

RYE HERITAGE COMMISSION

Thursday, September 5, 2019

6:30 p.m. – Rye Town Hall

Present: Chair Bev Giblin, Clerk Mae Bradshaw, Treasurer Peter White, Member Gail Hughes, Member Alex Herlihy, Alternate Rich Davis, Alternate Ann Arnold, Selectmen's Rep Keriann Roman

I. Call to Order

Chair Giblin called the meeting to order at 6:35 p.m. and led the pledge of Allegiance.

II. Member Introduction

The Members introduced themselves. Chair Giblin seated Alternate Davis for Phil Walsh and Alternate Arnold for Mae Bradshaw.

III. Approval July Minutes – August 1, 2019

**Motion by Peter White to approve the meeting minutes of August 1, 2019, as presented.
Seconded by Alex Herlihy. 6-0 Abstained: Bev Giblin**

IV. Pulpit Rock Tower – Patty Weathersby

Ms. Weathersby gave a quick background on Pulpit Rock Tower. The Tower was built in World War II in order to protect Portsmouth Harbor. It was manned to look for enemy ships as part of a whole series of towers built during that period along the coast. It was owned by the federal government and transferred in the 1970's to the State of New Hampshire, who is the current owner. It was acquired by the Fish and Game Department, who used it to observe illegal fishing activities. They stopped using the tower and it fell into disrepair. Just prior to 2000, it came to the neighbors' attention that the Fish and Game Department wanted to part with it. There was talk about making it a cell tower and various other things. What started as a neighborhood organization, turned into the non-profit 'Friends of Pulpit Rock Tower', in order to work with the State of New Hampshire to clean, repair, and provide access to the tower so that people can visit and learn about its history. Currently, the Friends of Pulpit Rock Tower have a ten-year lease on the tower. They are roughly halfway through the lease. The State of New Hampshire has given the "Friends" this time to find a permanent plan for the tower, as the State does not have a use for it. The tower is a part of the Federal Surplus Property Program, so the State has two options. They can give it to another government entity, or they can give it back to the federal government. There are no costs to either of these exchanges. If the Town of Rye is not interested, NH Fish and Game is going to give it back to the federal government. The federal government will then auction it off. If it is purchased by a private entity, public access will be closed.

Ms. Weathersby explained that she is representing the Friends of Pulpit Rock Tower and is addressing the Commission to ask if the town would be interested in acquiring the tower. They have already talked to the Board of Selectmen a few weeks ago. The Heritage Commission

would be the owners of the tower. She reminded the Commission that this first came about with a warrant article in 2011.

Ms. Weathersby pointed out that there was an engineering study done, (copies are included in the packets that she provided to the members). This study showed that the tower was structurally sound and explained the costs associated with the repairs needed.

Member Bradshaw arrived at the meeting at 6:42 PM.

Ms. Weathersby continued that in order to take the warrant article to the voters, the Heritage Commission had to be created. The voters approved the articles, provided that \$130,000 be raised to go with the tower to the Town of Rye. That sum was way beyond what the Friends of Pulpit Rock Tower could raise. Since then, as “The Friends” have raised money and grants, they have chipped away at the big projects. The list of projects that have been completed is included in the packets. She explained that since 2011, “The Friends” have spent roughly \$50,000. That \$50,000 has taken care of almost every project outlined in the engineering study.

Ms. Weathersby stated that the engineering study recommended that the interior cracks be filled in with epoxy and they were told that it was not necessary because the building is sound, so they did not fill them in. The engineer also wanted a sealant on the outside of the tower. They were told by a concrete expert not to seal the concrete because it is better for the building. The major projects have been done; such as, putting on a new roof and roof top railings, and new custom windows. Fish and Game paid to have a hazardous waste company decontaminate the tower of bird feces, which cost approximately \$16,000. “The Friends” have also replaced all the missing and damaged handrails. They have also done a lot of general cleaning, painting and replacing flooring over the years.

Ms. Weathersby and the Commission reviewed the engineering recommendations for repairs to the tower in detail.

Ms. Weathersby informed the Commission that “The Friends” hired preservationist Christopher Closs. He provided “The Friends” with detailed descriptions on how to tackle the major projects. He also assisted “The Friends” with the National Registry of Historical Places designation.

Member White asked what the annual operating budget would be without the major project costs.

Ms. Weathersby explained that “The Friends” and the Department of Public Works have been very helpful. They bring wood chips to the property and there are volunteer work parties that come and spread them. Also, there are volunteers that get the tower cleaned and ready for the tours and open houses. Those volunteers also work during the tours and open houses. Really “The Friends” only expenses are the insurance (about \$800 annually) and printing for informational brochures. There are no utility bills or taxes on the property.

Chair Giblin asked about the tours.

Ms. Weathersby explained that “The Friends” put on two organized tours; Veteran’s Day and Memorial Day. They send notices to the list of individuals that have asked to be notified. Currently, that is about six hundred people. “The Friends” also have a Facebook Page that has about four hundred followers. They advertise on Facebook as well as in the Portsmouth Herald.

Member Herlihy stated that he was fortunate to visit the Tower in 2012 and then he revisited it last year. He commended “The Friends” on the unbelievable work that had been done.

Ms. Weathersby pointed out that the tours attract between 500 to 600 people, depending on the weather. She also said that they have a donation box that pulls in about \$1,000 during each event. She suggested that “The Friends” would help the Commission through their first couple of tours and during any other part of the transition. The goal is once the Heritage Commission takes over and is up to speed, “The Friends” will step back and let the town take over. After which time, “The Friends” will be dissolved.

Member White asked if it would be appropriate for the Commission to do another engineering study at this time, in order to ascertain what potential expenditures there might be the next 5, 10 and 15 years.

Ms. Weathersby confirmed. She also recommended that the Commission visit the tower. If she was in the Heritage Commission’s position, she would want to hire an engineering firm to look at the work that has been done to see if it had been done well; as well as, to verify that the tower is still sound. She pointed out that “The Friends” do not want this to be a burden to the town. They want to give the Commission and the town an amount of money that will take care of the minor upkeep or can grow in case of something major. She again recommended hiring an engineering firm to come up with a sum to go along with the transfer. However, she reminded the members that if the sum is too large “The Friends” will not be able to raise it.

Member Bradshaw saw the problem as being the voters. She explained that they originally wanted \$120,000 to come with the transfer. The voters are going to require a lot of convincing and a lot of information to have this happen. It will have to be a major effort to convince the Selectmen, the Budget Committee, and the voters.

Ms. Weathersby pointed out that the \$120,000 figure was to address all the work, which has all been done. So, the number should not still be \$120,000. It should be more like \$10,000 or \$20,000. That is why they need to get an evaluation, from a professional, to come up with a number. The other piece is that “The Friends” would like to see the tower be owned by the town so that all the work, time and money already spent is not wasted. They would like for people to still be able to experience it. Twenty to Fifty years from now, if the town does not want to continue to own it, there is still the option to give it back to the federal government.

Selectman Roman pointed out that it is obvious that the town is not obligated to maintain it. That is obvious by the disrepairs during the years the State has owned it, prior to “The Friends” involvement. She added that if something happened and the town did not have the money to fix it, they would not have to fix it. They would, however, be responsible for making it safe. She explained that the town has liability insurance for the day to day ownership of the property, so it would be covered for anything that happens there, unless it was proven that the town was negligent.

Ms. Weathersby pointed out that there are two town owned lots, which were taken by tax deed about fifteen years ago, adjacent to the tower on Neptune Drive. The town could put parking there. She also said that she agreed with Selectman Roman that the town is not obligated to maintain the property; however, the property is part of the National Historic Monument Program. The property is supervised by the National Park Service. Every other year, a report needs to be submitted online about what improvements have been done, what money has been spent on the property and the income that has been received from the property. The report takes about 10 minutes to do. There is no maintenance requirements, but there is an activity report that is required.

Member Bradshaw asked about the possibility of a member of 'The Friends of Pulpit Rock Tower' coming on as an alternate to the Heritage Commission. Their position could be to educate and keep the Commission up to speed on the tower.

Ms. Weathersby stated that initially that could probably happen. She would have to talk to the group to get a volunteer. She added that certainly the group will stay involved as much as needed for the first year.

Member Herlihy stressed the importance of the tower and feels that finding volunteers will not be as difficult as with other projects.

Member White asked Selectman Roman how the select board feels about this issue.

Selectman Roman stated that the select board did not take a formal vote. They said that they are interested in it enough to see what the Heritage Commission feels about it. She is very eager to see if this could work. The other two selectmen are in favor of pushing the issue to the next step. She would be shocked if they would not support getting an engineer to review where the town stands with regard to the tower.

The Commission agreed that they should do a site walk.

Selectman Roman asked about how an endowment would work.

Ms. Weathersby explained that based on the engineering information, the amount of the endowment would be established. If it is an amount that "The Friends" can raise, they would give the Commission that amount. The interest that the endowment earns would be used for the annual expenses. The Commission would have to do fund raisers (some through the tours), obtain grants or tap into the endowment for anything major.

Chair Giblin pointed out that the key is to have a new engineering study done.

Ms. Weathersby recommended getting the engineering study done and just start out with the new number moving forward. The old number is no longer relative.

Selectman Roman agreed. She added that the 2011 warrant article was only binding for one year. So, the new warrant article would stand on its own merits.

Member White asked how much the engineering study will cost and who would pay for it.

Ms. Weathersby stated that the last study was less than \$5,000. It was between \$3,000 and \$4,500. “The Friends” have the money and could pay for the study. She asked that the Town of Rye sponsor the study so that it is not questionable to the voters.

Selectman Roman pointed out that it will have to be the Board of Selectmen working with “The Friends” to make this happen, if there is a consensus with the Heritage Commission.

Member Bradshaw recommended that the Commission go look at it.

Member Hughes recommended that after the Commission looks at it, they consider what options they have if they do take ownership. She spoke of the importance of the history and the heritage of the tower to the Town of Rye and for future generations to come. She recommend doing a special article in the next newsletter about the tower.

The commission agreed to tour the tower on October 3rd at 10:00 a.m. and have the monthly meeting right after at the Town Hall.

Member Bradshaw explained that the process would be that they visit the tower and then vote if they want to proceed with the engineering study at the October meeting. In November, they can vote if they want to proceed with a warrant article.

Member Bradshaw informed the Commission that the lease “The Friends” are currently in is good for approximately four years. If this does not go through this year, the Commission should try again next year; however, the transfer is a slow process. So, “The Friends” are going to own the tower for a couple more years, even if the warrant article is approved.

Ms. Weathersby agreed and added that it took three and a half years just to get the lease approved, as it had to go before the Governor’s Council.

V. Demolition Committee – David Choate & Alex Herlihy

Member Herlihy reported that there are a lot of demos and a lot of demos coming. David Choate is doing a great job.

Chair Giblin report that there had been four or five reviews in the last month.

Member Bradshaw reported that the Historic District Commission is putting together a book on procedures and demolition is one of the topics outlined in the book. If the Demolition Review Committee is updating their rules and procedures, she would like them available to the Historic Commission so that that are all on the same page.

VI. Treasurer Report, Funding and Billing - Peter White

Treasurer Peter White reported that he asked for the financials from the Finance Office on Monday; however, Becky was unable to get them done, so he has nothing to report at this meeting. However, August was very non-descript. There was very little income and only one bill to pay so the financials would be similar to July.

VII. Town Hall Projects

Selectman Roman stated that the Selectmen met with Nancy Barba and she is agreeable to work on the two plans as outlined by the select board. One will be having the second floor open to meeting space. She reported that the project will take about four months. It will be around January before Ms. Barba's recommendations are back to the select board, so a plan will not likely be ready for the March 2020 Warrant. Selectman Roman further explained that the Board of Selectmen are also interested in working with the Library Trustees, using their fund raising skills and the Board's tax raising ability, to get a town-wide project done. It might be more amenable to the public. The Library has been getting feedback that people are not willing to donate to the library project because they don't know what is happening to Town Hall. The select board is hearing that the public will not approve any appropriations for the Town Hall without a detailed plan.

VIII. Graveyard Project

To be discussed at the next Meeting.

IX. Goss Farm Event

Chair Giblin passed out a copy of the flyer for the Goss Farm Event. She reported that the event has been posted on the back of the Rye Newsletter. There have also been posters put up around town. The event is on September 22nd from noon to 3:00 PM. Chair Giblin asked for volunteers from the Commission to work at the heritage table the day of the event. She pointed out that Member Hughes has already volunteered.

Member Herlihy will be conducting tours of the barn.

Member Bradshaw will be working at the Historic District table.

Chair Giblin reported that Tate and Foss is the sponsor for the event.

X. CIP Report Mae Bradshaw

Member Bradshaw reported that the document is just about finished, it will be ready in draft form within the month. There will be a public hearing held and then the final report will be published.

XI. Old Business - None

XII. New Business - None

XIII. Next Meeting: Thursday; October 3, 2019

XIV. Adjournment

Motion by Rich Davis to adjourn at 8.03 p.m. Seconded by Alex Herlihy. All in favor.

Respectfully Submitted, Dyana F. Ledger