

Heritage Commission Minutes

November 12, 2020

DRAFT

As written by Chair Phil Walsh

Note: Due to technical difficulties the meeting was unrecorded on Zoom. These minutes reflect the Chair's notes from the meeting.

The meeting was called to order at 3:33 with Chair Walsh reading the attestation. A roll call was taken:

Phil Walsh, chair present
Gail Hughes, Vice chair present
Peter White, treasurer, present
Alex Herlihy, member Present
Anne Arnold, member present
Elizabeth Sanborn alternate present
Frank Lagana alternate present
David Choate alternate present
Elizabeth Lantz alternate present
Bill Epperson — selectman's representative

Bev Gibblin, absent; excused.

Agenda:

The Commission reviewed the minutes from the October 8th minutes and had no changes. Motion made by Alex Herlihy to accept minutes as written, seconded by Anne Arnold
All in favor.

Peter White, Frank Lagana abstained as they were not present

Treasurer White provided the Treasurer's report. Current checking balance is \$22,921.17. Unrestricted is \$7,514.89 and Restricted amount for Town Hall purposes is: \$15,406.28. Year to date expenditures: \$1,287.11.

Chair Walsh thanked Mr. White for representing him at the budget meetings. The commission presented the same budget figure as 2020, \$4,850.00 The Selectman approved the Commissions proposed budget for 2021 — the next meeting is the presentation before the budget committee, which is expected to pass without objection.

Demolition review committee update from Alternate David Choate.

1. No significant demo requests have come before the Board since the last meeting.

2. Three tweaks to the HDC and Demo Review Ordinance have been vetted by the Planning Board's Rules and Regulations Subcommittee and are headed to a public hearing on 12/8 (the HDC change needs to be blessed by the HDC at its 11/24 meeting).
3. The task force to look at all historic buildings in town will be meeting soon.

New Business

Parsonage Discussion:

The Commission continued its discussion on the Parsonage and the TD Bank swap with the town.

Selectman Bill Epperson provided an update, stating that the Select board is looking to, at long last, address the issue involving space needs and town hall matters. He read the agreement to amend the swap contract.

SUMMARY: AGREEMENT TO AMEND SWAP CONTRACT

1. The Amendment is intended to implement the will of town voters who 8 months ago voted to swap at par the Parsonage property for the former TD Bank property. The principal reasons for the swap are:
 - a. To allow some town offices to be relocated from overcrowded town hall to the former bank building.
 - b. To thereby allow the second floor of town hall to be restored to its former historic grandeur as meeting space.
 - c. To rid the town of the financial and public safety burdens of having a large, old, deteriorating building in the middle of the Town Center.
2. The Amendment provides the following:
 - a. The selectmen will raze the Parsonage buildings. 500 Washington Road, LLC will pay the cost of the demolition. If the swap does not close, the town will reimburse 500 for the demolition costs up to \$32,000.
 - b. Tomorrow evening the planning board will be asked to approve the minor subdivision necessary to separate the 0.4 acre parcel around the Parsonage from the larger 1.96 acre town lot.
 - c. If the planning board does not approve the minor subdivision tomorrow, 500 may negate the swap.
 - d. 500 will be allowed to build up to 5 dwelling units in a structure located on the northern part of the lot.
 - e. The southerly most 75 feet of the lot (adjacent to the library) will be preserved by deed restriction to attractively landscaped open space. This will open up a beautiful view of the library from Washington Road.
 - f. The town will retain a sidewalk lighting and maintenance easement to benefit the library.
 - g. 500 will be granted an easement to use the septic system under the town parking lot, which was built in the late 1990's to accommodate the 8 dwelling units formerly at the Parsonage.
 - h. 500 will be granted a license to use 3 parking spaces at the end of the town parking lot.

3. All required permits and approvals must be in place before the swap closes. Closing is to occur no later than February 28, 2020. If the closing cannot occur by then, either party may terminate the swap agreement.
4. The Agreement provides that 500's proposed use does not require site plan review or any variances from the zoning board of adjustment.
5. The Amendment also provides that if the planning board places conditions its approval of the minor subdivision which materially affect a term of the Agreement, 500 may void the swap.

There was a brief discussion on the developments following a vote by the Select board and Planning board to execute the property swap with Mr. Dan Philbrick. Chair Walsh, stressed need to move forward on town hall preservation and called the swap decision a step in the right direction.

Adopt a Graveyard

Chair Walsh asked Member Herlihy to speak on the subject. He stressed the need for publicity, following his correspondence with the family responsible for taking care of the Foss Family Graveyard. The Commission is charged with oversight of the 60 plus graveyards located in Rye. He reiterated a 2012 law which clarified the responsibility for graveyards on private properties.

A 2012 NH state law clarified the status of these graveyards (as opposed to large public cemeteries) which every town has.

1. the abutters do not own the graveyard and it is a felony to disturb it; so, they are, in a sense, sacred land and entrusted to the care of the public.

2. any descendant of people buried in the graveyard has right of first refusal to be the designated caretaker (adopt the graveyard)
3. if no descendant comes forward, RHC publicizes the need for abutters or anyone else in town to adopt the graveyard
4. The Select Board in each town is responsible for delegating what part of government is the overseer of the graveyards and the Rye select board delegated that responsibility to RHC after the law was passed in 2012
5. abutters need to be informed, I believe by RHC, when there is an official adopter.
6. if there are any graveyards not on a roadside location, caregivers or visitors must seek permission of landowner to cross their property to reach the graveyard.

Chair Walsh is going to see that a text of the law is uploaded the town's website.

Member Arnold is writing a piece about The Foss Family Graveyard and the process to adopt a graveyard. The Commission discussed the need to further publicize this program and reminded there is a listing of the historic graveyards in town, documented on the Town website under the Heritage Commission tab.

The Commission would like to see more people take ownership of the town's 60 plus graveyards, as only have a handful have been adopted. Chair Walsh plans to publicize this project in the upcoming town circular newsletter. He hopes to hold a spring cleanup of a graveyard, continuing a tradition the Commission has done in years past.

LCHIP Update:

The Commission was unsuccessful in receiving a grant for the window project on the town hall. Chair Walsh reported that the Board of Directors for LCHIP applauded the streamlined application submitted and the Commission's efforts at changing attitudes in town towards preservation of the building.

Chair Walsh asked Selectman Epperson on a timeline for possible work on installing the storm windows on the town hall, which the Commission has allocated monies to pay for, along with support from the private Friends of the Rye Town Hall group. Selectman Epperson indicated Spring 2021 as a possible date for work to begin; stressing first the need to complete the property swap with Mr. Philbrick.

Re: future town hall window projects and renovations Chair Walsh suggested fundraising would be a focus of the Commission in 2021, to which was the Board was supportive.

On a positive front Alternate Choate updated the Commission that the Town Hall had been named to the National Register of Historic Places. He said this move would open the town hall for grant and other preservation measures. Chair Walsh acknowledged and thanked the efforts of Member Herlihy and Former Member Bradshaw for their works on this project and seeing it to fruition. Chair Walsh called this welcome news and a major benefit in the town hall's preservation efforts.

Pulpit Rock Tower:

The Commission continued its discussion on Pulpit Rock Tower, following a review of the Structural Report commissioned by the Friends of Pulpit Rock Tower. The Commission would like to prioritize repairs, before seeking an additional firm to review a cost for repairs and renovations. The Friends would know what the most immediate repairs to address is, and the Commission will take its cues accordingly.

Chair Walsh will talk with Ms. Patty Weathersby on her assessment on pressing repairs and costs. The Commission discussed, once there is an update from Ms. Weathersby, soliciting bids for needed repairs, and possible volunteer contractors for various works deemed immediate on the tower. Many on the Commission believed volunteer labor would be feasible given the tower's history and status in the town.

Chair Walsh will update the Board following his discussion with Ms. Weathersby before the December meeting.

Louise Tallman Award Discussion:

Following a brief discussion, the Commission voted unanimously to present Mae Bradshaw as the next recipient of the Louise Tallman for preservation. Chair Walsh will see to the engraving of the plaque and the Commission will present it to Ms. Bradshaw at the December meeting.

Moved by Member Herlihy. Seconded by Chair Walsh. All in favor.

Open Discussion:

Member Herlihy informed the commission of a historic gazebo currently housed on the property of former Ocean Wave Hotel. Innkeeper Doug Palardy has bought the current Pebble Cove Inn and is in the process of restoring it and is looking to rehome the gazebo.

Alternate Choate will inquire about removal and delivery costs for the gazebo. The Commission discussed possible location to place the gazebo. The Commission concurred with Member Herlihy that if it is possible the gazebo should be preserved and if possible, displayed on Ocean Boulevard given its history with the local area. Other suggested areas included the lot near the Museum. Member Herlihy will update Chair Walsh on any news following a discussion with Mr. Palardy.

Seeing no further discussion, the Commission voted to adjourn at 4:44 PM. **Moved by Member Herlihy, seconded by Alternate Sanborn. All in Favor.**

The next meeting is scheduled for December 10 at 3:30 PM.

Chair Walsh wished everyone a happy, safe, and healthy Thanksgiving.

Respectfully submitted, by Phil Walsh, chair.