



MEETING POSTING

TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting **notices and agenda** must be filed and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)

Committee/Board/s	Nantucket Historical Commission
Day, Date, and Time	Friday, November 15, 2024 10:00 AM – 12:00 PM
Location / Address	HYBRID MEETING REMOTE PARTICIPATION AND IN PERSON at 131 Pleasant Street, Nantucket
Signature of Authorized Person	Rita Carr (Chair)

WARNING: IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

Rita Carr (Chair), Angus MacLeod (Vice Chair), Abby De Molina (Secretary), George Butterworth, Diane Coombs, Clement Durkes, Sarah McLane

Staff Liaison: Holly Backus

Join Zoom Meeting

<https://us06web.zoom.us/j/94332358504?pwd=N25KSGR2QldOeWFuc2tkUXcvaERGdz09>

Meeting ID: 943 3235 8504

Passcode: 770019

One tap mobile

+16465588656,,94332358504#,,,,*770019# US (New York)

AGENDA

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

- Public Comment
- Staff Update
- Ongoing survey work
 - Community Preservation Commission funded West Monomoy survey project kickoff event: November 16, 10 am – 4 pm at 27 York St
 - FY 2023 Request for Qualifications status
- Certified Local Government Memorandum of Understanding
- Commission discussion: minimum maintenance of contributing structures (Town Code ch. 124-13) – 10 New Whale Street, 5 Candle Street, 29 Fair Street
- Surfside Crossing Archeology Discussion
- Upcoming Massachusetts Historical Commission webinars – Nov. 19th and Dec. 9th
- National Alliance of Preservation Commission (NAPC) membership and webinars
 - NAPC report review by the Select Board, Nov. 13
- Fiscal Year 2024 Annual Report
- Commission Goals
- Other Business

WEST MONOMOY ARCHITECTURAL SURVEY PROJECT KICKOFF EVENT

Join the *Town of Nantucket* and *Preservation Institute Nantucket* in kicking off the “West Monomoy Neighborhood Architectural Survey”!

Saturday, November 16 from 10-4
African Meeting House (27 York Street)
Snacks & Drinks Provided

Come find out about the year-long architectural survey project and share your knowledge about this historic neighborhood!

10:00-11:00 Welcome & Project Introductions

- Holly Backus, Town of Nantucket Historic Preservation Planner
- Cleary Larkin & Erica Mollon, Preservation Institute Nantucket

11:00-4:00 Come when you can for Community Mapping exercises, and informal interviews about the neighborhood. Bring any photographs or memorabilia- we will digitally scan your items for free for use in a future neighborhood Story Map.

Follow us and learn more details at our project website!

<http://bit.ly/4eh4paU>



Nantucket Certified Local Government – Participants’ Memorandum of Understanding
(Original DRAFT 12-06-21)

07-19-24 Supplemental Notes:

1. At the time of accepting a role in the CLG, to implement the CLG, the HDC established a requirement for a supplemental memorandum of understanding (between the HDC and NHC); this, to establish within a foundational document, i) expectations of the commissions’ independent duties—i.e., outside the CLG—and ii) their respective roles as CLG participants, and iii) areas of collaboration required of the parties to fulfill the role of the CLG. The following text and its structure are consistent with that requirement.
2. A formalized version of the MOU will include appropriate title and signature blocks, and of course a final review for consistency of terms and acronyms.

In order to assist one another and the community, the Nantucket Historical Commission and the Nantucket Historic District Commission desire to enter this Memorandum of Understanding, which outlines their existing responsibilities and those areas of collaboration required of a Certified Local Government.

It is observed and agreed that:

Respective Responsibilities (directly from enabling legislation):

The Nantucket Historical Commission is an independent municipal Commission authorized under MGL Chapter 40 Section 8D for the preservation, protection and development of the historical or archeological assets of the Town, County, and Island of Nantucket, a National Historic Landmark.

More specifically, the Commission is tasked under Law to:

1. Research for places of historic or archeological value,
2. Cooperate with the state archeologist in conducting such researches or other surveys, a
3. 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.
4. 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.
5. It shall report to the state archeologist the existence of any archeological, paleontological or historical site or object discovered in accordance with C. 9, S.27C, and shall apply for permits necessary pursuant to said section twenty-seven C.
6. 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.
7. In pursuit of its tasks, the commission shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the Town of Nantucket annual report.

8. The commission may appoint such clerks and other employees as it may from time to time require.
9. 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.

The Nantucket Historic District Commission is an independent municipal Commission authorized by the State Legislature of Massachusetts, under Commonwealth of Massachusetts Special Law, Acts 1970 Chapter 395 (as amended), more generally known as the "Nantucket Historic District Commission establishing Acts."

Excerpted here from the Acts, the Nantucket Historic District Commission's (HDC) charge 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."

Note: The entirety of the Acts, attached hereto and incorporated by reference, provide breadth of the HDC's tasks and charge, and through these, elaboration on its mission.

Areas of Collaboration, Required Duties as a Certified Local Government: *As Nantucket Certified Local Government the respective commissions function in partnership to further Nantucket's historic preservation.*

Required duties, per the US National Park Service, are to:

1. Establish a qualified historic preservation commission.
2. 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.
3. Maintain a system for the survey and inventory of local historic resources.
4. Provide for public participation in the local historic preservation program, including participation in the National Register process.
5. Follow any addition requirements as outline in the State's Procedures for Certification, including as required to maintain Nantucket's CLG designation.

In pursuit of the foregoing duties, subject to any controlling regulation and law:

- The HDC may, at its discretion, solicit the assistance of the NHC in any of its duties.
- Similarly, the NHC may, at its discretion, solicit the assistance of the HDC in any of its duties.
- In pursuit of its duties as Nantucket's CLG, in good faith and in the spirit of partnership, the respective commissions shall seek and find a collaborative solution.

Special Note: Notwithstanding anything to the contrary, be it in fact or interpretation, neither commission shall interrupt or interfere with the official duties, roles, or responsibilities, of the other independent commission.

§ 124-13. Minimum maintenance of buildings and structures to which St. 1970, c. 395 applies. [Added 4-12-2004 ATM by Art. 55, approved 9-3-2004]

- A. Owners of certain contributing buildings and structures in the Nantucket Historic District shall provide sufficient minimum maintenance as defined herein in Subsection B below, to the minimum extent necessary to keep such buildings from falling into a state of poor repair as may be identified hereinafter by the Nantucket Historic District Commission rules and regulations as contributing buildings and structures to the historic authenticity of the Nantucket Historic District. This provision shall only apply to the exterior architectural features of such contributing buildings and structures, as defined in St. 1970, c. 395, § 2A,¹ as amended, and also to the interior portions of buildings and structures which, if not adequately maintained, would cause the exterior architectural features to deteriorate or become damaged.
- B. In carrying out the responsibilities set forth in § 124-13A above, owners shall therefore be responsible for taking at least the minimum steps necessary to prevent the deterioration of the following items, which would, if allowed to deteriorate, cause a detrimental effect upon the character of the Historic District as to such contributing buildings and structures as follows:
 - (1) Foundations, exterior walls or other vertical supports (exterior or interior);
 - (2) Roofs or other horizontal members (including joists, beams, etc.);
 - (3) Chimneys or chimney support systems.
- C. In cases where deterioration has already progressed to an advanced stage, and where immediate removal is requested by the owner, the standard for razing in St. 1970, c. 395, § 6 shall apply.
- D. In all cases for such contributing buildings and structures, nonstructural exterior architectural features shall be repaired. In situations where it is impractical to repair the feature, or prohibitively expensive to replace it, it shall be stored safely until such time as it is possible to recreate the feature from the original pieces at reasonable expense.
- E. The Nantucket Historic District Commission upon application and after hearing, may grant a waiver from the requirements of this section upon a showing of impossibility, or financial hardship, or the occurrence of events beyond the owner's control, or such other exigent circumstances as the Commission may determine.
- F. Any person violating this section shall be subject to a fine or penalty in the amount of \$300, with each day to be considered as a separate violation. The enforcing person for purposes of Nantucket Code § 1-2 shall be the administrator of the Historic District Commission or his/her designee.

1. Editor's Note: See Ch. A301, § A301-4, Historic District Commission.



HISTORIC DISTRICT COMMISSION

2 Fairgrounds Road

Nantucket, Massachusetts 02554

Telephone: (508) 325-7587

Fax: (508) 228-7298

Citizen Concern Form

Name of Concerned Party: Hillary Hedges Rayport

Address of Concerned Party: 89 Main Street, Nantucket, MA 02554 (hrayport@mac.com)

Concern (Violation of Chapter 395, as amended): Compliance with Minimum Maintenance Bylaw

Location (if applicable): 10 New Whale Street

Details (use reverse/separate sheet): Please require National Grid to stabilize and protect the two historic brick buildings that are in advanced state of disrepair.

Staff Use Only

Received: ☐ Letter ☐ In Person ☐ By Fax ☐ By Phone

Date: Time: Telephone:

Investigated: ☐ Yes ☐ No Investigated By:

Notes: _____

Response to Concerned Party: ☐ Yes ☐ No Date:

Signed: Date:

Hillary Hedges Rayport
89 Main Street
Nantucket, MA 02554
hrayport@mac.com

October 18, 2024

Dear Holly,

Thank you for your comments today in response to my questions about the historic brick industrial buildings, owned by National Grid, located at 10 New Whale Street.

I've attached a citizen concern form, and request the HDC and the Building Department require National Grid stabilize and protect both brick buildings, per Nantucket's minimum maintenance bylaw (§124-13). I also request the HDC deny National Grid's application to demolish the taller building.

Both buildings are included in Nantucket's Historic Preservation Survey Plan, under Preservation and Revivalist Architecture (1880-1955) (p. D-20); Former Gas and Electric – (1847, 1923-37) and are significant as rare surviving industrial buildings from this period.



Photo 28. Streetscape, Waterfront South.

These buildings represent a unique and irreplicable feature that will contribute to a revitalized and resilient waterfront. The 1847 building especially can never be replaced or replicated. Nantucket can look to other communities who have revitalized former industrial areas on their waterfronts, to be market buildings, breweries, and mixed use developments with unique historic character.

While the area is exposed to sea level rise and storm water effects and requires environmental remediation, the Town and ReMain have developed guidelines and inspiration for adapting this area for use with climate resiliency in mind. We should not lose these historic industrial buildings for reasons of climate any more than we would say goodbye to our other industrial brick buildings, the Macy Warehouse or the Hadwen & Barney Candle Factory, because they are subject to flooding.

Finally, National Grid, as a licensed public utility, should act with community benefit in mind. The greatest benefit for the community, and indeed the obligation under the Historic District Act, is to protect and maintain historic buildings, not to tear them down. Future generations have a right to discover, through the built environment, how and where Nantucket produced energy in the 19th and early 20th century, rather than having this history disappear.

Please use the power of our laws to require National Grid stabilize and preserve their building, rather than demolish it, and to work with the town and potential development partners to make use of this land for the benefit of the community. Thank you.

Sincerely,

Hillary



received
11/4/24 HEB

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

November 1, 2024

Rita Carr
Nantucket Historical Commission
2 Fairgrounds Rd
Nantucket, MA 02554

RE: Surfside Crossing Project, Nantucket, MA. MHC #RC.63783.

Dear Ms. Carr:

Thank you for your recent inquiry to the Massachusetts Historical Commission (MHC) pertaining to the MHC's review of the project referenced above.

Review of the MHC's files indicates that an MHC Project Notification Form (PNF, 950 CMR 71, Appendix A) was submitted to the MHC for the project, which was received by the MHC on January 22, 2018.

The PNF indicated that the project required a Massachusetts Division of Fisheries & Wildlife Massachusetts Endangered Species Act Conservation & Management permit.

On February 2, 2018, the MHC commented on the PNF.

An intensive (locational) archaeological survey was conducted for the project by The Public Archaeological Laboratory, Inc. (PAL).

On August 23, 2018, the MHC commented on the results of the archaeological survey.

Copies of the MHC's comments are enclosed.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Edward L. Bell".

Edward L. Bell
Deputy State Historic Preservation Officer
Senior Archaeologist
Massachusetts Historical Commission

Enclosures (MHC 2/2/2018, 8/23/2018)



received
11/4/24 (HEB)

February 2, 2018

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

James D. Freeley
Member
Surfside Crossing, LLC
37 Old South Road #6
Nantucket, MA 02554

RE: Surfside Crossing, 3, 5, 7, and 9 South Shore Road, Nantucket, MA. MHC # RC.63783.

Dear Mr. Freeley:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the Project Notification Form (PNF), submitted by LEC Environmental Consultants, Inc., received January 22, 2018, for the project referenced above. The proposed project consists of the construction of a 156-unit residential subdivision with associated utility and infrastructure, landscaping and access roads at the addresses referenced above on Nantucket.

Review of the Inventory of Historic and Archaeological Assets of the Commonwealth indicates that Nantucket Island (MHC # NAN.C/D) is a National Historic Landmark, listed on the State and National Registers of Historic Places, and is also a local historic district. The proposed project impact area is in the vicinity of several recorded archaeological sites. Undisturbed portions of the project impact area are archaeologically sensitive by virtue of environmental characteristics, with level, sandy soils in proximity to recorded archaeological sites and the wetlands and water resources of Miacomet Pond, favorable for ancient and historic period Native American habitation and land use.

The MHC requests that development of the project impact area be preceded by an intensive (locational) archaeological survey (950 CMR 70). The archaeological survey is conducted under a State Archaeologists Permit (950 CMR 70) and an application should be submitted to the MHC by a professional archaeological consulting firm retained by the project proponent. The goal of the investigation is to determine if the project will affect any significant historic or archaeological resources. The results of this survey will be used in consultation in order to avoid, minimize, or mitigate adverse effects to identified significant archaeological resources.

These comments are offered to assist in compliance with Massachusetts General Laws c. 9, ss. 26-27C (950 CMR 70-71). If you have questions or require additional information, then please contact Jonathan K. Patton at this office.

Sincerely,

Brona Simon
Executive Director
State Historic Preservation Officer
State Archaeologist
Massachusetts Historical Commission

xc: Thomas French, NHESP
Bettina Washington, Wampanoag Tribe of Gay Head (Aquinnah)
Ramona Peters, Mashpee Wampanoag Tribe
Nantucket Historic District Commission
Nantucket Zoning Board of Appeals
Brian Madden, LEC Environmental, Inc.



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

August 23, 2018

James D. Freeley
Member
Surfside Crossing, LLC
37 Old South Road #6
Nantucket, MA 02554

RE: Surfside Crossing, 3, 5, 7, and 9 South Shore Road, Nantucket, MA. MHC #RC.63783.

Dear Mr. Freeley:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the archaeological report, *Intensive (Locational) Archaeological Survey, Surfside Crossing Project, Nantucket, Massachusetts*, prepared and submitted by the PAL, Inc., received August 1, 2018, for the project referenced above.

Results of the investigation identified the Surfside Crossing Site. The Surfside Crossing site is an isolated ancient Native American projectile point fragment similar to projectile point styles dating to the later Archaic Period (approximately 3,200 to 2,500 years ago). In the MHC's staff opinion, the Surfside Crossing Site possesses limited information content and therefore does not meet the criteria of evaluation (36 CFR 60) for listing in the National Register of Historic Places. No additional archaeological survey is recommended for the Surfside Crossing Site.

In the MHC's staff opinion, the project as proposed will have "no adverse effect" (36 CFR 800.5(b); 950 CMR 71.07(2)(b)(2)) on the Nantucket Historic District.

These comments are offered to assist in compliance with Massachusetts General Laws c. 9, ss. 26-27C (950 CMR 70-71). If you have questions or require additional information, then please contact Jonathan K. Patton at this office.

Sincerely,

A handwritten signature in cursive script that reads "Brona Simon".

Brona Simon
Executive Director
State Historic Preservation Officer
State Archaeologist
Massachusetts Historical Commission

xc: Thomas French, NHESP
Bettina Washington, Wampanoag Tribe of Gay Head (Aquinnah)
Ramona Peters, Mashpee Wampanoag Tribe
Nantucket Historic District Commission
Nantucket Zoning Board of Appeals
Deborah C. Cox, PAL, Attn: Duncan Ritchie

NANTUCKET HISTORICAL COMMISSION

The Nantucket Historical Commission is responsible for preservation planning and advocating for the protection of historic resources on Nantucket. The commission meets monthly on the third Friday of the month at 10 AM.

For the fiscal year ended June 30, 2024, the NHC continued work in our main areas of responsibility.

Survey and Document Historic Resources

A fundamental responsibility of Historical Commissions across Massachusetts is to survey and document local historic resources. The Nantucket Historical Commission continued an island-wide survey of Historic Resources that began in FY22 and is the first systematic update to Nantucket's surveys since 1989. The survey effort continued to be funded by the Massachusetts Historical Commission and the Town of Nantucket and meets State and Federal best practices for surveys of historic resources.

Survey consultant Public Archaeology Lab (PAL) continued survey work in accordance with the island-wide Survey Plan completed and approved by the Commission in December 2022. The plan set forth the areas to be prioritized and the time and funding necessary to complete the island-wide survey.

The 2023-2024 survey phase continued the survey of structures in the Fish Lots neighborhood and included structures in the Brant Point and Cliffside neighborhood. 140 survey Form Bs were reviewed by the NHC in FY2024 as part of these efforts.

The NHC sought qualified consultants to complete the next phase of the survey process, but did not receive qualified responses to its posted Request for Qualifications, with past consultants PAL declining to reapply. The MHC granted an extension to this round of funding, with the process of ongoing surveys to continue in FY2025.

The Island Wide Historic Resources Survey is overseen by the Historical Commission and the Town of Nantucket Preservation Planner, Holly Backus, who serves as the survey coordinator and provides support in-kind. Ms. Backus also oversees the incorporation of all completed survey forms (aka "MHC Forms") into the Town Geographic Information System, where they are available to the public as a "Historic Information" data layer. The completed MHC forms are also filed by the MHC in the Massachusetts Cultural Resource Information System (MACRIS), and the island-wide survey plan is available on the NHC website.

Nantucket is eligible to receive state and federal survey grants on an ongoing basis due to Nantucket's participation in the Certified Local Government program and funding for the matching fund portion of the grant supported at our Annual Town Meeting. The NHC is grateful to the Town of Nantucket and the Nantucket Historic District Commission for joining together in partnership in the CLG program, and to Ms. Backus for her careful attention to the island-wide survey and the CLG reporting and compliance duties.

In addition to the above described survey project, the Commission also partnered with the University of Florida's Preservation Institute Nantucket (PIN) on an application to the Community Preservation Commission (CPC) for funding for a PIN-led reconnaissance-level survey of the West Monomoy Neighborhood. That funding was awarded by the CPC and approved at the 2024 Annual Town Meeting, and the survey project will be completed in FY2025.

Funds for surveys of Town-owned historic resources were received through a grant from the Nantucket Offshore Wind Community Fund. That survey work will be completed in FY2025.

Advocate for the Protection of Historic Resources

The second foundational activity of the NHC is to advocate for the protection of Nantucket's National Historic Landmark status. This includes education about history and preservation, reviewing and commenting on federal and state funded projects which affect historic resources, and advocating to other Nantucket boards and commissions and the general public for the protection of historic resources. In the past fiscal year, NHC advocacy projects included:

Community Education

The Commission advocated directly to the community and other Nantucket boards for adoption of preservation-minded warrants at Town Meeting.

The Commission provided comments to Town Administration and other departments regarding historically appropriate street lighting, utility infrastructure, and paving materials, including reviewing proposed improvements to Pleasant Street and Williams Lane.

Project Review

The Commission continued to meet its obligations to review state and federally funded projects, under Section 106 of the National Historic Preservation Act of 1966 and Massachusetts regulation 950 CMR 71. Projects reviewed under Section 106 included the intersection reconfiguration at Polpis and Milestone Roads, as well as changes proposed to the marine fueling system at Coast Guard Station Brant Point.

The NHC continues to be a consulting party to Massachusetts Historical Commission and the federal Bureau of Ocean Energy Management review of offshore wind turbine projects.

Historic Preservation Tax Credits

The Commission issued letters of support for island projects using Historic Preservation Tax Credits and continued to advocate for the use of HTC's on Nantucket. Projects reviewed in FY2024 include 5 Surfside Road and 89 Easton Street.

Additional Funding for Preservation

In addition to the funding received through the Community Preservation Act for the reconnaissance-level surveys of the West Monomoy neighborhood, the NHC partnered with the Preservation Institute Nantucket to receive CPC funding for a Main Street Streetscapes Assessment Project to provide a historic materials survey, conditions assessment and prioritized options for restoration and rehabilitation of the street and sidewalk along Main Street.

Respectfully submitted,

Angus MacLeod
Chair