

**RYE HERITAGE COMMISSION
MEETING
Thursday, June 10, 2021
5:30 p.m.
Rye Town Hall**

Present: Chair Phil Walsh, Gail Hughes, Peter White, Alex Herlihy, David Choate, Elizabeth Sanborn, Frank Lagana and Selectmen's Rep Bill Epperson

I. Call to Order & Introductions

Chair Walsh called the meeting to order at 5:35 p.m. and led the introduction of members.

II. Approval of May Meeting Minutes

Motion by David Choate to approve the minutes of May 13, 2021 as presented. Seconded by Bill Epperson. All in favor.

III. Business:

a. Treasurer's Report

Treasurer Peter White reported that \$2,360 was received in donations in May for the gazebo project. Another \$925 came in during the first part of June and there are five checks that have just been received. There have been thirty-three responses from the fundraiser out of one thousand, which is one percent. With the \$2,000 that was allocated in December, there is a total of \$5,285 for the gazebo project at this time.

Member Herlihy noted that Bud Jordan has taken a look at the gazebo and has recommended someone to do that work. Mr. Jordan said this is a carpentry job and he explained what needed to be done. Member Herlihy commented that the person that was recommended works part-time at the transfer station. He will follow up with this person.

Selectmen's Rep Epperson commented it was really encouraging to hear Mr. Jordan's perception of the status of the gazebo and what it would take to restore it. It was significantly different than what the Commission has been hearing from others over the last six weeks.

Treasurer White continued that the Commission is on track with expenses. The costs for the mailer are right in line with what has been budgeted.

There were no questions or comments in regards to the treasurer's report.

Motion by Elizabeth Sanborn to accept the Treasurer's Report.

Seconded by David Choate. All in favor.

b. Demolition Review Committee

Member Choate noted that the Demolition Review Committee has not had a meeting, since the Heritage Commission's last meeting. However, he just received an application for a garage demolition at 1367 Ocean Boulevard. It seems that the garage was built in the 50's. It meets the criteria, as it is more than fifty years old and over 500sf. The committee will be looking at this next week.

c. Rye Advocates Update

Referring to the survey that went out to people who live in homes built in 1901 or sooner, Member Choate stated that out of 318 mailers there were 53 responses. Rye Advocates will be having a meeting next Monday. They will also be having a table at the election to distribute the survey. The Advocates will be applying for a UNH intern to work on the project in the fall. One of the results from this project is to encourage people, who have the appropriate properties, to put up house plaques. There has also been discussion about researching old photographs that realtors could use as gifts for their clients, which could be given along with the history of the property.

d. Fundraising Subcommittee

There was some discussion on whether the Commission should have a table at the polls on election day. It was agreed this would be a good idea, as they still have 500 hats to sell. Chair Walsh will create a schedule for the day and send out to the members.

In regards to the fundraising subcommittee, Chair Walsh noted that Bev Giblin is putting together a group. Anyone who would like to join the subcommittee should let Member Giblin know. She is thinking of a potential event at Goss Farm this fall.

IV. Old Business:

a. House Plaque application – Funds Approval

Chair Walsh noted that last month the Commission approved the application for the house plaque project. A vote is needed on where the funds should go and how Timberline will be paid for the plaques. He would also like a vote for the town portal website.

Motion by Phil Walsh to put all proceeds received for the house plaque project into unrestricted funds and any invoices will be paid from the unrestricted funds. The

**Commission also acknowledges that they are initiating the online payment portal option through the town website. Seconded by David Choate.
All in favor.**

There was some discussion about how to get the project publicized; which could include, postings in town in the town buildings, an article for Rye Magazine, a write-up in the Portsmouth Herald. It has also been mentioned in the recent town newsletter, which will be out in the next two weeks.

b. National Register of Historic Places Plaque – Dedication Ceremony June 14th

Chair Walsh reminded the Commission that they will be having the National Register of Historic Places Dedication at the Town Hall on Monday, June 14th, 3:00 p.m. It will be a simple ceremony. The plaque will be installed at the main entrance to the Town Hall. The Herald will be there to document the ceremony for an article that will come out in August. Chair Walsh noted that he has already written a press release that will accompany photos. It will be a nice event to commemorate the project. He thanked Member Hughes for her help in making this happen.

Referring to the article for the Herald, Member Hughes asked if they should indicate the fact that they are able to make the presentation of this plaque for the Town Hall, as being on the National Register of Historic Places, because of the person who was responsible for following this through, Mae Bradshaw, who was the former chair of the Rye Historic District Commission and is presently the town's selectwoman.

Chair Walsh agreed. He commented that Mae has certainly done the lord's work in preserving the Town Hall building.

V. New Business

a. Follow up on contractor for gazebo and Pulpit Rock Tower

Member Lagana stated that his friend, Michael Diodati, is a contractor who took a look at the gazebo. His opinion was that the base seems okay. However, the walls are nothing special, as they are old shingles, and the posts are rotten. His suggestion was to restore the floor, build new walls and keep the roof. He didn't see it as a huge complicated project.

The Commission agreed this is encouraging news.

There was some brief discussion on how the project would go out to bid. Selectmen's Rep Epperson explained the process.

b. Graveyard Adoption: Susan Barrie (#11)

Chair Walsh reported that he has received a graveyard adoption request from Susan Barrie for the site near 181 Brackett Road. They have been taking care of this spot, outside of their property, for the last fifteen years. They would really like to remove a lot of the vegetation and debris. They wanted to go through the appropriate channels and have the Commission's approval.

**Motion by David Choate to allow Susan Barrie to adopt graveyard #11.
Seconded by Alex Herlihy. All in favor.**

c. Frank Lagana, Full Member Status

Chair Walsh announced that Frank Lagana has expressed interest in filling the seat of Anne Arnold, who has resigned from the Commission.

**Motion by Elizabeth Sanborn to nominate Frank Lagana for the full member vacant seat.
Seconded by David Choate. All in favor.**

d. State Law on Preservation of Barns (David)

Member Choate stated that the legislature passed RSA 79-E, which is to help communities to revitalize their downtowns. Along with that law, 79-D was created for the purpose of creating a mechanism to encourage the preservation of agricultural, historic buildings and barns. It authorizes towns to grant property relief to barn owners who can demonstrate the public benefit of preserving the barn or farm buildings. The property owners agree to maintain the structures through a minimum ten-year preservation easement. He is not sure if it is on a case-by-case basis or if the town has to adopt the provision.

Member Choate read from **RSA 79-D:**

On or before April 15 of the new tax year, any owner of an historic barn or other farm building may seek relief by applying to their local governing body (town selectboard or city government) to grant a discretionary preservation easement and by agreeing to maintain the structure in keeping with its historic integrity and character during the term of the easement.

The town selectboard or appropriate city government department will then have 60 days in which to act on the application. A public hearing is required, providing an opportunity for local historical commissions or others to express support for barn preservation efforts. If the municipality determines, in exercising its discretion, that the proposed preservation of the structure is consistent with the purpose of the law, it may acquire an easement on the structure for a minimum of ten years and grant tax relief within a range of a 25% to 75% reduction of the structure's full assessed value. Maintaining and repairing the building will not result in an increase in its assessed value for property tax purposes.

or this program, "historic agricultural structure" is defined as a barn or other structure, including the land on which it is built, which was or is used for agricultural purposes and is at least 75 years old.

The test of demonstrated public benefit is met if the structure complies with one or more of the following:

- (1) it provides scenic enjoyment to the general public from a public road or waterway,*
- (2) it is historically important on a local, regional, state or national level, or*
- (3) it contributes to the historic or cultural integrity of a property listed on or eligible for the New Hampshire State or National Registers of Historic Places, or is in a locally designated historic district.*

In determining eligibility, the selectboard or appropriate city department shall refer to statewide guidelines adopted by the New Hampshire Historic Agricultural Structures Advisory Committee. The municipality may also weigh the public benefit to be gained by the preservation of the structure versus the tax revenue to be lost if the easement is accepted. The statewide guidelines include consideration of whether there is local interest and support for the structure's preservation, its historic and agricultural significance, and the degree to which tax relief will encourage its preservation.

Member Choate commented not everyone would be eligible; however, there are a number of prominent barns in Rye and people should be made aware of this program.

Selectmen's Rep Epperson stated that it sounds like this needs to be officially adopted by the Town. He suggested giving this information to Town Administrator Becky Bergeron so she can contact town counsel to find out the procedure.

e. Zoning Questions/Discussion

Chair Walsh noted that Member Hughes brought up the subject of zoning in the Town of Rye and the position of the Heritage Commission. For instance, as houses and developments are built, the role of the Heritage Commission is not just preserving and putting plaques on buildings but to ensure the heritage of the Town, both historical and architectural, remains alive and well.

Vice-Chair Hughes stated the Commission is working to preserve Rye's Heritage of a small New England town on the seacoast of New Hampshire with lovely capes and open fields and a feeling of security, family and heritage. She is seeing that this is not being continued and it disturbs her. Some folks who have bought some of these lovely capes, which were built in the 30's and 40's, have moved in and loved them. Others, who may buy one next door, goes in and distorts their home.

Selectmen's Rep Epperson agreed. By definition, Rye is a semi-rural, small, New England town. He noted that he was chair of the planning board for eight years. Throughout those eight years, they made a conservative effort not to overstep the ordinance in the Town of Rye that has been created over the years. People who own property, have the right to sell them and have them

developed. However, they don't have the right to do what the Town does not feel like it is the prudent thing to do.

Member Choate commented that the Rye Civic League did an analysis of all the zoning relief that has been granted. There is a ninety-five percent granting rate. People want to tear down their house and build a new house that is bigger and not within the character. In order to do that, they need variances and those are always being granted. The ninety-five percent variance granting rate is unheard of in any community in NH.

Selectmen's Rep Epperson explained that the planning board creates the rules and the ZBA interprets the rules.

Member White asked what the Heritage Commission would like to do relative to zoning. What is the goal of the Commission?

Vice-Chair Hughes commented there is a lot that needs to go into this discussion and should be addressed at a future meeting.

Selectmen's Rep Epperson suggested inviting Planning/Zoning Administrator Kim Reed to their next meeting, as she is a significant expert on this entire subject.

Member Choate commented that the Commission should have a work session with the planning board and zoning board, in order to talk about this issue. He pointed out that there is a committee working on updating the Master Plan. All boards and commissions will be sent a questionnaire to weigh-in on what they would like to see happen. This would be the perfect time to have a work shop.

Chair Walsh agreed to send an email to Kim Reed inviting her to the next meeting.

f. Open Discussion

No further business before the Commission.

- **Next Meeting scheduled for July 8th, 5:30 p.m., at Rye Town Hall.**

Adjournment

**Motion by Gail Hughes to adjourn at 6:38 p.m. Seconded by Alex Herlihy.
All in favor.**

Respectfully Submitted,
Dyana F. Ledger