

Joint Meeting/Tewksbury Historical Commission
Community Preservation Committee
Monday, March 3, 2014
Pike/Hardy House (Tewksbury Town Hall)

RE: Marshall House, 379 Pleasant Street, Historic Preservation Restriction
and Community Preservation Act Funding

Present: Historical Commission
Community Preservation Committee, Nancy Reed presiding
Steven Sadwick, Director of Community Development
Town Manager Robert Montuori
Several interested members of the Community

Historical Commission meeting opened 7:01p.m.

Present: Chairman William Wyatt, Warren Carey, Michael Hurton, M. Eileen
McDonagh

Absent: Thomas Churchill, Robert Hunter

Motion by Warren Carey, seconded by Michael Hurton to adjourn at 7:01p.m. passed
unanimously with the Chair voting aye.

Nancy Reed gave a Presentation showing and discussing the film "Preservation
Restrictions and the CPA." An article may go in the next Town Meeting Warrant. It
needs to be approved by Town Meeting, the Mass. Historical Commission and the
owner.

Restrictions are the mechanism used to preserve historic buildings through future
owners. It is a legal agreement between property owners and a qualified restric-
tion holding organization. Over 1000 properties are protected in Mass.

The film explained some uses of preservation restrictions, what qualifies for
protection, what organizations are qualified to hold a restriction, standards to
be used to determine maintenance practice, allowable changes, etc. The film helps
with the process.

The sum of \$100,000. was mentioned to be given to the owner of the property.
Warren Carey questioned what the money was going to do and felt it should be used
to restore the building. He does support the article and said good legal advice
should be sought.

Nancy Reed explained that the money was meant to compensate for the burden imposed
on the owner and to offset the reduced value of the property because of the
restriction. That value has yet to be determined. It is not intended to com-
pletely renovate the building. The owner does not receive the money until the Deed
is received by the Registry of Deeds.

Marc Ginsburg is the present owner of the house and stated he definitely wants it
preserved. He does not want the restrictions to create too much of a hardship
for future owners but feels the process should be started. He would like a good
document to be crafted and is concerned with going forward too soon. It might be
better to work on it and have it done for the October Town Meeting.

The CPC discussed it further. Nancy Reed said they will get Town Council involved
and get legal advice. The article can be modified or pulled before going to the
printer.

Warren Carey stated this is the oldest existing house in Tewksbury and he would
like to see it saved. He supports what Nancy has been discussing.

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Commission Chairman William Wyatt discussed the Restriction Document stating it does not have to be a long document. The goal is to define the preservation restrictions. Those on the Battles House are very restrictive and may not be the best example. What other towns are doing should be looked into.

Michael Hurton questioned when the draft needed to be ready. The Town Manager mentioned 21 to 30 days before Town Meeting.

During further discussion a CPC member noted the restrictions are somewhat limited to the exterior. When all present were questioned, the consensus was that the article was not ready and needs more work.

After discussion Nancy Reed made the motion, seconded by Linda Brabant that the CPC would work on the article for Town Meeting and it would be left up to the CPC to decide whether to pull it. The vote was unanimous in favor.

Warren Carey made the motion, seconded by Michael Hurton to reconvene the Tewksbury Historical Commission at 8:15p.m. Motion passed unanimously with the Chair voting aye,

Warren Carey motioned, seconded by Michael Hurton that "I motion that the Historical Commission vote to support the Community Preservation Committee's plans to expend funds from the Tewksbury Community Preservation Historic Reserve Fund to bring about a Historic Preservation Restriction to preserve the Marshall Homestead located at 379 Pleasant Street." Motion passed unanimously with the Chair voting aye.

After discussion, Warren Carey motioned, seconded by Michael Hurton that "I motion that the Chairman of the Tewksbury Historical Commission contact the Massachusetts Historical Commission to arrange to have a representative come to one of our meetings to explain their functions and how we interrelate with them and any information or ideas they can relate to assist us in our duties." Motion passed unanimously with the Chair voting aye.

Warren Carey made the motion, seconded by Michael Hurton to adjourn at 8:36p.m. Motion passed unanimously with the Chair voting aye.

Respectfully submitted:

M. Eileen McDonagh

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Secretary

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