic properties. In most cases this is done in the form of a local ordinance.

- Maintain a system for the survey and inventory of local historic resources.
- Provide for public participation in the local historic preservation program, including participation in the National Register process.
- Follow any addition requirements as outline in the State's Procedures for Certification.

Each state has Procedures for Certification that are approved by NPS, and often establish additional requirements for becoming a CLG in that state. Contact your State CLG Coordinator to learn more about any additional requirements.

For more information, visit the National Park Service's website: www.nps.gov/history/hps/clg or contact Megan Brown: Megan_Brown@nps.gov, 202-354-2062.



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, NW
Washington, DC 20240

H36(2256)
Via Email

March 19, 2021

Brona Simon
State Historic Preservation Officer and Executive Director
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, Massachusetts 02125

Dear Ms. Brona,

Thank you for forwarding the necessary documentation concerning the Town of Nantucket's application to participate in the Certified Local Government (CLG) Program. I have reviewed your submission and am pleased to concur in your recommendation that the Town of Nantucket, Massachusetts be certified under 54 U.S.C. 3025, commonly known as Section 101(c) of the National Historic Preservation Act.

The date of certification will be recorded as the date of this letter and we are providing a copy of this letter to HollyBackus, Preservation Planner for the Town of Nantucket.

We welcome the Town of Nantucket, Massachusetts as a local partner in the Federal Preservation Program and look forward to working with them to preserve what makes their community special and significant. They have been added to our database and can find their listing there as well as more information on the CLG program by going to: www.nps.gov/clg

NPS also encourages you to explore our CLG Gateway Application which helps connect CLGs to National Parks and other partnership opportunities. Access the application and other tools at www.nps.gov/stlpg under the "HPF In Action" tab. and a fact sheet on the application is included in this email.

If you have any questions about this letter, please feel free to contact me by phone at 202-354-2062, or by email at megan_brown@nps.gov.

Sincerely,

Megan J. Brown
Chief, State, Tribal, Local, Plans and Grants Division

cc: Holly Backus, Preservation Planner, Town of Nantucket, Massachusetts
hbackus@nantucket-ma.gov

Chris Skelly, Director of Local Government Programs, Massachusetts Historical Commission
Christopher.Skelly@state.ma.us

Jennifer A. Wellock, National Park Service Grant Manager
Jennifer_wellock@nps.gov

MEMORANDUM OF UNDERSTANDING BETWEEN
THE
NANTUCKET HISTORIC DISTRICT COMMISSION
THE
NANTUCKET HISTORICAL COMMISSION
AND THE
MASSACHUSETTS HISTORICAL COMMISSION

This Memorandum of Understanding (MOU) is developed in accordance with Section II, Part B of the Guidelines for Implementation of Certified Local Government Programs in Massachusetts. The MOU is necessary to implement the CLG requirements for public participation in communities with separate historical commissions and district commissions. The MOU outlines the responsibilities of the Certified Local Government in terms of the specific duties to be carried out by the Historic District Commission (HDC) and the Local Historical Commission (LHC).

As outlined in the Guidelines and the Certification Agreement, the basic responsibilities of the CLG include: enforcement of local preservation legislation, maintenance of an adequate and qualified historic preservation review commission, participation in the Massachusetts National Register Program, maintenance of a system for survey and inventory of historic properties, and the provision of adequate public participation in local preservation programs.

Traditionally, the enforcement of local preservation legislation by a qualified historic preservation review commission has been the responsibility of the historic district commission; the local historical commission has administered matters relating to the National Register, and has been responsible for carrying out the comprehensive community-wide survey. Under the CLG program, the two commissions can continue to perform their respective duties independently.

However, in order to fulfill their function as a CLG, the two commissions must each take additional responsibility for the provision of public participation in local preservation programs. The commissions must act jointly to coordinate their activities, and to provide ongoing communication with the MHC. A CLG coordinator must be appointed to handle this coordination and communication.

The following is a list of the required responsibilities of the CLG coordinator, and of the LHC and the HDC for the provision of public participation in local preservation programs.

Please place an "X" next to each item below, and describe any additional duties to be carried out by either commission:

RESPONSIBILITIES OF THE CLG COORDINATOR:

- ___ 1. Attends MHC training sessions for CLGs.
- ___ 2. Transmits National Register Nominations and CLG Reports to MHC.
- ___ 3. Solicits recommendation of the chief elected official regarding potential nominations to the National Register.
- ___ 4. Notifies chief elected official of vacancies on commissions.
- ___ 5. Regularly attends meetings of both commissions.
- ___ 6. Receives all minutes from both commissions.
- ___ 7. Collects materials from each commission for Annual Report
- ___ 8. Organizes the annual joint meeting of two commissions.
- ___ Other _____

RESPONSIBILITIES OF THE HISTORIC DISTRICT COMMISSION:

- ___ 1. Enforces local preservation legislation.
- ___ 2. Holds meetings at regular intervals at least four times a year.
- ___ 3. Properly notices and conducts meetings in accordance with the Open Meeting Law and the local preservation ordinance or bylaw.
- ___ 4. Makes decisions in a public forum.
- ___ 5. Maintains accurate minutes of all commission actions, which include criteria upon which decisions were made.
- ___ 6. Holds annual joint meeting with Local Historical Commission to discuss respective responsibilities of HDC and LHC for local preservation program.

RESPONSIBILITIES OF HISTORICAL COMMISSION

- ___ 1. Holds meetings at regular intervals at least four times a year.
- ___ 2. Properly notices and conducts meetings in accordance with the Open Meeting Law

and the local preservation ordinance or bylaw.

- ___ 3. Makes decisions in a public forum.
- ___ 4. Maintains accurate minutes of all commission actions, which include criteria upon which decisions were made.
- ___ 5. Holds annual joint meeting with Local Historic District Commission to discuss respective responsibilities of the LHC and HDC for local preservation program.
- ___ 6. Allows reasonable opportunity for public comment on properties proposed for nomination to the National Register
- ___ 7. Prepares eligibility opinions for properties proposed for nomination to the National Register of Historic Places.
- ___ 8. Maintains local inventory of historic and cultural resources.

Other: _____

Date 1/6/21 Raymond B. [Signature]
Chair, Nantucket Historic District Commission

Date 1/4/21 William H. Rayner
Chair, Nantucket Historical Commission

Date 1/4/2021 Holly E. Banks
Nantucket Certified Local Government Coordinator

Date _____
State Historic Preservation Officer

Certified Local Government Commission

Mission

On March 19, 2021 the National Park Service approved Nantucket's application to participate in the Certified Local Government (CLG) Program under Section 101(c) of the National Historic Preservation Act. The Certified Local Government Program is a Federal Preservation Partnership between local, state, and national governments focused on promoting historic preservation at the local level.

The CLG program gives Nantucket: (1) eligibility to apply for grants under the Federal Historic Preservation Fund; (2) have a stronger role in nominating properties to the National Register; (3) increased technical assistance from the Massachusetts Historical Commission (State Historic Preservation Office); and (4) is an official acknowledgement of the Town of Nantucket's commitment to historic preservation.

Contact Us

Holly E. Backus

Preservation Planner**
Local CLG Coordinator
Local Hazard Mitigation
Plan Coordinator
Town of Nantucket
[Email](#)

Nantucket's CLG duties are as follows: (1) enforcement of Local Legislation (HDC's Special Act); (2) have an adequate and qualified Local Government Commission (made of up members of the HDC & NHC); (3) participate in the National Register Program (however not encouraged for Nantucket due to our island-wide National Historic Landmark district); (4) Survey and Inventory of Historic Properties (a mutual effort by both the HDC & NHC); (5) provide for adequate public participation in local historic preservation programs (both the HDC & NHC follow the Commonwealth's Open Meeting Law requirements for full public participation); and (6) participate in Massachusetts Historical Commission training sessions or workshops for CLGs.

Along with both commission's and the Town of Nantucket's commitment for Historic Preservation, the Town's Preservation Planner retains the responsibilities of the Local CLG Coordinator. Those duties include: (1) Attends MHC training sessions for CLGs; (2) Transmits National Register Nominations (N/A due to island-wide NHL district) and CLG Reports to MHC; (3) Solicits recommendations of the CEO regarding potential nominations to the National Register (N/A due to island-wide NHL district); (4) Notifies chief elected officials of vacancies on commissions; (5) Regularly attends meetings of both commissions; (6) Collects materials from each commission for Annual Report; and (7) Organizes the annual joint meeting of two commissions.

Members

HDC Commissioners:

- Ray Pohl (Chair)
- Abby Camp (Vice-Chair)
- Diane Coombs
- Val Oliver
- John McLaughlin

Alternate Commissioners:

- Stephen Welch
- Carrie Thornewill
- Jesse Dutra

NHC Commissioners:

- Hillary Hedges Rayport (Chair)
- Angus MacLeod (Vice-Cahir)
- David Silver
- Thomas Murray Montgomery
- Georgia U. Raysman
- Milton Rowland

Alternate Commissioners:

- Clement Durkes
- Susan Handy
- Barbara Ann White

Select Board Liaison Member:

- Dawn Hill-Holdgate

Living on Nantucket	Visiting Nantucket	Business
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OPEN MEETING LAW COMPLIANCE STATEMENT

1. All meetings of the CLGC have been open to the public.
2. A notice of the date, time and place of every meeting of the CLGC has been filed with the Clerk of the city or town in which the CLGC acts and a copy of such notice has been posted in the office of the Clerk on the principal bulletin board of each city or town at least 48 hours prior to the time of each meeting, excluding Sundays and legal holidays.
3. A record of every meeting, including executive sessions has been maintained by the CLGC, including the date, time, place, members present and actions taken at each meeting.
4. All executive sessions, if any, have been held in compliance with M.G.L. C. 39, Section 23B.
5. No chance meeting or social meeting has been used to circumvent the spirit or requirements of the Open Meeting Law or to discuss or act upon a matter over which the CLGC has supervision, control, jurisdiction, or advisory power.

Date

Chairperson, CLGC

16 THINGS FOR HP COMMISSIONERS TO AVOID

16. **Mingling with friends, acquaintances, applicants or objectors in the audience before the meeting or during recesses.** You don't want to give the impression that you will not be impartial in your decisions.
15. **Not handling "conflict of interest" matters properly.** When in doubt, it is always better not to participate. Even if no conflict exists, reveal any relationships you may have with the applicant to avoid suspicion. Consider adopting a specific conflict policy and procedure for the Commission.
14. **Not acknowledging the "public" at your public hearings.** Do not participate in side conversations with other Commission members during a meeting and remember to acknowledge the public in the audience. This is the first important contact that many people in the audience will have with the administration of their community – make it as open and professional as possible.
13. **Forgetting that it is the application under review, not the applicant.** Consistently base your decisions on facts and your review standards, not personalities. Always keep decisions within the scope of the Commission's authority.
12. **Not participating at the meeting.** Don't be a "ghost" commissioner. You were appointed because you have something to offer the decision-making process. Don't be the person that always seconds the motion but otherwise doesn't say anything. Don't abstain from voting because a matter is controversial; only abstain when there is a real conflict of interest.
11. **Coming to the meeting unprepared.** Your process is not going to be credible to the applicant or public if it appears you are making uninformed decisions. Know your regulations and guidelines, visit the property, and prepare in advance.
10. **Discussing a case privately with an applicant or any potential party prior to the Commission meeting (*ex parte* communication)** If this happens inadvertently, disclose the contents of the conversation at the Commission hearing so it is heard by everyone and becomes part of the evidence in the record. Failure to do so could be a violation of due process and void any Commission decision.
9. **Asking questions and finding facts about areas outside the Commission's purview.** Remember that the Commission's review powers are limited and defined in your ordinance. Don't inquire about or voice concerns about matters that do not relate to the Commission's authority, such as land use or interior space.
8. **Failing to question "experts" hired by applicants whose testimony does not seem credible.** When Commission members do not discuss or question testimony, it gives the appearance of support, and courts review appeals on what appears in the record.
7. **Reviewing incomplete applications.** The burden is on the applicant to provide enough detail for you to render a decision. If sufficient information is not provided, defer the decision and get exactly what is needed for your consideration.
6. **Structuring motions that are complex or misleading.** Decisions should be clearly communicated. The facts that have led to the decision and the guidelines that were used to make the decision should be explained to the applicant, public, and made part of the public record. Avoid adding numerous conditions and vague directions – better to be straightforward and deny, or defer with specific instructions on changes to be made.

5. **Treating similarly situated properties differently.** Decisions should be consistent with precedents and based on accepted criteria. If there are unique reasons or circumstances why a project is appropriate for one property and not another, the rationale must be clearly explained to justify the decision.
4. **Making decisions that might be perceived as arbitrary.** Using language that makes it appear as if a decision is based on personal opinion, rather than the guidelines, is one of the most common and damaging things a Commission member can do. Stating “I don’t like that,” or “it doesn’t work for me” leaves the applicant and public with the impression that the Commission’s decisions are a matter of taste. Always relate your statements to specific provisions of your ordinance or guidelines.
3. **Forgetting that the staff is there to help or taking their recommendations lightly.** Professional staff almost always produce technically correct recommendations. Your job is to consider this recommendation in light of other evidence received in order to make a fully informed decision. Staff generally remain silent unless asked to comment, so it is important to ask for their comments if you have any questions or before making a final decision.
2. **Redesigning the application at the hearing.** Do not hesitate to make suggestions that help bring an application into compliance with your guidelines. However, if a design is totally inappropriate it is better to deny or defer with specific instructions as to why it is unacceptable, and request that the applicant return with revised plans.
1. **Failing to tell the applicants (and opponents) what happens next.** Let the applicants know how and when they get their certificate of appropriateness and building permits or appeal the decision.

Prepared for participants in the Regional Historic Preservation Commission Training, 13 December 2019, Athens-Clarke County Georgia. For personal use; not for publication.

With thanks to the Georgia Alliance of Preservation Commissions, National Alliance of Preservation Commissions, Planning Commissioners Journal, and Wisconsin Historical Society

§ A301-4. Historic District Commission.

ACTS, 1970. CHAP. 395

AS AMENDED BY ACTS: 1972, CHAP. 708; 1984, CHAP. 300; 1985, CHAP. 291; 1987, CHAP. 735; 1989, CHAP. 333; 1990, CHAP. 314; 1998, CHAP. 193; 2000, CHAP. 57; 2002, CHAP. 90; 2010, CHAP. 8; 2014, CHAP. 338

AN ACT ESTABLISHING AN HISTORIC DISTRICT COMMISSION FOR THE TOWN OF NANTUCKET AND ESTABLISHING NANTUCKET ISLAND AS THE HISTORIC DISTRICT

Be it enacted, etc., as follows:

SECTION 1. Chapter 601 of the Acts of 1955 is hereby repealed and the Historic Districts Commission is hereby abolished.

SECTION 2. The purpose of this Act is to promote the general welfare of the inhabitants of the Town of Nantucket through the preservation and protection of historic buildings, places and districts of historic interest through the development of an appropriate setting for these buildings, places and districts and through the benefits resulting to the economy of Nantucket in developing and maintaining its vacation-travel industry through the promotion of these historic associations.

SECTION 2A. For purposes of this Act, the following words shall have the following meanings:

"Altered" shall include the words rebuilt, reconstructed, rehabilitated, remodeled, renovated and restored.

"Building," a combination of materials forming a shelter for persons, animals or property.

"Commission," the Nantucket Historic District Commission, acting as the Historic District Commission.

"Constructed" shall include the words built, erected, installed, enlarged, and moved.

"Exterior architectural features," such portions of the exterior of a building or structure, including the size and shape of proposed buildings and structures described in subsection (b) of section 9, as are open to view from a beach, a public way, a traveled way, a street or way shown on a land court plan or shown on a plan recorded in the Registry of Deeds, a proprietor's road, a street or way shown on a plan approved and endorsed in accordance with the Subdivision

Control Law, a public park or a public body of water, and shall include but not be limited to, the architectural style and general arrangement and setting thereof; the kind, color and texture of exterior building materials; the color of paint or other materials applied to windows, doors, lights, signs, trim, gutters, leaders, louvers, vents, exterior surfaces and type and style of roofs, porches, decks, staircases, steps, balconies, roof walks and other appurtenant exterior fixtures. **[Amended by St. 2000, Ch. 57]**

"Razed," includes the words destroyed, demolished and removed.

"Structure," a combination of materials other than a building, including, but not limited to a vending machine, sign, fence, wall, terrace, walk or driveway. **[Amended by St. 1998, Ch. 193]**

SECTION 3. There is hereby established in the Town of Nantucket an Historic District Commission consisting of five (5) unpaid members who shall be resident taxpayers of the Town of Nantucket, to be appointed by the Selectmen. The Historic District Commission shall have the powers and authority and perform all the duties as hereinafter enumerated and provided. All 5 members shall be elected for rotating 3-year terms at the annual town election each year. Vacancies occurring in the Commission, other than by expiration of term of office, shall be filled by appointment by the Selectmen, but such appointment shall be only for the unexpired portion of the term of the member replaced. **[Amended by St. 2014, Ch. 338; St. 2016, Ch. 2¹]**

The Chairman of the Historic District Commission may designate an associate member to sit on the Commission in case of absence, inability to act or conflict of interest on the part of any member thereof or in the event of a vacancy on the Commission until said vacancy is filled in the manner provided herein. Three such associate members shall be appointed by the board of selectmen in accordance with section 3.4(a)(3) of the charter of the town of Nantucket for rotating 3-year terms. Vacancies in said office shall be filled by the board of selectmen for the remainder of the unexpired term. **[Amended by St. 2014, Ch. 338]**

The members of the commission shall be exempt from subsections (a) and (c) of section 17 of chapter 268A of the General Laws. **[Amended by St. 1998, Ch. 193; St. 2002, Ch. 90]**

1. Editor's Note: Section 2 of this enactment provided that "an incumbent member of the Historic District Commission appointed or elected pursuant to section 3 of chapter 395 of the acts of 1970, as amended, shall continue to serve in that capacity until the expiration of the incumbent's term or until the incumbent sooner vacates the office, after which the election of members shall proceed in accordance with section 1."

SECTION 4. There is hereby established in the Town of Nantucket an Historic Nantucket District, which shall include the land and waters comprising the Town of Nantucket.

SECTION 5. (a) No building or structure shall be constructed or altered within the Nantucket Historic District in any way that affects its exterior architectural features unless and until either:

(1) An application for a building permit shall first have been approved as to exterior architectural features, which approval shall be evidenced by a certificate of appropriateness issued by the Commission; or

(2) The Commission first issues a certificate of nonapplicability with respect to such alteration or construction,

(b) No building permit for construction or alteration of a building or structure within the Historic Nantucket District shall be issued by the Building Inspector until and unless the applicant has first obtained the applicable certificate from the Commission. No occupancy permit shall be issued by the Building Inspector with respect to any building or structure in the Nantucket Historic District unless and until the Building Inspector receives a written certification from the Historic District Commission that:

(1) The building or structure has been constructed or altered in compliance with the terms of the certificate of appropriateness issued therefor; or

(2) A certificate of nonapplicability has been issued for the construction or alteration.

(c) Nothing in this Act shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature within the Nantucket Historic District which does not involve a change in design, material, color or the outward appearance thereof; nor to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor to prevent landscaping with plants, trees and shrubs.

SECTION 6. No building or structure within the Historic Nantucket District shall be razed without first obtaining a permit approved by the Historic District Commission, and said Commission shall be empowered to refuse such a permit for any building or structure of such architectural or historic interest, the removal of which in the opinion of said Commission would be detrimental to the public interest of the Town of Nantucket or the Village of Siasconset.

SECTION 7. The erection or display of an occupational or other sign exceeding two (2) feet in length and six (6) inches in width or the erection or display of more than one (1) such sign, irrespective of size, on any lot, building or structure located within the Historic Nantucket District must be approved in advance by the Historic District Commission. Evidence of such approval shall be a certificate of appropriateness issued by said Commission.

SECTION 8. The Historic District Commission shall elect its Chairman and Vice Chairman. The Commission shall meet within ten (10) days of the receipt of an application for a certificate of appropriateness or permit for removal and at such other times as the Commission may determine or upon call of the Chairman or of any two (2) members. It shall keep a permanent record of its resolutions, transactions and determinations and may make such rules and regulations consistent with this Act as may appear desirable and necessary. It may hold public or private hearings as it may deem advisable. It may incur expenses necessary to the carrying on of its work within the amount of its annual appropriation. The Commission shall make and publish rules and regulations adopting or establishing guidelines for exterior architectural features and establishing procedures for the processing of applications and conduct of hearings. The Commission may establish such fees with respect to applications and hearings as it deems necessary and appropriate to defray its expenses. **[Amended by St. 2010, Ch. 8]**

SECTION 9. (a) It shall be the function and the duty of the Historic District Commission to pass upon the appropriateness of exterior architectural features of buildings and structures hereafter to be erected, reconstructed, altered or restored within the Historic Nantucket District wherever such exterior features are subject to view from a beach, public way, public park, public body of water, traveled way, a street or way shown on a land court plan, or shown on a plan recorded in the registry of deeds, a proprietors road or a street or way shown on a plan approved and endorsed in accordance with the Subdivision Control Law. All plans, elevations and other information deemed necessary by the Commission to determine the appropriateness of the exterior features to be passed upon shall be made available to the Commission by the applicant. It shall also be the duty of the Commission to pass the removal of any building within said districts as set forth in Section 6 and the erection or display of occupational or other signs as set forth under Section 7.

(b) The Historic District Commission, in passing upon appropriateness of exterior architectural features in any case, shall keep in mind the purposes set forth in Section 2 and shall consider,

among other things, the general design, arrangement, texture, material and color of the building or structure in question, the location on the lot and the relation of such factors to similar features of buildings and structures in the immediate surroundings and the position of such building or structure in relation to the street or public way and to other buildings and structures. In the case of new construction or additions to existing buildings or structures, the Historic District Commission shall consider the appropriateness of the size and shape of the building or structures both in relation to the land area upon which the building or structure is situated and buildings and structures in the vicinity, and the commission may in appropriate cases impose dimensional and setback requirements in addition to those required by applicable by-law. **[Amended by St. 2000, Ch. 57]**

(c) The Historic District Commission shall not consider interior arrangement or building features not subject to public view. The commission shall not make any recommendations or requirements except for the purpose of preventing developments incongruous to the historic aspects of the surroundings and the Historic Nantucket District. **[Amended by St. 2000, Ch. 57]**

(d) In case of disapproval, the Commission shall state its reasons therefor in writing, and it may make recommendations to the applicant with respect to appropriateness of design, arrangement, texture, material, color and the like of the building or structure involved.

(e) Upon approval of the plans, the Commission shall cause a certificate of appropriateness, dated and signed by the Chairman, to be issued to the applicant or affixed to the plans.

(f) If the Commission shall fail to take final action in any case within sixty (60) days after receipt of any application for a certificate of appropriateness or a permit for removal, the case shall be deemed to be approved except where mutual agreement has been reached for an extension of the time limits.

(g) The Commission shall have, in addition to the powers, authority and duties granted it by this Act, such other ancillary, enforcement or investigative powers, authority and duties as may be delegated or assigned to it from time to time by vote of an Annual or Special Town Meeting of the Town of Nantucket.

SECTION 10. Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$10 nor more than \$500, which shall be

forfeited to the use of the town. Each day that a violation continues to exist shall constitute a separate offense.

(a) It shall be a violation of this Act for any person to construct or alter a building or structure without having first obtained from the Commission a certificate of applicability or a certificate of nonapplicability; for any person to raze any building or structure without having first obtained from the Commission a permit for such razing; for any person to construct or alter a building or structure in any way which is inconsistent with or contrary to the terms of the certificate of approval issued for such building or structure; or for any person to knowingly submit false, fraudulent or misleading information to the Commission in connection with any application.

SECTION 10A. It shall be a violation of this Act for any person to construct or alter a building or structure without having first obtained from the Commission a certificate of applicability or a certificate of nonapplicability; for any person to raze any building or structure without having first obtained from the Commission a permit for such razing; for any person to construct or alter a building or structure in any way which is inconsistent with or contrary to the terms of the certificate of approval issued for such building or structure; or for any person to knowingly submit false, fraudulent or misleading information to the Commission in connection with any application.

SECTION 11. Appeals may be taken to the Board of Selectmen by any person aggrieved by the ruling of the Historic District Commission. The Board of Selectmen shall hear and act upon such appeals promptly, and the decision of the Board shall be as determined by a majority vote of the members of the Board. Such appeals shall be taken within ten (10) days of the filing by the Commission of its certificate of determination with the Clerk of the Town of Nantucket, and written notice of such appeal shall be given by the appealing party to the Commission at the time such appeal is taken.

SECTION 12. Any person or the Historic District Commission, aggrieved by a decision of the Board of Selectmen, may appeal to the Superior Court sitting in equity for the County of Nantucket, provided that such appeal is filed in said Court within 15 days after such decision is recorded. The appealing party or parties shall, at the time of filing such appeal, give notice thereof to all persons who were parties to the appeal to the Board of Selectmen, by causing to be delivered to such parties a copy of the complaint and written notice of the filing thereof. The Court shall hear all pertinent evidence and determine the facts and, upon the facts so determined, annul

such decision if found to exceed the authority of such Board, or may remand the case for further action by the Commission or make such other decree as justice and equity may require. The foregoing remedy shall be exclusive, but the parties shall have all rights of appeal and exception as in other equity cases.

Costs shall not be allowed against the Historic District Commission or the Board of Selectmen unless it shall appear to the Court that the Commission or the Board, in making the decision appealed from, acted with gross negligence, in bad faith or with malice.

Costs shall not be allowed against the party appealing from the decision of the Historic District Commission or the Board of Selectmen unless it shall appear to the Court that said appellant or appellants acted in bad faith or with malice in making the appeal to the Court.

SECTION 13. The Superior Court, sitting in equity for Nantucket County, shall have jurisdiction to enforce the provisions of this Act and the certificates, permits, determinations, rulings and regulations issued pursuant thereto and may, upon petition of the Commission, restrain by injunction violations thereof; and, without limitation, such court may order the removal of any building, structure or exterior architectural feature constructed in violation of this Act or the substantial restoration of any building, structure or exterior architectural feature altered or razed in violation of this Act and may issue such other orders for relief as may be equitable.

SECTION 14. In case any section, paragraph or part of this Act be for any reason declared invalid or held unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

SECTION 15. This Act shall take effect upon its acceptance by the voters of the Town of Nantucket at an Annual Town Meeting or any meeting duly called for the purpose.

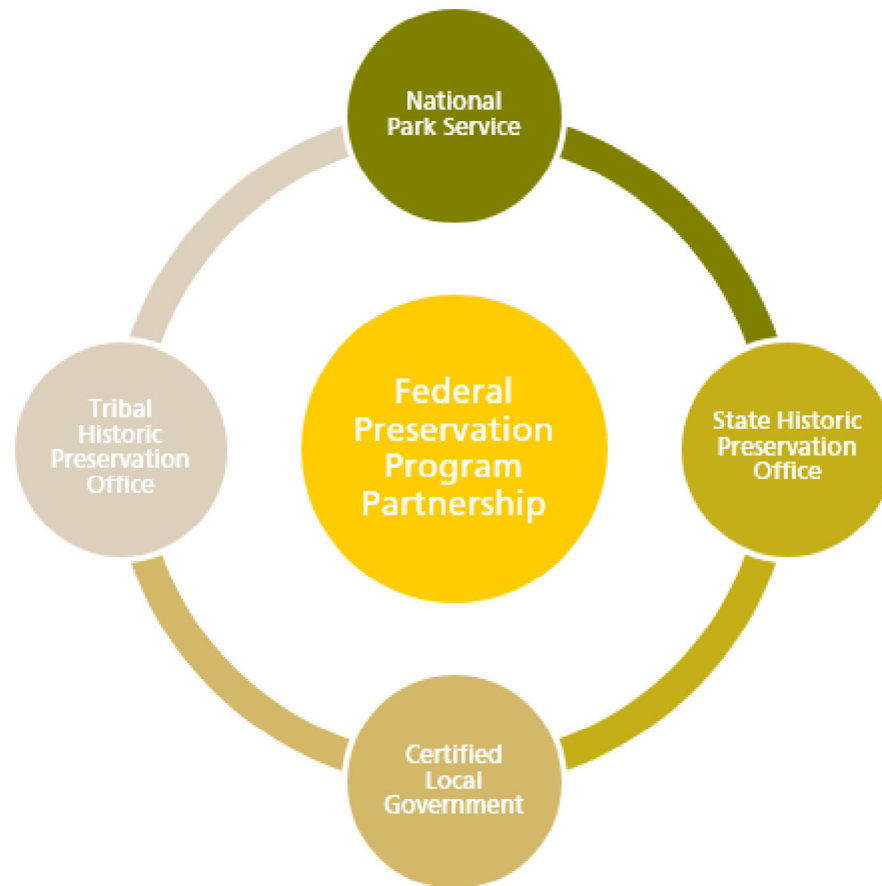
February 27, 1990

Part I ADMINISTRATION OF THE GOVERNMENT**Title VII** CITIES, TOWNS AND DISTRICTS**Chapter 40** POWERS AND DUTIES OF CITIES AND TOWNS**Section 8D** HISTORICAL COMMISSION; ESTABLISHMENT; POWERS AND DUTIES

Section 8D. A city or town which accepts this section may establish an historical commission, hereinafter called the commission, for the preservation, protection and development of the historical or archeological assets of such city or town. Such commission shall conduct researches for places of historic or archeological value, shall cooperate with the state archeologist in conducting such researches or other surveys, and shall seek to coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it deems necessary for its work. For the purpose of protecting and preserving such places, it may make such recommendations as it deems necessary to the city council or the selectmen and, subject to the approval of the city council or the selectmen, to the Massachusetts historical commission, that any such place be certified as an historical or archeological landmark. It shall report to the state archeologist the existence of any archeological, paleontological or historical site or object discovered in accordance with section twenty-seven C of chapter nine, and shall apply for permits

necessary pursuant to said section twenty-seven C. Any information received by a local historical commission with respect to the location of sites and specimens, as defined in section twenty-six B of chapter nine, shall not be a public record. The commission may hold hearings, may enter into contracts with individuals, organizations and institutions for services furthering the objectives of the commission's program; may enter into contracts with local or regional associations for cooperative endeavors furthering the commission's program; may accept gifts, contributions and bequests of funds from individuals, foundations and from federal, state or other governmental bodies for the purpose of furthering the commission's program; may make and sign any agreements and may do and perform any and all acts which may be necessary or desirable to carry out the purposes of this section. It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the case of towns in the annual town report. The commission may appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having a city manager form of government, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns they shall be appointed by the selectmen, excepting towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen. Alternate members may be appointed in like manner as provided for in this section not exceeding in number the principal members. In the case of the absence or inability to act on the part of a principal member, the place of the principal member shall be taken by an alternate member

designated by the chairman. When a commission is first established, the terms of the members and alternate members shall be for one, two or three years, and so arranged that the terms of approximately one third of the members and alternate members will expire each year, and their successors shall be appointed for terms of three years each. Any member or alternate member of a commission so appointed may, after a public hearing if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall in a city or town be filled for the unexpired term in the same manner as an original appointment. Said commission may acquire in the name of the city or town by gift, purchase, grant, bequest, devise, lease or otherwise the fee or lesser interest in real or personal property of significant historical value and may manage the same.





received
10/13/2021
HCS

The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

September 27, 2021

Dear Fellow Preservationist:

I am writing to announce the beginning of the Massachusetts Historical Commission (MHC) Fiscal Year 2022 Survey and Planning Grant cycle.

For the FY 2022 round, eligible applicants are anticipated to include all local historical commissions, local historic district commissions, municipal planning offices, and other public and non-profit historic preservation organizations.

At the time of this writing total available funding for the FY 2022 matching grant round is still contingent on MHC's FY22 federal budget allocation, which has not yet been determined. For FY 2022 the MHC/Grantee match shares are 50/50.

As the State Historic Preservation Office, the Massachusetts Historical Commission is responsible for administering the National Historic Preservation Act of 1966, as amended. The Act authorizes the Secretary of the Interior, through the National Park Service and State Historic Preservation Offices, to grant funds to communities and private non-profit organizations for a wide range of preservation related activities. These include completion of cultural resource inventories, nomination of significant properties to the National Register of Historic Places, completion of community-wide preservation plans, and other types of studies, reports, publications and projects that relate to the identification and protection of significant historic properties and sites. The goal of the Survey and Planning Grant program is to support efforts to identify and plan for the protection of the significant historic buildings, structures, archaeological sites and landscapes of the Commonwealth.

With this letter, the MHC is initiating the Fiscal Year 2022 grant round of funding for Certified Local Governments (CLGs), municipal historic preservation commissions, non-profit organizations and other eligible applicants.* A Survey and Planning grant can provide critical support for projects that help to preserve the character of your community. Please consider applying for a grant by following the enclosed Guidelines and completing the enclosed pre application and returning it to the Massachusetts Historical Commission by 5 pm, Monday, November 15, 2021 (no faxed or emailed applications accepted). The Guidelines and Pre-Application will also be available from MHC's web site at: www.sec.state.ma.us/mhc under "New at MHC."

Sincerely,



Michael Steinitz
Deputy State Historic Preservation Officer
Director, Preservation Planning Division
Massachusetts Historical Commission

Enclosures

*MHC is required under federal law to pass through 10% of its annual federal budget allocation to Certified Local Governments (CLGs). See CLG list in Guidelines section A (6).

OFFICE OF FEDERAL AGENCY PROGRAMS

NORTH HEAD LIGHTHOUSE AT FORT CANBY STATE PARK NEAR LONG BEACH, WA (WST / PORT OF SEATTLE)

The Advisory Council on Historic Preservation (ACHP) is an independent federal agency established by the National Historic Preservation Act of 1966 (NHPA) that promotes the preservation, enhancement, and productive use of our nation's historic resources.

The ACHP advises the President and Congress on national historic preservation policy. A key responsibility of the ACHP is to administer the requirements of Section 106 of the NHPA, a review process that ensures historic properties are considered during the development of any federal project. The ACHP's Office of Federal Agency Programs (OFAP) handles this responsibility.

INFORMATION ABOUT SECTION 106 REVIEW AND CONSULTATION

Section 106 plays a central role in the federal historic preservation program. Section 106 requires federal agencies to consider the effects of projects, carried out by them or subject to their assistance or approval, on historic properties and provide the ACHP an opportunity to comment on these projects prior to a final decision on them. Projects range from construction or rehabilitation to demolition. Properties listed on or eligible for listing on the National Register of Historic Places are considered historic. The National Register is a listing of historic properties maintained by the National Park Service. It includes buildings; structures; objects; districts; and sites of national, state, or local importance.

Section 106 encourages, but does not mandate, preservation. The process provides for the consideration of alternatives that promote preservation and offers the public and stakeholders the opportunity to influence federal decisions. The ACHP developed

and maintains the regulations that implement Section 106. The regulations are published in the Code of Federal Regulations at 36 CFR Part 800, "Protecting Historic Properties," and can be found on the ACHP's Web site, www.achp.gov.

The federal agency providing assistance or approvals for a proposed project is responsible for completing Section 106 prior to making a final decision. Agencies initiate Section 106 reviews in consultation with state and tribal officials. Appointed by each state governor, the State Historic Preservation Officer (SHPO) coordinates the state's historic preservation program and consults with agencies during Section 106 review. Agencies also consult with officials of federally recognized Indian tribes and Native Hawaiian organizations when historic properties of significance to tribes or Native Hawaiian organizations are involved. Consultation is the cornerstone of the Section 106 process. Federal agencies are required to also include local governments and applicants for federal assistance, permits, licenses, and other approvals in the process. Other consulting parties may include individuals or groups interested in historic preservation. To successfully complete a Section 106 review, federal agencies must follow these four steps:

- ▶ INITIATE Section 106 and determine if it applies to a given project;
- ▶ IDENTIFY historic properties in the project area;
- ▶ ASSESS the effect of the project on identified historic properties; and
- ▶ RESOLVE adverse effects by exploring alternatives to avoid, minimize, or mitigate the effects.

Most Section 106 reviews are completed successfully by the federal agency, the SHPO, Indian tribes or Native Hawaiian

CONTINUED >>>

SECTION 106 CONSULTATION MEETING



ADVISORY COUNCIL ON HISTORIC PRESERVATION
PRESERVING AMERICA'S HERITAGE





BUFFALO KILL AREA AT THE
WARDELL BUFFALO TRAP SITE, WY (BLM)

FOR MORE INFORMATION ON THE
ACHP AND THE OFFICE OF FEDERAL
AGENCY PROGRAMS, PLEASE VISIT:

WWW.ACHP.GOV

organizations, and other consulting parties. When the project may have substantial effects, if important policy or procedural questions are raised, or if there are issues of concern to Indian tribes or Native Hawaiian organizations, the ACHP may elect to participate. The ACHP also provides additional guidance, advice, and technical assistance to federal agencies and all participants in the Section 106 process.

When historic properties will be adversely affected by a federal undertaking, the review usually ends with a negotiated and legally binding agreement that outlines how the federal agency will resolve those effects. If agreement cannot be reached, the ACHP issues advisory comments, which the head of the federal agency must consider before making a final decision on the project.

FEDERAL PRESERVATION PROGRAMS

The successful completion of Section 106 reviews depends heavily on strong federal participation. OFAP works closely with federal agencies to identify opportunities for improving their preservation programs. These improvements are identified through the ACHP's involvement on individual Section 106 reviews, direct partnerships with federal agencies, and the ACHP's review of triennial progress reports required under Executive Order 13287, "Preserve America" regarding federal agency efforts to identify, protect, and use historic properties.

SECTION 106 TRAINING AND OUTREACH

For 30 years, the ACHP has provided training to federal, state, and local agencies; Indian tribes and Native Hawaiian organizations; and the public on the requirements of Section 106. Current course offerings are posted on the ACHP's Web site at www.achp.gov/106select.html. The ACHP also works with federal agencies and others to develop Section 106 training tailored to specific programs or issues.

The Advisory Council on Historic Preservation, an independent federal agency, promotes the preservation, enhancement, and productive use of the nation's historic resources and advises the President and Congress on national historic preservation policy.



ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 Washington DC 20004

Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

Location
Nantucket, MA

Fee
\$4,500
(Includes tuition for 6 graduate credits,
housing, and on-island field trips)

Dates
June 27-August 5, 2022

Application Deadline
May 1, 2022

Academic Curriculum
6-week course information:

- World Heritage Research & Stewardship (3 credits)
- Preservation Policy & Current Topics (3 credits)



Preservation Institute Nantucket
1972-2022

Preservation Institute Nantucket

The Preservation Institute Nantucket (PIN) is an interdisciplinary program that exposes participants to the theories and methodologies of international cultural heritage conservation and the research, documentation, and management of communities of global significance. The Island of Nantucket serves as a case study for the multitude of challenges threatening many historic coastal communities, particularly short- and long-term flooding due to storm events and sea level rise. After 50 years of working with local partners to document and preserve the island's built environment, the University of Florida and PIN provide an important leadership role in the community by developing effective strategies for documenting and interpreting the cultural and natural resources of Nantucket.

For summer 2022, PIN students will survey and assess areas of Historic Nantucket Town with the goal of preparing resilience measures for built and natural environments. Model projects will be developed for individual properties. This work is a continuation of Resilient Nantucket – a two-year initiative to digitally document Historic Nantucket Town and its waterfront, prepare 3D sea level rise models, and completed a vulnerability assessment.



CORPORATE QUALIFICATIONS AND HISTORIC PROPERTY SURVEY AND PLANNING EXPERIENCE

The Public Archaeology Laboratory, Inc. (PAL) is a leading authority in cultural resource management and specializes in archaeology, architectural history, research and documentation, and preservation planning throughout New England and the Mid-Atlantic. An independent, non-profit corporation located in Pawtucket, Rhode Island, PAL has successfully completed more than 4,000 projects in the areas of cultural resource management, historic preservation planning, regulatory consultation, compliance with Section 106 of the National Historic Preservation Act, and state and federal historic tax credit projects. Established in 1982, PAL has steadily grown to become the largest private cultural resource management firm in New England with a staff of more than 50 people. The PAL team includes specialists in the disciplines of pre-contact and historic archaeology, industrial history and archaeology, architectural history, and preservation planning. The principal investigators for archaeology are Registered Professional Archaeologists. All staff meet the professional criteria for their respective disciplines established by the National Park Service (36 CFR Part 61).

The firm has a proven record of quality products that withstand rigorous technical reviews. The staff has developed innovative planning and project management strategies tailored to each client's needs. Our reputation is built upon facilitating large, complex projects efficiently and effectively. PAL's approach relies on integration, blending the skills of pre-contact, historic, and industrial archaeologists, architectural and industrial historians, historians, preservation planners, conservators, and technical support staff. PAL serves a broad client base who rely on PAL for our ability to rapidly mobilize staff and resources to conduct cultural resource surveys, preservation planning studies, eligibility determinations, environmental impact assessments, regulatory compliance, and consultation.

Consistency in our professional capabilities and responsive staff generates client confidence and long-term relationships, including numerous on-call services contracts. PAL's clients include federal and state agencies, municipalities, utility companies, engineering firms, private corporations, non-profit organizations, individual property owners, and Native American Tribes. The PAL team understands that flexibility and responsiveness are key elements in supplying outstanding service to our clients. We have the management skills, staff, and support systems necessary to ensure that all projects, regardless of size, are completed on time and within budget.

Survey and Survey Planning Experience

Surveys designed to locate, identify, and evaluate historic standing structures and landscapes are a common element of projects undertaken by PAL. The primary goal of a historic standing structure survey is to provide the client or review agency with sufficient historical and descriptive information to make an informed decision about a property's potential eligibility for listing in the National Register of Historic Places. PAL has completed more than 300 historic property surveys, encompassing thousands of buildings, structures, objects, and natural, cultural, and industrial landscapes. Our experienced professional staff has expertise in evaluating historic districts,



Town of Bourne Historic and Architectural Survey Bourne, Massachusetts

Date of Performance: 1998–1999, 1999–2000, 2015–2016, 2018–2021

Contact: Deborah Burgess, Bourne Historical Commission, dmboncc@comcast.net

Over the past two decades, PAL has conducted several multi-phase, community-wide historic and architectural surveys to assist the Town of Bourne and Bourne Historical Commission (BHC) in documenting its significant historic properties. The goals of the surveys are to provide the Town with the necessary data for historic preservation planning efforts, reviewing projects that might affect historic properties, establishing local historic districts, identifying properties that are eligible for listing in the National Register, and educating residents and interested persons about the history of Bourne.



The initial phase of the project consisted of a town-wide windshield survey of individual properties and areas identified for potential survey. PAL developed a list of properties and priorities for future phased survey from which the properties for intensive survey during subsequent phases were selected, based on discussions with the Massachusetts Historical Commission (MHC) and BHC. In each round of survey, PAL undertook background research and field investigation to complete MHC Inventory forms for areas and individual properties, including photographs and sketch maps. The survey teams applied the National Register of Historic Places (NRHP) criteria to each property surveyed and identified those that were eligible for listing in the NRHP as individual resources or as part of a district. A large-scale base map with properties identified by inventory number was also produced for each phase. PAL's NRHP recommendations resulted in the eventual listing of five individual properties in the Town.



The objectives of the most recent round of survey conducted in 2018–2021 were to survey approximately 50 properties selected by the BHC in Pocasset Village, including Wing's Neck and the Barnstable County Hospital complex. The Town has also engaged PAL to conduct another round of survey in 2021 for approximately 50 properties in the Scraggy Neck and Rocky Point areas.

Edgartown and Chappaquiddick Community-Wide Historic Properties Survey Edgartown, MA

Date of Performance: 2020

Client: Massachusetts Historical Commission

PAL completed a historic properties survey within the town of Edgartown (Town), on Martha's Vineyard, for the Massachusetts Historical Commission (MHC).

The 110 properties selected for the survey were derived from a priority list provided by the Martha's Vineyard Commission (MVC) and agreed upon by the MHC. The survey included properties in Edgartown Village and on Chappaquiddick Island. PAL conducted an intensive-level survey to document current conditions, assess historic significance and integrity, and obtain digital photographs of 110 historic properties to complete MHC inventory forms. The field survey followed MHC survey standards and methodology. Research was conducted at the Martha's Vineyard Museum, Edgartown Public Library, and other relevant archives and online sources.



Edgartown was settled by Europeans in 1642. The land was purchased from Native Americans via two transactions. A local fishing and sheep-grazing economy developed during the eighteenth



century. The introduction of whaling in the nineteenth century caused a spike in population and economic development. The commercial district developed along the harbor on Main Street, and high-income residential development increased along North and South Water Streets. The whaling industry dwindled following the discovery of petroleum and Edgartown quickly became a seasonal yacht resort town by the twentieth century. The town remains a popular summer resort destination and retains its commercial center along the harbor with a suburban overlay. Chappaquiddick Island was established as a Praying Town in 1670 following the settlement in Edgartown. Christian Native Americans lived on Chappaquiddick during the late seventeenth century. Chappaquiddick was used for sheep grazing and farming and was not residentially settled by Europeans until the mid-eighteenth century. Despite the economic development that centered around the whaling industry in Edgartown, Chappaquiddick has retained its agrarian development pattern into the twentieth centuries. Small suburban nodes have emerged around the center of the island, and the outer shores remain rural, summer residences.

PAL identified historic contexts for National Register of Historic Places (National Register) evaluations, applied National Register eligibility criteria to all resources identified in the survey, and provided recommendations for National Register nominations to the MHC. PAL prepared and submitted forms for 110 historic properties in Edgartown.

Oak Bluffs and Chilmark Community-Wide Historic Properties Survey Oak Bluffs and Chilmark, MA

Date of Performance: 2020

Client: Massachusetts Historical Commission

PAL completed a historic properties survey within the towns of Oak Bluffs and Chilmark (Towns), on Martha's Vineyard, for the Massachusetts Historical Commission (MHC).

The 110 properties selected for the survey were derived from a priority list provided by the Martha's Vineyard Commission (MVC) and agreed upon by the MHC. PAL conducted an intensive-level survey to document current conditions, assess historic significance and integrity, and obtain digital photographs of 110 historic properties to complete MHC inventory forms. The field survey followed MHC survey standards and methodology. Research was conducted at the Martha's Vineyard Museum, Oak Bluffs Public Library, Chilmark Free Public Library, and other relevant archives and online sources.



The development of Oak Bluffs (known as Cottage City pre-1907) began in 1835, with the establishment of the Wesleyan Grove Campground, that grew to include over 15,000 members by 1866. The camp originally consisted of tents,



with small-scale cottages constructed in lieu of tents by the mid-nineteenth century. The land between Wesleyan Grove and Nantucket Sound, including Ocean Avenue, consisted of open pasture, which was sold to the Oak Bluffs Land and Wharf Company in 1866, with the intention of developing it for summer use. The plans consisted of a system of small parks with surrounding curvilinear roads occupied by house parcels. The company sold off parcels for private residential development beginning in

the late 1860s, with parcels facing onto the parks. Chilmark is a rural residential and summer resort community at the west end of Martha's Vineyard. The town was the last of the three original Martha's Vineyard towns settled and was agrarian. Sheep raising dominated the economy of the town throughout the eighteenth and early nineteenth century, with dispersed farmsteads developed along what is present-day South and Middle roads, which retain their rural character.

PAL identified historic contexts for National Register of Historic Places (National Register) evaluations, applied National Register eligibility criteria to all resources identified in the survey, and provided recommendations for National Register nominations to the MHC. PAL prepared and submitted forms for 110 historic properties in Oak Bluffs and Chilmark.

Barnstable Community-wide Historic Properties Survey Barnstable, MA

Date of Performance: 2019–2020

Client: Town of Barnstable and Massachusetts Historical Commission

PAL completed a historic properties survey in the town of Barnstable, Massachusetts, for the Town of Barnstable (Town) and the Massachusetts Historical Commission (MHC). The projects were funded by the Town and through the MHC Survey and Planning Grant, and overseen by the Town and MHC.

The survey encompassed 80 properties within the villages of Barnstable, Centerville (Craigville Beach and Wequaquet Lake areas), West Barnstable, and Osterville. These villages included a range of eighteenth-century to mid-twentieth century residences and commercial buildings.



The properties selected for survey were derived from the Town and town-wide list of historic properties that was provided in the Request for Proposals (RFP) in order to complete a community-wide survey according to MHC survey guidelines, identify historic contexts and apply the criteria for National Register of Historic Places (National Register) listing, and submit to the MHC a list of properties that are recommended for listing in the National Register.

PAL conducted intensive-level surveys to document current conditions, assess historic significance



and integrity, and obtain digital photographs of the historic properties in order to complete MHC inventory forms. The field survey followed MHC survey standards and methodology. Research was conducted at the Sturgis Library, Barnstable Town Clerk's Office, and the Barnstable Historical Society, and other relevant archives and online sources.

PAL prepared and submitted Building forms for 17th- through mid-20th-century buildings and associated outbuildings. PAL identified historic contexts for National Register of Historic Places (National Register) evaluations, applied National Register eligibility criteria to all resources identified in the survey, and provided recommendations for National Register nominations to the Town and MHC.



Historic Resources Survey Phases 1 and 2 West Tisbury, Massachusetts

Date of Performance: 2007-2010

Client: Martha's Vineyard Museum/Historical Society, Edgartown, Massachusetts

PAL assisted the Town of West Tisbury and the West Tisbury Historical Commission update information on the Town's historic resources. The Martha's Vineyard Museum/Historical Society (MVM) was the fiscal agent for the project, which was funded by the Community Preservation Act. Phase 1 consisted of an assessment of the Town's existing historic resources inventory of about 200 properties, including the identification of inventoried areas, resources, and existing historic districts and boundaries. Phase 2 consisted of an inventory update and National Register eligibility evaluation for 242 individual resources and 5 areas within the Town.



Mill Pond, West Tisbury Historic District.



Lambert's Cove Methodist Church and Parsonage.

PAL staff field surveyed all previously inventoried properties to document current conditions and alterations and obtain digital photographs. Research was conducted for selected resources that needed additional historical context. Massachusetts Historical Commission Inventory Form Continuation Sheets were completed for each surveyed resource. PAL evaluated all resources and completed National Register Eligibility Criteria Statements for three areas and six individual properties. PAL's final work products included an Excel spreadsheet of all inventoried properties linked to the digital photographs, edited tax assessor maps indicating the location of all inventoried properties, and recommendations for the development of an electronic database of the inventory to promote wider access to the survey information. PAL staff identified stone slab bridges and mill dams and recommended further survey work be undertaken for these resources.



Captain Walter Hillman House, built ca. 1780.



Captain William Lewis House, built 1863.

Falmouth Historic Resources Survey – Phase II and IV Falmouth, MA

Date of Performance: 2018–2019, 2021–2022

Client: Falmouth Planning Department and Community Preservation Committee

PAL completed a historic properties survey within the West and North Falmouth and Waquoit villages of the Town of Falmouth (Town), Massachusetts, for the Falmouth Planning Department and Community Preservation Committee (FPD and CPC). The projects were funded by the Town of Falmouth Community Preservation Funds and was overseen by the Planning Department and FHC.



For the Phase II project, PAL documented 101 properties within West Falmouth village and for the Phase IV project, PAL is in the process of documenting 110 properties within North Falmouth and Waquoit villages. Both survey lists were derived from the FPD and CPC's town-wide list of historic properties that was created in the first phase of the project. The survey in West Falmouth, facing west onto Buzzards Bay, focused particularly in the vicinity of Snug Harbor. The survey in North Falmouth and Waquoit were spread out throughout the two villages. PAL conducted an intensive-level survey to document current conditions, assess historic significance and integrity, and obtain digital photographs of the historic properties in order to complete MHC inventory forms.



The field survey followed MHC survey standards and methodology. Research was conducted at the Falmouth Public Library, West and East Falmouth Library, Woods Hole Historical Museum, and the Falmouth Town Hall, in Falmouth and other relevant archives and online sources.

The early economy of Falmouth was primarily based on agricultural and maritime industries, such as shipbuilding and fishing. By the mid-to-late 19th century, with the introduction of the

railroad into the village of Woods Hole by 1872, summer tourism became a major economy of the town, driving development throughout the community. During the mid-1900s, summer resort development in Falmouth peaked, largely driven by railroad, the automobile, and the popularization of Cape Cod as a place for out-of-town visitors during the summer season, many of whom had summer cottages constructed for their seasonal use.

PAL identified historic contexts for National Register of Historic Places (National Register) evaluations, applied National Register eligibility criteria to all resources identified in the survey, and provided recommendations for National Register nominations to the FPD and CPC. PAL prepared and submitted forms for 101 properties in West Falmouth in 2019 and are currently working on 110 forms for properties in North Falmouth and Waquoit village.

Orleans Community-wide Historic Properties Survey Orleans, MA

Date of Performance: 2016–2018

Client: Town of Orleans, Orleans Historical Commission

PAL completed a community-wide historic properties survey in the Town of Orleans (Town), Massachusetts for the Town and the Orleans Historical Commission (OHC). The effort was funded by the Town's Community Preservation Act funds administered by the Community Preservation Committee.

PAL completed a town-wide reconnaissance-level survey to assess the potential survey properties and suggested areas of focus for the OHC. PAL then conducted an intensive-level survey to document current conditions, assess historic significance and integrity, and obtain digital photographs of approximately 600 historic properties. The field survey followed MHC survey standards and methodology. Research was conducted at the Snow Library, the Orleans Historical Society, and the Orleans Town Hall, in Orleans and other relevant archives and online sources.



The town of Orleans was settled in 1644, and initially called the south precinct of Nauset (later named Eastham). The early economy of the town was primarily based on agricultural and maritime



industries. By 1797, Orleans was incorporated as a town and agriculture was the dominant industry. By the early 1800s, Rock Harbor was an important access and landing point for vessels and the booming maritime industry. In the mid-to-late nineteenth century and with the introduction of the Cape Cod Central Railway in 1865 to the town, summer tourism became a major economy of the town, driving development throughout former rural parts of town. During the early and mid-1900s, summer resort development in Orleans peaked, largely

driven by railroad, the automobile, and the popularization of Cape Cod as a place for out-of-town visitors during the summer season.

PAL identified historic contexts for National Register of Historic Places (National Register) evaluations, applied National Register eligibility criteria to all resources identified in the survey, and provided recommendations for National Register nominations to OHC. PAL prepared and submitted updated forms for 4 areas and 14 buildings and new forms for 5 areas, 19 buildings, and 1 park as part of the community-wide historic properties survey. The identified historic resources included 18th- through early 20th-century residences, a burial ground, schools, commercial and industrial buildings, a park, and beach-side duck hunting and recreational camps on Nauset Beach.

Town of Truro Historic Survey Update Truro, Massachusetts

Date of Performance: 2010-2011

Client: Town of Truro, Massachusetts

PAL assisted the Town of Truro (Town) and the Truro Historical Commission (THC) with Phases III and IV of their community-wide historic properties survey. The project was funded by the Town's Community Preservation Act Program. Phases I and II of the survey were completed in 2010 by another set of consultants and resulted in the *Truro Survey Plan 2010* with a comprehensive list of properties to be surveyed within the Town. Phases III and IV included research, fieldwork, the completion or update of Massachusetts Historical Commission (MHC) inventory forms, and the evaluation of National Register eligibility for the properties identified in the Survey Plan as priorities for survey update or new survey.



Beach Point area in North Truro

Between October 2010 and August 2011, PAL completed archival research, field survey, and evaluation analysis for 306 individual properties and 6 areas within the Town. The survey included resources in a variety of architectural styles from the late 18th to the early 20th century relating to Truro's historical development first as a maritime center and later as a tourist resort area. As a result of the intensive survey and National Register eligibility evaluations, PAL recommended 38

individual properties and 8 historic districts as National Register eligible. PAL prepared 306 new or updated MHC individual property inventory forms and 6 new MHC area inventory forms, including National Register Criteria Statements where applicable. PAL's final work product also incorporated all previously and recently completed documentation by PAL and others into the Town's comprehensive survey plan index of historic resources and a large-scale base map of all inventoried properties created using GIS. The THC and the Town will use the surveys for a variety of vital planning purposes.



Rich-Cobb House in South Truro, built ca. 1750.

Developing an Historic Preservation Plan

Moving Your Community from Reactive to Proactive



WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH
CHAIRMAN, MASSACHUSETTS HISTORICAL COMMISSION

Massachusetts Historical Commission
Jennifer B. Doherty
Local Government Programs Coordinator
October 20, 2021

Introduction



- Thank you!
- Local Government Programs at MHC
- After the presentation

Today's Presentation

- What is preservation planning, who does it, and why
- The building blocks of preservation planning
- The key pieces of any preservation plan
- Other tips to remember

Questions and Answers

PDF note: items in purple text are clickable links



Historic Preservation Planning



Moving your community from reactive to proactive

- Learn what your community has and how it is protected (or not)
- Improve existing protection measures
- Make the tough decisions easier
- Connect historic preservation to other areas of your community
 - Open space protection, Planning Board review, economic development



Historic Preservation Planning



Who prepares the plan?

- Local historical commissions can undertake basic planning
- Some cultural resources planning may be built into your master plan
 - Required under MGL Chapter 41, Section 81D
- Consultants can complete dedicated historic preservation plans
 - Often funded through MHC Survey & Planning Grants

Considerations for preparing your own plan

- Do what you can, and what you can do well
 - Something is better than nothing
- Establish subcommittees
 - Public outreach, inventory and NR review, bylaw/ordinance review
- Set a work schedule and stick to it
 - Set aside time during your regular meetings, or hold special meetings, to move the project forward
- Prepare whatever kind of document you are able
 - A two-page bulleted list produced in Word can get you pretty far!

Begin Your Research - Identify



What are the important historic resources in your community?

- You need to know what you have, and why it is significant (or not), in order to know how it needs to be protected
- Think beyond buildings – landscapes, structures, objects
- Think beyond “old” – the National Park Service sets a 50-year threshold for determining significance
 - 50 years before today is 1971!
- What helps to tell the history of your community?
- What are reminders of the different populations that have settled in your community?



Begin Your Research - Identify

MACRIS – Massachusetts Cultural Resources Information System

- Database: <https://mhc-macris.net/>
- Mapping: <https://maps.mhc-macris.net/>



MHC Home | MACRIS Home

Search by Location

Scanned forms and photos now available for selected towns!

To begin your search, double click on the name of each town or city you want to include from the box labeled "Massachusetts Towns" (or highlight the town and click the "Add to list" button). Your selection(s) will appear in the box on the right. To search the entire database, select "All Towns."

To remove a town from your selection list, double click on its name in the box labeled "Your Selection(s)" (or highlight the name and click "Remove from list").

If you are searching on only one town, you can further narrow your search by selecting a particular neighborhood, street and/or street number.

When you've finished your selections by location, click "Next" to continue.

To start over, click "New Search."

Massachusetts Towns

(All Towns)
 Abington
 Acton
 Acushnet
 Adams
 Agawam
 Alford
 Amesbury
 Amherst
 Andover

Add to List

Your Selection(s)

Remove from List

Optional:

Village/Neighborhood:

Street No.:

Street Name:

MHC ID:

New Search

[MHC Home](#)

FORM B - BUILDING
 MASSACHUSETTS HISTORICAL COMMISSION
 Office of the Secretary, State House, Boston

Address: 7 Parkman St. *SE 15*

Name: John Warren *W*

Present use: American Legion Headquarters & Present use *Massachusetts Historical Society*

Present owner: The Town of Westborough

Description:

Date: c. 1849

Style: Greek Revival

Architect: unknown

Exterior wall fabric: clapboard

Outbuildings (describe):

Other features:

Altered: no **Date:**

Moved: no **Date:**

5. Lot size:

One acre or less: ☒ **Over one acre:**

Approximate frontage: 30'

Approximate distance of building from street: 30'

6. Recorded by: G.E. Keller

Organization: Westborough Historical Commission

Date: 3/25/84

4. Map. Draw sketch of building location in relation to nearest cross streets and other buildings. Indicate north.

GROVE ST

PARKMAN ST

WEST MAIN ST

Warren House

MACRIS Maps Enter search ID **Search** **Zoom to a town**

Address Search **Tools** **Layers**

Enter a street address, intersection, or place of interest and a Massachusetts town.

Street address, intersection, or place name

Town/City MA

Search **Clear**

FORM B - BUILDING
 MASSACHUSETTS HISTORICAL COMMISSION
 MASSACHUSETTS ARCHIVED BUILDING
 220 MORRISSEY BOULEVARD
 BOSTON, MASSACHUSETTS 02125

Photograph

Address: 7 Parkman Street

Historic Name: John Warren - Squit Family House

Event: Present: Vacant

Original: Single Family Dwelling

Year of Construction: 1840-1850

Number: Details: Maps

Style Name: Greek Revival / End House

Architect/Builder: Unknown

Exterior Material:

Foundation: Cellar

Wall Type: Wood / wood

Roof: Asphalt shingle

Outbuilding/Secondary Structures: Attached carriage house (19th century)

Major Alterations/Work done: Porch added to front of house (late 19th century)

Condition: Good

Moved: no ☐ **Yes:** ☐ **Date:**

Acres: 0.540 acres

Setting: On a side residential street just outside the main commercial area of Westborough. Part of a extensive streetscape of mid- to late-19th century single family end houses.

Recorded by: Jennifer B. Donnelly

Organization: Westborough Historical Commission

Date (month / year): February 2016

RECEIVED
 FEB 16 2016
 BUREAU OF CULTURAL RESOURCES



Begin Your Research - Identify

Does the information available about your community accurately reflect your historic resources?

1. Review MACRIS Maps

- Is current survey work dispersed throughout the town or is it focused on one or two areas?

2. Review survey forms and National Register nominations in MACRIS

- What is the condition of current survey work? Primarily older or newer (within 10-15 years) forms?

3. What is missing?

- Older (1970s-1980s) survey work often wide but shallow
- 50 year threshold from 1980s often missed mid-20th century resources
- Consider different populations and local development trends that impacted the community
- Are there certain kinds of resources heavily impacted by current trends?
 - For example, rural farms experiencing demolition for subdivisions

4. How might you move forward with identification and documentation?

- Age, theme, neighborhood

Begin Your Research - Evaluate

Undertake informal evaluation as you plan for future work and methods of protection

Consider categories of resources or areas of the community

- Is this resource significant? Why? How significant?
- You can't preserve everything and will need to prioritize what is important
- Guiding standards are the criteria established by the National Register of Historic Places
 - Integrity statement
 - Four criteria
 - Level of significance – local, state, or national
 - Seven criteria considerations for unique properties

See the NPS's National Register Bulletin #15, [“How to Apply the National Register Criteria for Evaluation”](#)

CRITERIA FOR EVALUATION:³

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded, or may be likely to yield, information important in prehistory or history.



Begin Your Research - Protect



The Least Protection

National Register of Historic Places

Local Zoning Bylaws or Ordinances

Demolition Delay

Local Historic District

Preservation Restriction

The Most Protection

What does your community
have?

What is it missing?

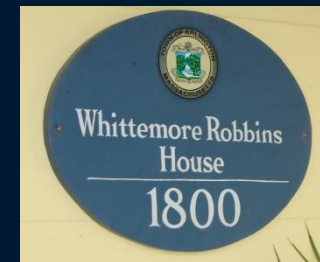
Choose the right level of
protection for the needs of the
resource and your community

Begin Your Research - Protect



Consider other methods of protection beyond bylaws and ordinances

- Does the Historical Commission have an active presence in the community?
- Is your commission and preservation community connected to other local boards and commissions?
 - Planning Board, Design Review, Conservation or Open Space
- Does your Historical Commission have dedicated staff, or at least a main point of contact at Town/City Hall?
- Do you have any items that generate more passive awareness of historic resources
 - Signage, brochures, books, talks, and walking tours



Public Outreach



If you have the time and resources!

- Limited, quality public engagement is better than wide but poor quality public engagement

Look beyond your commission

- Gather input from key stakeholders and decision-makers in the community
- Use this as a chance to learn what the general public values about the community – which may be different than what the commission values!
- Make use of different outreach methods
 - Interviews
 - Surveys
 - Small focus groups
 - Programs on local cable access
 - Speaking about the project at other boards' (televised) meetings
 - Community table at farmers market, transfer station, Town Meeting



Most importantly – report back!

- Include a description of your public outreach and results in your final plan

Tie Everything Together

Pull together what you can into a document – something is better than nothing



Very Important – this is not written for preservationists!

Sample preservation plan table of contents

1. Executive Summary
 - Brief, 1-2 page overview of the plan
2. Introduction
 - What is historic preservation and preservation planning
 - Brief (2-5 pages) history of community broken into time periods
 - How your plan was developed, including any public outreach results
3. Issues & Opportunities
 - Past preservation work identified in other plans
 - Current status of documentation and National Register
 - A review of existing bylaws and other “soft” preservation methods in use
4. Recommendations
 - Make the connections between issues and opportunities
 - Narrative, chart, or both
 - Note time frame (short, medium, long) and other involved groups
 - Include recommendation for updating the plan or developing a larger plan

Writing A Plan: Setting the Stage



What resources are you trying to protect? Who is trying to protect them?

- Describe what historic preservation is and why it is important
 - Look at the [state historic preservation plan](#) and [National Park Service](#) for wider context and important dates
- Write a brief history of your community to provide context
 - Check out MHC's [Community Reconnaissance Survey Reports](#)
- List and briefly describe the prominent groups in your community working on historic preservation issues
 - Local commissions, historical society, other non-profits
 - Consider non-traditional preservation groups such as open space preservation or cultural organizations

The state historic preservation plan, produced by MHC every five years, is available on our website and provides some key dates and context for the history of historic preservation

1969

Chapter 666 of the Acts of 1969/Massachusetts General Law Chapter 184 is passed providing statutory authority for historic preservation restrictions.

The Worcester Heritage Society is founded. Today, it is known as Preservation Worcester.

1970

Governor Sargent declares a moratorium on highway projects within the Route 128 area. Plans to demolish downtown Newburyport as part of an urban renewal plan are reversed.

1971

The position of State Archaeologist is established through state law.

The Massachusetts Historical Commission is established as the State Historic Preservation Office for the purpose of the National Historic Preservation Act.

Plans to demolish downtown Salem are reversed.

1974

The Martha's Vineyard Commission is established.

1975



The Old King's Highway Regional Historic District on Cape Cod.

Jordan Marsh building in Boston is demolished.

Boston Landmarks Commission is established pursuant to Chapter 772 of the Acts of 1975.

1976

The Tax Reform Act is passed by Congress, providing financial incentives that encourage preservation and rehabilitation of historic buildings.

Writing A Plan: What Has Been Done



What past efforts have contributed to historic preservation in your community?

- Review past planning efforts, beyond just historic preservation plans
 - Old historic preservation plans, master plans, open space and recreation plans, community preservation (CPA) plans, specific building plans
- Review completed survey and National Register of Historic Places work
 - Consider coverage level using MACRIS Maps
 - Look at the overall quality of the work – older with little information, or current with lots of information?
 - How well does the completed work fit your current needs?
- Review your community's bylaws/ordinances
 - Look at specific preservation bylaws/ordinances but also those that may not appear to directly bear on historic preservation
 - Consider zoning issues that discourage historic preservation
 - Are the bylaws/ordinances used, and used successfully?
- Review other incentives your community offers that impact historic preservation
 - CPA funding, CDBG program, other local grant or incentive programs

Writing A Plan: What Can Be Improved



Where are the gaps in your preservation work?

- Review all of the gathered information and fit it together with existing best practices
- Are there gaps in your survey coverage? Does it fit your current needs?
- Are there bylaws that you don't have? Do your bylaws need to be updated?
- Are there other "soft" methods of preservation that you aren't taking advantage of? Public participation and publicity

Gather these into a final list of recommendations

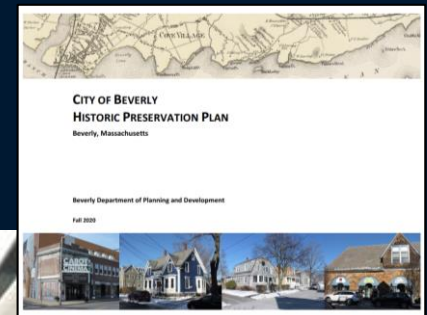
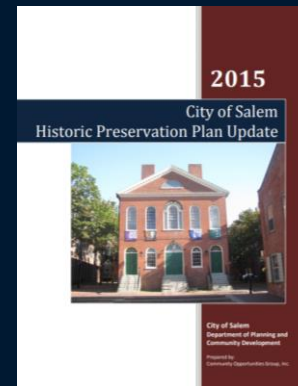
- Make it aspirational but manageable
- Rank key priorities – short, medium, long term; months or years
- Note other groups that may be involved

		Timeframe: I = Immediate	S = Soon (1-3 years)	IM = Intermediate (3-5 years)	LT = Long Term (5-10 years)	
		SHC – Salem Historical Commission PB – Planning Board P&R – Park and Recreation Department PP – Public Properties		DPCD – Department of Planning and Community Development CC – Cemetery Commission CPC – Community Preservation Committee HSI – Historic Salem, Inc.		
RECOMMENDATIONS	Primary Responsibility	I	S	IM	LT	Ongoing
A Promoting Salem's History and Historic Resources						
Educational Programming and Activities						
A.1 Install neighborhood interpretive signs	DPCD		X			
A.2 Install historic district signage	DPCD/SHC		X			
A.3 Install interpretive displays at historic City-owned properties	DHCD/SHC, P&R, CC			X		
A.4 Develop historic plaques for Salem's commercial and ecclesiastical buildings	DHCD/SHC, HSI				X	
A.5 Expand City website to include interactive Salem history webpage			X			
A.6 Continue to collaborate with local preservation partners on educational programs and activities	DHCD/SHC, Partners					X
Collaboration with Salem's Preservation Partners						
A.7 Institute quarterly meetings for Salem's preservation partners	Preservation Partner	X				
A.8 Establish a local online email system (listserv)	Preservation Partner		X			
A.9 Support efforts of local preservation organizations	DPCD/SHC					X
A.10 Support efforts of preservation partners to preserve their historic assets	DPCD/SHC, CPC					X
A.11 Continue efforts to collaborate with local teachers	Preservation Partners					X

Finalizing Your Plan



- Publicize a draft version of your plan to receive feedback
 - Send it to neighboring commissions for input on shared resources
- Include a time frame in the plan for when it should be reviewed
 - Usually 5-10 years
- Be sure your plan incorporates any unique resources or situations your community may have
 - Does your community own a significant number of historic buildings?
- Finalize the plan and publicize it some more!
 - Present it at key board meetings – Select Board, Planning Board
 - Get an article in the newspaper
 - Post about it in local online groups (within Open Meeting Law guidelines)
 - Add it to your/the community's website
 - And send MHC a copy!

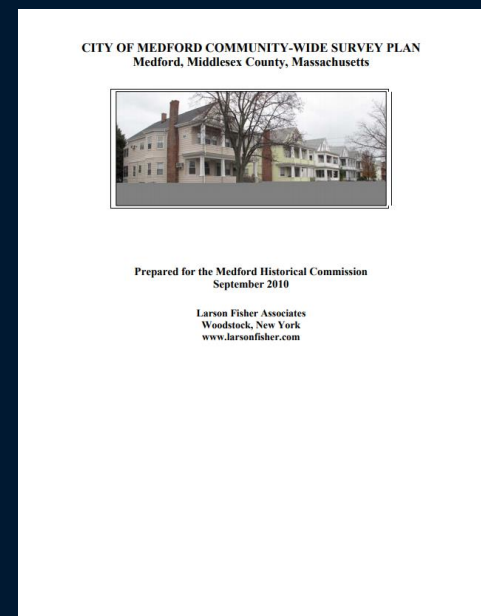
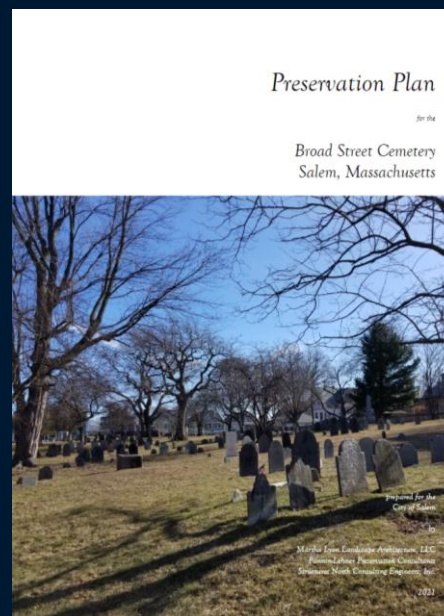
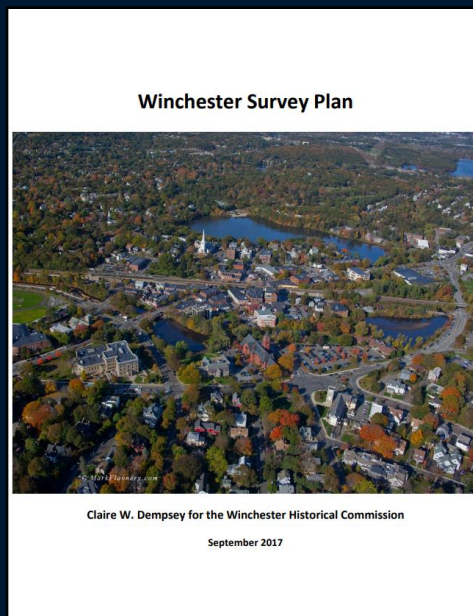


Strategic Plans



Targeted, specific plans for a topic, property or neighborhood

- Historic resources survey plan
- Neighborhood preservation plan
- Archaeology plan
- Stone wall protection plan
- Downtown revitalization plan
- Climate action or multiple hazard mitigation plan





MHC's Survey & Planning Grants

- Funded regularly by the federal Historic Preservation Fund
 - Required to pass through 10% of funding to Certified Local Governments
- 50/50 reimbursable matching grants
 - Must expend all the funds, then reimbursed once project is complete
- Do not need to have your match in hand when you apply, just by the time the project begins – federal funding cycle off from local funding cycle
- <https://www.sec.state.ma.us/mhc/mhchpp/Surveyandplanning.htm>

Letters of Intent due
November 15, 2021

Procurement and
consultant selection
Summer, 2022

Projects end
June 30, 2023

Full application due
February 7, 2022

*Three phase meetings
during the project*

Projects selected
March 9, 2022

Projects begin
September, 2022

Grant closeout
Summer and fall, 2023

Invitation for full
application
December 8, 2021

Key Takeaways



Move your community's preservation efforts from reactive to proactive

- Focus on the preservation goals of identify, evaluate, protect
- Look beyond the “old” and traditional
- Seek input from the community
- Tie everything together with aspirational but manageable recommendations
- Make your plan known!



Questions?



Preservation Planning Resources



Items in purple text are clickable links

- Massachusetts Cultural Resources Information System (MACRIS)
 - [Database](#)
 - [Maps](#)
- [Massachusetts State Historic Preservation Plan, 2018-2022](#)
- [MHC state and town reconnaissance survey reports \(town histories\)](#)
- [MHC Survey & Planning Grants](#)
- National Park Service [Historic Preservation Planning Program](#)
- [National Register Bulletin 15, "How to Apply the Criteria for Evaluation"](#)

Historic Preservation Planning

Moving Your Community from Reactive to Proactive

Thank you for coming!

For more information or additional questions:

Jennifer.Doherty@sec.state.ma.us

(617) 727-8470



WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH
CHAIRMAN, MASSACHUSETTS HISTORICAL COMMISSION

Massachusetts Historical Commission

Jennifer B. Doherty

Local Government Programs Coordinator