



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, December 20, 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
- Historic Tax Credit Project Letter of Support – 89 Easton Street (repeat submission)
- Certified Local Government Memorandum of Understanding
- Letter in response to National Alliance of Preservation Commissioners report
- Commission discussion: minimum maintenance of contributing structures (Town Code ch. 124-13) – 10 New Whale Street, 5 Candle Street
- Commission Goals
- Approval of minutes – November 15, 2024 meeting
- Other Business

**Massachusetts Historic Rehabilitation Tax Credit
Letter Request Form
Repeat Applications**

This form is to expedite the information sharing process for projects seeking letters of support from the **Nantucket Historical Commission**, for application to the Massachusetts Historic Rehabilitation Tax Credits **for repeat applications**. This form helps us keep up to date with the project and track MHRTC data on Nantucket.

The Nantucket Historical Commission generally meets on the third Friday of every month. The meeting schedule is posted on the Nantucket Historical Commission Town of Nantucket website. **In order to place your project on our agenda for discussion, we must receive this completed form at least one week before a scheduled meeting. We require three business days after a meeting to generate your support letter.** Please plan accordingly, to ensure the support letter for your application is ready before the deadline (January 15th, April 30th, or August 31st). **Requests received too late to allow time for review and response may not be ready before the deadline.**

Please note all letters will be emailed to the requestor electronically and a hard copy will be mailed to the MHC.

Submit this form, your Part I and Part II application (if completed), and any applicable MHC comments you've received to Holly Backus, Preservation Planner, Town of Nantucket: hbackus@nantucket-ma.gov

Questions? Please call Holly Backus at (508) 325-7587 x7026

1. Requestor Name, Phone, and Email:

Brian Lever, Epsilon Associates
3 Mill and Main Place, Suite 250
Maynard, MA 01754
blever@epsilonassociates.com
978-461-6261

2. Project Name:

Lena Grouard House, 89 Easton Street

3. Project Street Address:

89 Easton Street

4. Project Proponent (Developer):

William M. Murphy
89 Easton Street Nominee Trust
550 South Andrews Avenue
Fort Lauderdale, FL 33301
wmurphy@dmrfl.com
954-746-2221

5. What is the status of the Massachusetts Rehabilitation Tax Credit Application?(check all appropriate):

X Part 2 approved by MHC X Part 2 approved by NPS

X Part 2 Amendments Submitted to MHC X Part 2 Amendments Submitted to NPS

X Part 2 Amendments Approved by MHC X Part 2 Amendments Approved by NPS

DPart 3 submitted to MHC DPart 3 approved by MHC

DPart 3 approved by NPS D Other

6. Have you received a review and recommendation comment from the MHC?
(circle one) YES ~~NO~~
If yes, please submit a copy of the comment(s).

7. Estimated Total Project Cost: \$3.2M

8. Estimated Rehabilitation Cost: \$3M

9. Total MAHRTC Requested/Eligible: \$600,000

10. Has the project received an award in a previous round?
Yes / ~~No~~

If yes, please list amounts and dates of award April 2024, \$50,000

11. Please summarize how the project has been revised since last request for letter of support from NHC (or indicate no change)

No change.

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 Mission of the Nantucket Historical Commission is to serve the public by protecting the National Historic Landmark of Nantucket. Nantucket's important historic resources include structures as well as their setting and context, the American and Native American artifacts, and the island's special visual quality, as expressed in the natural and built environment.

The NHC advises the Select Board on matters of preservation, and works with Nantucket's Preservation Planner, Planning Director, and other municipal agencies. It creates plans and guidelines for historic preservation, directs surveys of buildings and lands of archaeological and historic significance, and advocates for historic preservation.

The NHC complements the local Historic District Commission, which is Nantucket's regulatory architectural review board. It also liaises with the Massachusetts Historical Commission and local preservation and conservation non-profits.

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. Please see Appendix A.

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, nothing in the above Memorandum shall be construed to alter or limit each commission's responsibilities under their respective enabling legislations.



NANTUCKET HISTORICAL COMMISSION

Town of Nantucket
2 Fairgrounds Road
Nantucket, Massachusetts 02554

COMMISSIONERS

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

November 27, 2024

Ms. Leslie Snell
Director of Planning, Town of Nantucket
2 Fairgrounds Road
Nantucket, MA 02554

Re: Recommendations of the National Alliance of Preservation Commissions for
Increased Preservation Staff

Dear Ms. Snell:

The Nantucket Historical Commission has reviewed the recommendations put forth by the National Alliance of Preservation Commissions in their independent review of the functioning of the Town's Historic District Commission.

Those recommendations included "Identify the skill sets and additional positions needed beyond the Preservation Planner to adequately staff the HDC and enforce COAs." The Historical Commission strongly supports this recommendation. Preservation Planner Holly Backus serves as the staff liaison to both the NHC and the HDC, and does so admirably, but certain aspects of her planning work regarding the NHC lose out to regulatory work required by the lack of support staff for the HDC. Hiring additional staff with training and expertise in the field of Historic Preservation would benefit not only the functionality of the HDC, but also allow Ms. Backus the time to devote more energy to the planning efforts supported by the NHC, including crucial updates to surveys of the contributing properties that make up Nantucket's National Historic Landmark District.

Thank you for the opportunity to comment on this matter.

Sincerely,

Rita Carr, Chair
Nantucket Historical Commission

cc: Holly Backus, Nantucket Preservation Planner; Libby Gibson, Nantucket Town Manager;
Brooke Mohr, Chair, Nantucket Select Board

§ 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.

🟢 = on track
🟡 = with risk
🔴 = Past due
⬜ = Not started
🔵 = Complete

Category	Goal	Description	Priority	Key Dates	Previous Status	Current Status
Grants	MHC Grant for local survey plan	Apply for MHC grant to continue survey work for fish lots and Brant Point Holly waiting Phase III Batch 5 feedback	High	10/31/2024		
Grants	Funding programs	Advocating for expansion of the historic tax credits program Rita will reached out to Preservation Mass but no response yet.	Medium	Ongoing		
Grants	CPC Grant for local Structures	Support the historic preservation of Main Street – first apply for CPC funds, then federal/state funds Digitizing the deeds is on the radar.	Medium	12/31/2024		
Grants	Sewer Force Main	Support Winter Street cobblestone project – neighbors want to put back on Steps Lane; David Gray will keep Holly in the loop.	Medium	Ongoing		
Grants	NPS Grants	Explore the possibility of utilizing NPS funds for local projects – NPS was at the conference and outlined grants: Holly will bring examples.	Medium	12/31/2024		
CLG	Section 106 Reviews	Section 106 Reviews Southcoast windfarm meeting on 11/19 will be at 5PM and HDC is at 4PM.	Medium	11/19/24		
CLG	Governance	Workgroup established to update MOU – Will work on a draft and propose at Dec meeting.	Medium	12/31/2024		
CLG	Tax Credits	Review any Historic Tax Credit Applications	Medium	Ongoing		
CLG	Education	Summarize <i>Building with Nantucket in Mind</i> – super index will take precedence over any video as discussed as with CLG	Medium	Ongoing		
Education	NHC/CLG education	Continuing education for commissioners from MHC – Historic Significance on 11/19 and Local Preservation 12/9.	Low	Ongoing		
Education	Community education	Partner with Egan Maritime to educate the public about the recent shipwreck discovery – Grant announcement passed along – NHA, NPT, MMA, Sconset Trust.	Medium	Ongoing		
Education	Workshop	Propose a historic structure/disaster resiliency/conservation workshop with NHA/NPT – Planning underway – NHA hosting workshops with ICR.	Medium	12/31/2024		
Engagement	Engage peers	Ongoing collaboration with groups (NPT, PIN, Sconset Trust, NHA, MMA, Egan Maritime, etc.)	Medium	Ongoing		

Nantucket Historical Commission

November 15, 2024 Meeting

10AM

131 Pleasant Street, Nantucket MA and via Zoom

Attendees:

George Butterworth (Commissioner)
Angus MacLeod (Commissioner)
Rita Carr (Commissioner)
Clement Durkes (Commissioner)
Holly Backus (staff)
Mary Bergman (Nantucket Preservation Trust)
Abby De Molina (Commissioner) – online
Sarah McLane (Commissioner) – online
Hillary Rayport – online

Absent:

Diane Coombs (Commissioner)

Agenda

- Roll call at 10:09AM *Commissioners George, Rita, Clement, and Angus are present in person. Holly as staff is also present in person. Mary Bergman from NPT is also present in person. Commissioners Abby and Sarah are online. Hillary Rayport is also present online.*
- Public Comment *None*
- Staff Update *The town is looking for comment on the lighting – will get confirmation from the Energy Coordinator. WPI may want formal comment – will add to December agenda.*
- Ongoing survey work
 - Community Preservation Commission funded West Monomoy survey project kickoff event: November 16, 10 am – 4 pm at 27 York St *PiN received funding from CPC. Holly will present with Cleary in the morning.*
 - FY 2023 Request for Qualifications status *Holly just received the fully executed and revised contract from MHC this week to 120 surveys. Holly hopes to have it posted next month.*
- Certified Local Government Memorandum of Understanding *Angus thought we should include the mission statements of both boards. He mentioned updating the language from the law (Select Board vs Selectmen) but we should keep with consistent with the law. Suggestion to include statement that the agreement does not supersede or change either commission's enabling legislation. Commission can review via email and send comments to Holly and then we send to Town Counsel to review prior to next meeting. Motion by Angus, second by Clement. Angus – aye, Clement – aye, George – aye, Sarah – aye, Abby – aye, Rita – aye.*
- Commission discussion: minimum maintenance of contributing structures (Town Code ch. 124-13) – 10 New Whale Street, 5 Candle Street, 29 Fair Street *Question on the enforcement as related to Mad Hatter on how buildings get demolished. There is not an enforcement division by the Town. Could use the CLG as a place to review identified*

properties by the NHC. Holly noted it is an education component for the public so we can include in the realtor presentation with specific examples. Mary (NPT) says opportunity to use the surveys to identify the condition of buildings and what is in the enabling legislation to allow us to enforce. Suggestion to work with Jenn D from the state to see if we could do anything else and see what other communities are doing. Holly referenced 6 Fair Street and the Woodbox as examples that were identified in the surveys. Sarah has first-hand experience and said with her property that it was 8-10 years in disrepair (and another one two doors down). The owners kept getting away with more and more and then both properties deteriorated and were allowed to demolish. Needs to be consistent process and time limit. Angus noted it is the exception, not the rule, on the island. Agrees it is a good opportunity to collaborate as the CLG and documentation will be helpful by using Woodbox as a case study. HDC policies and procedures are being updated and this process is being included. Each example is brought up separately and does not necessarily set precedent. Holly will reach out to Jenn Doherty.

- Surfside Crossing Archeology Discussion Update that MHC confirmed that PAL did an archeology report and there was nothing at the site. Holly will include with HDC comments in letter for the ZBA.
- Upcoming Massachusetts Historical Commission webinars – Nov. 19th and Dec. 9th
- National Alliance of Preservation Commission (NAPC) membership and webinars Holly forwards them – Rita attended one this week for legal issues.
 - NAPC report review by the Select Board, Nov. 13 Main takeaway was the HDC needs more staff to support staff and we should support that recommendation as it also affects the NHC. Most of the changes recommended would require changes to the Special Act by HDC. Motion by Angus to write a letter to the PLUS Director supporting hiring more staff and CC the Town Administrator, Select Board, and HDC, second by Clement. Angus – aye, Clement – aye, George – aye, Sarah – aye, Abby – aye, Rita – aye.
- Fiscal Year 2024 Annual Report Please send typos to Holly so Rita can send next week.
- Commission Goals Abby reviewed.
- Other Business

Motion to adjourn by George at 11:28AM, seconded by Clement. George – aye, Clement – aye, Angus – aye, Sarah – aye, Abby – aye, Rita – aye.