

Gloucester Community Preservation Committee

Committee Meeting Report for March 25, 2014

Members attending: J.J. Bell, Charles Crowley, Sandy Dahl-Ronan, Bill Dugan, John Feener, Scott Smith
Members absent: Tom O'Keefe, Joe Orlando, Stacy Randell
Other attendees: David Rhinelander
Staff: Debbie Laurie, Community Development Staff

1. The meeting began just after 6:00 p.m. The minutes of the meeting of February 18, 2014 were approved on a motion by Mr. Bell.
2. Mr. Rhinelander introduced himself to the committee members. He advised that he will be appointed to represent the Historical Committee as soon as that committee meets again. He said Mr. O'Keefe is unable to continue as the Historical Committee's representative due to illness. Mr. Rhinelander was warmly welcomed by all members of the committee.
3. Ms. Laurie provided updates on projects under agreement from 2010-2013:
 - 2010 – The School Department contact for the Project Adventure project, Jim Schoel has retired and travels a lot. Mr. Feener will contact Mr. Schoel this spring with hopes of completing the project on Arbor Day, April 25, 2014.
 - 2011 – The library work is nearly complete. A report from the Library Director had been forwarded to the members
 - 2012 – Phyllis A. is awaiting a chance to go on the ways for repairs; North Gloucester Woods is on-going with efforts from the City to engage property owners interested in selling
 - 2013 – all projects are under agreement; weather is delaying most from proceeding; Mr. Roark has withdrawn his Stage Fort walkway project due to unforeseen liability issues.
 - Ms. Laurie reported having five project signs in stock. She will continue to monitor the outstanding signs and order an additional number of signs.
4. Mr. Bell led a discussion on the issue of Historic Restrictions, such as, façade easements and preservation agreements. He said the purpose of these restrictions is to protect the public interest after CPA funds are invested in properties. He mentioned that all communities are struggling with this matter. Newton approaches each project separately and they have many different types of agreements. Northampton likewise has several different types of agreements or easements that can be used depending on the type of work done on the properties. Mr. Bell will do more research into this subject and report back. The committee discussed the possibility of engaging the services of a consultant to craft a document that would work best for Gloucester CPA projects. It was noted that this, of course, could only happen if the administrative budget could absorb the cost.

5. Mr. Crowley, responding to a question from Ms. Dahl-Ronan, said the Open Space and Recreation plan is current.

6. The committee reviewed each of the 17 CPA applications for 2014, Round 5. The total grant requests amounted to \$1,684,809. It was noted that the total amount of funds available would be between \$300,000 and \$500,000 depending on the State's matching amount, not including the amount of the City Hall bond. There was a general discussion on the nature of the applications. Since it is advisable that a decision be made by June 30, 2014 public hearing dates were set for 6:00 p.m. on the evenings of April 14, 2014 and April 16, 2014. The location of the hearings is yet to be determined.

7. Ms. Dahl-Ronan reminded the members that public relations and promotion of the CPA application process should be an on-going task of the committee. There needs to be planning for the April 30, 2014 reception for CPA grant awardees and My View columns or Letters to the Editor should be submitted. It was also suggested that grant recipients be reminded of the importance of informing the public of the work done with CPA funds.

The meeting was adjourned at 8:15 p.m.

Documents used during the meeting:

1. Community Preservation Coalition article from the Cape Cod Commission Round Table Fact Sheet, "Placing Preservation Restrictions On Historic Resources"
2. Chart of "Status of 2013 CPA Awards"
3. Chart of "2014 CPA Applications Received"



Placing Preservation Restrictions On Historic Resources



This article sourced from the Cape Cod Commission Round Table Fact Sheet

October 31, 2006: A Preservation Restriction (PR) is a voluntary legal agreement that protects a significant historic, archaeological, or cultural resource. It provides assurance that an historic or cultural property's intrinsic values will be preserved through subsequent ownership by restricting on the demolition or alteration of its significant historic features. A Preservation Restriction is filed at the Registry of Deeds and runs with the land. It usually focuses on exterior architectural features, but can also address significant interior spaces. Though a Preservation Restriction does not necessarily require public access, it may include provisions for annual open houses or similar public events if deemed appropriate.

The heart of a Preservation Restriction is in the Grantor's Covenants, where the owner of the property agrees to maintain the building exterior in good repair consistent with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (further described below). The Grantor's Covenants spell out prohibited activities such as demolition of the building, and describe the review process required if any exterior alterations are considered on the property. Another important part of the Preservation Restriction is the Baseline Documentation which illustrates the property's historic significance and existing conditions through architectural drawings, photographs, historical records, and reports.

Are Preservation Restrictions required by CPA?

The Community Preservation Act specifically calls for perpetual Preservation Restrictions, established under Chapter 184 of Mass General Laws, whenever CPA funds are used to purchase a real property interest. Therefore, when purchasing or buying an interest in an historic property, a Preservation Restriction is required. The Act is not specific as to whether a Preservation Restriction is required when CPA money is expended on an historic preservation project. Many towns have chosen to require a Preservation Restriction when any amount of CPA funds are awarded for rehabilitation or restoration of an historic property. This protects the town's investment should the property change hands or become subject to additional development pressures. Cape Cod Commission staff recommend that a Preservation Restriction be required whenever CPA funds are used to rehabilitate or restore historic properties, regardless of the property ownership.

In some cases, other means of protecting the public interest can be considered. The city of Newton has signed a Memorandum of Understanding with the CPA committee requiring Newton Historical Commission review and approval of any changes proposed to a town property that has received CPA funding. Other communities are considering a threshold amount of CPA funding above which a Preservation Restriction would be required, while projects receiving less money would require a shorter term restriction.

Who can hold a Preservation Restriction?

A Preservation Restriction may be held by any governmental body or charitable corporation or trust capable of acquiring interests in land and whose purposes include historic preservation. Local Historical Commissions are empowered to hold preservation restrictions under the state's Historic District Act (M.G.L. Chapter 40C), but they cannot hold a preservation restriction on a town-owned property. Non-Profit historical organizations such as town Historical Societies, the Trustees of Reservations, and Historic New England may also hold preservation restrictions.

Is there a model Preservation Restriction?

Cape Cod Commission staff suggests using the Preservation Restriction on the Nantucket Atheneum (or the Massachusetts Historical Commission long form template) as a working model, copying its general format and legal language, and making changes to tailor the restriction to the particular property in question. All CPA committees are urged to use the same Preservation Restriction as a model to maintain consistency among restrictions on the Cape, and to facilitate their monitoring and administration in the future. **The Nantucket Atheneum Preservation Restriction is available here.** and the Massachusetts Historical Commission's long form is available in its Guidebook on Preservation Restrictions, available by calling Michael Steinitz at 617-727-8470.

How should we draft a Preservation Restriction?

The owners of the subject property, the intended holders of the Preservation Restriction, and the town counsel should be involved in drafting a preservation restriction. Some towns have chosen to arrange an initial meeting between these parties to discuss the content of the restriction,

then have asked the owners' attorneys to draft the preservation restriction, using the model cited above as a template. The Local Historical Commission or Historical Society are also often involved because of their access to historical information necessary to establish the Baseline Documentation required in a Preservation Restriction. Note that CPA committees can allocate CPA administrative funds or grant monies for drafting a Preservation Restriction.

The Massachusetts Historical Commission (MHC) must approve a Preservation Restriction for it to be consistent with M.G.L. Chapter 184. If the restriction will be held by a charitable corporation or trust, the town must also approve the Preservation Restriction. A draft Preservation Restriction should be submitted to Michael Steinitz at MHC to determine if it adequately protects the features that make the historic property significant. Once MHC approves the content of the Preservation Restriction, it can be signed/executed by the owners and the Selectmen or Town Council, then resubmitted to MHC for their signature. Finally the Preservation Restriction should be recorded at the Registry of Deeds.

How should we monitor a Preservation Restriction to ensure its effectiveness?

To protect both the property owner and the restriction-holder, it is important that there be a clear set of procedures and policies to guide the administration and monitoring of a Preservation Restriction. The key to avoiding problems and court costs is catching problems before changes are made to the property. To that end, the following steps are recommended:

Designate a Preservation Restriction administrator. The organization holding the restriction should designate an administrator (perhaps the Secretary or President of the organization, or an employee) who is the primary contact person if a property owner has questions about the restriction. Communication is essential if there is a transfer of ownership, so administrators may want to initiate contact with new property owners. Ideally, administrators should be knowledgeable about historic architectural and building technology in order to insure that they can identify unapproved work or areas of concern for repair. Cape Cod Commission staff may also be contacted to assist with these issues.

Arrange annual on-site meetings. The administrator should be responsible for arranging annual on-site meetings with the property owner to assess the current condition of the property, to discuss the terms of the restriction, and to answer any questions the owner may have.

Maintain annual status reports on the property. The administrator should follow up annual on-site meetings with a written status report on the property, citing the owner's compliance with the restrictions and the general condition of the property.

Alert town departments and agencies. Work with town permitting departments and assessors to put a red flag on properties with a Preservation Restriction, and ask the town to notify the restriction holder (Local Historical Commission or other entity) any time a development permit is sought for one of these properties.

What are the Secretary's Standards for Rehabilitation of Historic Properties?

The Secretary's Standards for Rehabilitation are federal standards that define appropriate treatment of historic properties. The standards were developed by the Secretary of the Interior to guide work on properties listed on or eligible for listing on the National Register of Historic Places. The CPA requires rehabilitation work on historic properties to comply with the Secretary's Standards for Rehabilitation.

The primary goal of the Secretary's Standards for Rehabilitation is preservation of the historic materials and features that make a property significant. The 10 standards focus on things such as repair rather than replacement of historic features, and designing additions without removing significant historic features. To help people interpret the standards and to provide more detailed recommendations for treatment of specific building elements, the Secretary also publishes Guidelines for Rehabilitating Historic Buildings.

Visit our technical assistance page for more information on the Standards and Guidelines.

STATUS OF 2013 CPA AWARDS

	Organization	Project Title	Grant Amount	Expenditures to date	Project description	Project Status
1	Magnolia Library & Community Center	Magnolia Library & Community Center Renovation	\$7,500		Rehabilitation/Restoration or Preservation(sprinkler)	Agreement in place, hiring engineer in process
3	Sargent-Murray-Gilman-Hough House Association	Saving the Foundation, Repairing the Structure	\$20,000		Rehabilitation/Restoration - Structural and moisture issues in basement	Agreement in place;
4	Cape Ann Museum and Thacher Island Association	Restoration and preservation of Thacher Island Fresnel Lens	\$10,000		Preserve, restore and permanently exhibit the Thacher Island Fresnel Lens	Agreement in place, June
6	Phyllis A. Marine Association	Stern rebuild of the vessel Phyllis A.	\$25,000		Rehabilitation/Restoration - rebuild stern	Agreement in place; waiting to hear about haul out.
	Rocky Neck Art Colony, Inc.	Rehabilitation and restoration of former Christian Science Church, 6 Wonsom St.	\$50,000		Rehabilitation/Restoration - handicap accessibility & ext restoration on windows, gutters and downspouts, painting	Agreement in place; started work
7	City Hall Restoration Committee	City Hall Restoration - Repairs/Restoration of Auditorium Windows	\$36,000		Rehabilitation/Restoration of the 2nd Floor Auditorium Windows	Agreement pending; Change order in place for windows
10	Ocean Alliance	Tarr and Wonsom Paint Manufactory	\$30,000		Rehabilitation/Restoration of the chimney and accompanying brick building with repointing and stabilization	Agreement in place, Project should be starting in April, weather permitting
	Magnolia Historical Society, Inc.	Rehabilitation and restoration of the Blyman Schoolhouse to enable use as the Magnolia Historical Museum and Cultural Center	\$30,000		Rehabilitation/Restoration of the roof, & cupola repair, HVAC system, insulation, electrical system upgrade, plumbing repair, hardwood floors, plaster wall and tin ceiling restoration	Agreement in place; started work
11	Gloucester Committee for the Arts	City Hall WPA Murals Restoration Project - Phase II	\$35,000		Rehabilitation/Restoration of the Mulhaupt panels in the hallway of City Hall, Mural in Attorney's office, mural in Auditorium, & mural in Mayor's office reception area.	Agreement pending; all funding in place; working on RFP with Purchasing
13	Cape Ann Women's Softball League	Matto's Field Rehabilitation Project	\$10,075		Rehabilitation/Restoration of the infield and outfield - filling and grading	Agreement in place; met with Mark Cole and Patt Amaral on 2/7/14; should start as soon as weather allows
14	City of Gloucester Public Works	Gloucester Skate Park Rehabilitation	\$25,000		Rehabilitation/Restoration of the perimeter fencing, replace signage, new structures and establish a viewing area for parents	Agreement in place; waiting for weather, should start around April
15	George H. Roark and Dr. John and Susannah Wolfe	Stage Fort Park - A Walking Path	\$4,000		Rehabilitation/Restoration by resurfacing a gravel path, about 325 ft X 10 ft from the green gate at the visitor's center on the left side, to the intersecting paths towards the fort and ocean	Agreement on hold; applicant does not want to sign due to liability issues. Withdrew
16	Gloucester Waterways Board/Harbormaster	Hodgkins Cove Public Landing	\$8,000		Rehabilitation/Restoration by clearing over grown area and provide seating/viewing area and small parking area	Agreement in place; spring
17	Gloucester Waterways Board/Harbormaster	Head of Lobster Cove Public Landing	\$5,000		Rehabilitation/Restoration by clearing area and providing seating and viewing	Agreement in place; spring
18	Magnolia Bike Club	Magnolia Bike Park - Bicycle Track	\$5,000		Creation of a pump track at the Magnolia Woods field	Agreement in place; payment inquiry
20	Friends of Gloucester Dog Park	Gloucester Dog Park	\$15,000		Creation of an agility center for dogs which includes adding a section of fence, gate and some outdoor agility equipment	Agreement in place; equipment is ordered.
21	Essex County Greenbelt Association	Norcross Property Acquisition	\$60,000	\$60,000	Acquisition of 10+ acres to enhance & expand Greenbelt's Tompson Street Reservation. Closed	Completed; CRA pending
22	TOTAL AWARDED		\$375,575			

2014 CPA APPLICATIONS RECEIVED

CPA 2014 APPLICATIONS		ROUND 5							
Organization	Amount Requested	Project Total	Project Name	Project Category	Project Purpose				
Magnolia Library Center, Inc.*	\$230,630	\$245,630	Magnolia Library Center, Inc.	Historic Resource	install sprinkler system, alarm system, renovate restrooms, update to ADA compliant. install ADA ramp, insulate building, install backup generator.				
Burnhams Field Community Garden	\$5,000	\$9,050	Burnham's Field Community Garden Fence Replacement	Recreational Land	Expand community garden				
City of Gloucester, Com Development Dept	\$50,000	\$50,000	Burnhams Field Ballfield Backstops Replacement	Recreational Land	Replace two ballfield backstops				
Gloucester Writers Center*	\$10,000	\$12,000	Gloucester Writers Center - Exterior Reno & Reha	Historic Resource	Replace roof, gutters, trim, 2 new windows, re-point chimney, paint exterior, etc.				
Phyllis A. Marine Association*	\$38,500	\$68,500	Re-build the bow and foc'sle interior of the vessel Phyllis A.	Historic Resource	Re-build the bow and foc'sle of the vessel				
Rocky Neck Art Colony, Inc.*	\$75,000	\$159,000	Cultural Center at Rocky Neck, Second Phase Renovation	Historic Resource	HVAC upgrade, kitchen/office build-out, installation of a drainage system, insulation, rear deck rebuilding, and installation of ten storm windows for Main Hall.				
City Hall Restoration Committee*	\$400,000	\$821,600	City Hall Restoration - Repairs of City Hall masonry	Historic Resource	Rehabilitation/Restoration of exterior masonry				
Cape Ann Women's Softball League	\$12,679	\$12,679	Light Up Matos - Design Stage 1	Recreational Land	Engineering and design of ball field light foundations for ball field light placement				
Magnolia Historical Society, Inc.*	\$108,000	\$137,000	Magnolia Historical Museum at Blynman Schoolhouse restoration	Historic Resource	Update electrical system and bring up to code, which will include electrical service into the building, emergency lighting, room lighting, fire alarm system and radio box from fire department				
Gloucester Historical Commission	\$30,000	\$30,000	Citywide National Register Nominations	Historic Resource	Hire professional historic preservationist to complete nominations to the National Register of Historic Places for 3 areas; Rocky Neck, Annisquam, and Duncan's Point (Harbor Loop)				
Cape Ann Historical Association (CA Museum)*	\$20,000	\$40,000	Design and Installation of Vertical Platform Lift	Historic Resource	Design and install of a vertical platform lift to provide ADA access to stage in the Museum's auditorium				
Historic New England/ Beaufort*	\$25,000	\$45,630	Electrical Rehabilitation at Beaufort, the Sleeper-McCann House	Historic Resource	Updating of electrical and fire protection systems				
Magnolia Bike Club	\$40,000	\$47,000	Magnolia Woods Pump Track	Recreational Land	Bike "pump" track construction				
Magnolia Point Cemetery Committee*	\$60,000	\$61,850	Save the Historic Magnolia Point Cemetery	Historic Resource	Stabilization of endangered memorial stones and marker; repair and replacement of walls, fences, and gates as needed; removal of invasive trees.				
Gloucester Conservation Commission and Essex County Greenbelt Association	\$500,000	\$825,000	Preservation of the Annisquam Woods Property	Open Space	Acquire and preserve a 27.4 acre property known as the Annisquam Woods parcel, located off Hutchins Court and Tufts Lane				
Holy Family Parish	\$50,000	\$1,650,150	Building for the Future	Historic Resource	Construct addition and install elevator system				
Oak Grove Cemetery*	\$30,000	\$40,000	Rehabilitation and restoration of the Oak Grove Cemetery	Historic Resource	Improve entrance with signage and landscaping, hire landscape architect to develop restoration plan				
Total Funding requested	\$1,684,809	\$4,255,089							