



Town of Sudbury

Historical Commission

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MINUTES

June 7, 2022 AT 6:30 PM

VIRTUAL MEETING

Present: Chair Chris Hagger, Vice-Chair Diana Warren, Diana Cebra, Steve Greene, Jan Costa, Marjorie Katz, Chris Durall, Kathryn McGrath

Others Present: Historic Preservation Plan Consultant Peter Benton, Planning & Zoning Coordinator Beth Perry

Mr. Hagger opened the Historical Commission meeting at 6:30 PM. Roll Call was taken: Hagger-present, Cebra-present, Costa-present, Greene-present, Warren-present, Durall-present, McGrath-present, Katz-present

Historic Preservation Plan including discussion of Draft Chapters

Ms. Warren commented that the Commission had previously reviewed the Recommendations chapter but not the other chapters - 1. 3. 4. 5. 6. 7. 8, 9, and the Appendix chapter. She suggested the Commission review each chapter and think about the “big picture” issues, but not editorial issues, at the meeting.

Mr. Hagger commented he would like Chapter 1 to include definition of what is a historic building and asked that landscape approach be explained, and that examples are given. He commented that the Wayside Inn Foundation be mentioned under the 1.2 section on Nation and State Historic Preservation Programs.

Mr. Greene suggested that SVT be mentioned.

Ms. Warren suggested that the plan also include an Archaeological Reconnaissance Survey.

Chapter 3 – History of Historic Preservation Planning in Sudbury

This chapter includes topics including historic inventories, Scenic Roads and other historic milestones.

Mr. Benton provided additional explanation regarding cultural landscape aspects.

Ms. McGrath recommended adding Historical Register Bulletins.

Mr. Hagger commented about the Authenticity and Integrity section. He suggested additional information regarding the river and inclusion of the S. Sudbury Center. Ms. Warren commented on the issue of whether So Sudbury and Town Center were the primary town centers but that there are other subareas in Town to be considered, as well.

Mr. Hagger recommended clarity regarding a master plan recommendation.

Ms. Warren suggested that description about the history of the Sudbury CPA (Conservation Preservation Act) be included in the chapter.

Ms. Costa asked when the Historic Districts Commission, the Conservation Commission, the Wayside Inn Foundation and other involved groups, would be reviewing the draft HPP document and providing input. Ms. Warren commented that such input would be welcomed and mentioned the upcoming forum for input.

Mr. Benton stressed the Historic Preservation Plan Forum would present an overview of issues, including recommendations.

Chapter 4 - Partners and Stakeholders

Regarding Chapter 4 and the topic of Partners and Stakeholders; Mr. Hagger suggested Mr. Benton explain why each partner/stakeholder was essential to historic preservation. Mr. Benton agreed to do so.

Ms. Katz mentioned inclusion of historic preservation, as it applies to Sudbury schools. Ms. McGrath suggested including a section about architects who designed the schools in Town, as well as the Goodnow Library's significant historical value.

Ms. Warren suggested including the Agricultural Commission and the Agriculture Council as partners.

Ms. Warren referred to the section regarding the role of the Sudbury Historical Commission (SHC). She stressed the importance of include the SHC charge under MGL.

Ms. Katz acknowledged SHC should strive to improve its relationship with other committees/boards, and that those groups must be recognized for their contributions. Mr. Hagger confirmed that the HPP draft was made available to the Historic Districts Commission, as requested.

Ms. Cebra commented that the SHDC (Sudbury Historic Districts Commission) had been invited to attend the SHC meetings to discuss the HPP.

Mr. Benton detailed that the HPP must be released by the end of September, 2022; in accordance with the grant funding guidelines.

Chapter 5 – Overview of Historic Preservation Issues and Opportunities

Mr. Hagger recommended inclusion of the Central MA Rail Corridor and its historical significance/impact. He suggested the Pine Lakes area of Sudbury be included in the HPP, as well.

Chapter 6 - Inventories

Commissioners briefly addressed the inventory topic.

Chapter 7 - National Register Historic Places – Analysis of Existing Listings and Eligibility

Ms. McGrath suggested the demolition delay topic be included in this chapter. Ms. Warren was in agreement. It was agreed that the National Register listed granite markers be mentioned and listed in the chapter as well.

Mr. Hagger suggested that Mr. Benton further substantiate comments made in the chapter, with documentation of appropriate findings, such as those included in the Master Plan.

Chapter 8 – Community Historic Preservation Plan Survey

Ms. Warren commented she believed that the Survey did not reflect an accurate portrayal of the Town perspective on historic preservation. She mentioned the significance of the resident's petition regarding the preservation of the Stone Tavern, adding the petition was a more accurate reflection residents' opinion when compared to the Historic Preservation Plan Survey. Mr. Hagger acknowledged at Town Meeting, a significant number of petitioners choose not to advance the petition.

The Commissioners discussed the language included in the draft report, which read: "Overall, there does not appear to be support for stronger regulatory action."

Ms. Warren agreed with the suggestion made by Mr. Benton to locate results of the survey in the Appendix section of the document, rather than dedicating a separate chapter to it. Several Commissioners agreed. Mr. Greene noted that the SHC was attempting to build a positive climate for preservation.

Ms. Costa stated the survey response rate was low, but consideration of the Public's comments and results should be taken seriously. She suggested the survey information remain in Chapter 8.

Ms. Cebra commented that being factual was important, and the SHC must work harder to educate and engage residents.

Ms. Katz stated that the Historic Preservation Plan should include the objective observations documented by Mr. Benton.

Ms. McGrath recommended retaining the survey information within the Chapter, and also recommended that the survey questions be included in the Appendix.

Commissioners agreed to retain the survey information within Chapter 8, with somewhat abbreviated language.

Chapter 9 – Municipal Bylaws and Regulations

Mr. Hagger confirmed State Legislators did approve the number of alternate HDC members. He indicated the site plan review section regarding Rules and Regulations, needed further criteria detail. Mr. Benton agreed with various changes suggested.

Draft Outline of Recommendations

Mr. Hagger spoke of the Community Preservation Committee (CPC) and referenced the types of funds that might be provided by the CPC, going forward. He recommended that the CPC funding sections be relocated in the front of the Recommendations section of the report plan.

Ms. Warren recommended there be added information within the "Archeological Resources" section of the Outline.

Mr. Hagger inquired about the "Resources and Support" section.

Mr. Benton commented about the Preservation Plan for the town of Falmouth, MA. Ms. McGrath confirmed various parts of the Falmouth plan were worth consideration by the Commission. She also referenced the Lexington Master Plan which presented various ideas about bringing communities together, such as efforts regarding archeological considerations.

Mr. Benton provided detail regarding the appropriate assessments to identify the historic features at the Hosmer House. He recommended hiring a collections assessment consultant to complete such study at the Hosmer House.

Ms. Costa stated the key aspects regarding the Hosmer House include the mission statement/goals and objectives, and consideration of how to execute and implement procedures. She suggested that the Open Meeting Law might be a barrier of entry for the Hosmer House subcommittee. Ms. Costa inquired about governance of the Hosmer House.

Ms. Cebra stated that it would important that the Commissioners agreed to allocate the needed amount of time to address the Hosmer House at an upcoming meeting, and to consider making the Hosmer House a historical museum for the Town. She agreed that professional consultants were key to advancing the planning for the Hosmer House.

Ms. Katz expressed concern regarding aspects of the demolition delay bylaw, and opined about possible modifications which would not require Town Meeting vote. Ms. Warren spoke of related regulations as an option, especially with partial demolitions.

Ms. Cebra left the meeting at 10:00 PM.

Section 106 Memorandum of Agreement

Mr. Hagger explained that an email communication from the USACE was received on May 27th with a Memorandum of Agreement (MOA), indicating USACE inviting the Historical Commission to sign the Memorandum by June 11, 2022. Ms. Warren stressed that there was very little time to work on that MOA, and she compared this MOA with the last MOA draft sent to the Commission on February 17. Ms. Warren confirmed that change requested by the Commissioners were not included in the latest MOA draft. She added that the Historic Properties Avoidance Protection Plan dated February 17, 2022; USACE made no changes to that document per request of the SHC. Ms. Warren stated that the "Impacts Spreadsheet" inclusive of railroad features in Sudbury and Hudson was reviewed by USACE and returned to the SHC with only one minor format change; nothing of substance. Ms. Warren stressed the 30 some features were ignored by the USACE.

Ms. Warren provided detail regarding the "Post Discovery Plan," regarding archeological matters and excessive earth removal with the proposed Eversource line. Ms. Warren stated there were numerous loopholes within each of the mentioned documents, especially with the "Post Discovery Review Plan."

Ms. Warren expressed appreciation to the Select Board for sending a letter to USACE, asking that the Corp. continue consultation with the SHC and resolve key issues, which the Select Board detailed in their letter. She added that the Sudbury Historical Society also submitted a related letter to the USACE, appealing that the USACE come back to the discussion table. Ms. Warren recommended that the SHC respond to the USACE and summarize the SHC's stance in a letter, regarding all outstanding requests; including a more in-depth examination of Bridges 126 and 127. Ms. Warren commented that the

project's design plans have not changed since five years ago, with the exception of the proponent recently deciding to move the path of the transmission line slightly west of the Section Tool House to obtain a HDC approval.

Mr. Hagger stated the points Ms. Warren had made were good, and that the HC had put them in writing, but the Corps had decided to not continue to talk to the Commission anymore. He stated the Corps was asking if the Commission plans to sign it or not sign. Mr. Hagger mentioned the Commission could request an extension to consider the MOA.

Ms. Katz asked is the Commission going to sign it and has it been discussed with Town Manager and Town Counsel. Mr. Hagger responded not.

Mr. Hagger stated he thought the Commission needs to get Town Counsel's opinion about sign to not open up the town to liability.

Mr. Greene stated he had read the draft. Mr. Greene motioned that the SHC send out the draft letter. He further stated that then if the motion is second there can be discussion with the confines of the motion. The letter to express our disappointment to go on the record. Ms. Warren seconded the motion.

Ms. Warren stated the motion must consider that whatever the SHC chooses to do in this matter, it would not harm the ability of any party challenging the USACE. There are various parties that could challenge the USACE. Challenge might be presented regarding the USACE use of Appendix C, and not fulfilling the requirements of Regulation 36 CFR 800 to develop alternatives. Ms. Warren referred to her draft letter to Tammy R. Turley, of the USACE, RE: Section 106 Review Sudbury-Hudson Reliability Transmission Line and MA Department of Conservation and Recreation MA Central Rail Trail Projects: USACE NAE-2017-01406, MHC#RC.62384. ACHP Case #16522, dated June xx, 2022. Ms. Warren agreed with requesting an extension to consider the MOA, and to seek guidance from Town Counsel on this matter.

Ms. Costa indicated seeking Town Counsel input as a first matter of consideration regarding the MOA. She added that she would support the sending of a letter which would request a time extension for MOA signing. Mr. Hagger agreed with comments made by Ms. Costa. Ms. Katz agreed with Ms. Costa and Mr. Hagger.

Mr. Greene called the Motion.

Then Ms. Warren motioned to amend the previous motion made by Mr. Greene that the draft version of the proposed draft letter to the USACE presented to the SHC at 5:51 PM today, shall include the request for an extension in consideration that SHC cannot agree to be a signatory of the proposed MOA, as it is currently drafted, and add "prior to the SHC decision as to whether or not to sign the Memorandum of Agreement, the Sudbury Historical Commission requests that the USACE agree to an extension to the June 11, 2022 deadline to June 28, 2022 for a period of fifteen (15) business days in order for the Sudbury Historical Commission to consult with Sudbury Town Counsel"; and in the second paragraph change the ending wording of the last sentence of "cannot agree to be a signatory of the MOA at this time," and eliminate the words, "as it is currently drafted.

It was on motion 5-2; Katz-aye, Duvall-aye, Hagger-no, McGrath-aye, Costa-no, Greene-aye, Warren-aye

Mr. Hagger noted that he had not reviewed the draft letter composed by Ms. Warren, and therefore made a motion to take his name off the draft letter. Ms. Costa seconded the motion. It was on motion 5-1-1: Hagger-aye, Costa-aye, Durall-aye, McGrath-aye, Katz-aye, Warren-abstain, Greene-no.

The motion passed.

Mr. Greene asked if Mr. Hagger's motion was appropriate. Ms. Katz stated that Mr. Hagger's motion was appropriate, as was Ms. Warren's motion.

Mr. Hagger repeated the original motion to approve the motion made by Mr. Greene to send the response letter drafted by Ms. Warren in the next day or two to the USACE, as amended by Ms. Warren and without the name and signature of Chris Hagger. It was on motion 2-5; Hagger-no, Costa-no, Durall-no, Katz-no, McGrath-no, Warren-aye, Greene-aye

The motion did not pass.

Mr. Durall stated he would like the last two paragraphs of the letter retained, adding that he did not have enough time to review the complete letter; and wanted the request for extension to June 28, 2022.

Mr. Hagger motioned that the SHC send an email to Planning and Community Development Director Adam Duchesneau for request to extend the signing of the MOA and prior to the SHC decision whether or not to sign the MOA received on May 7, 2022; the Sudbury Historical Commission requests the USACE agree to an extension to the June 11, 2022 deadline to June 28, 2022 (for a period of fifteen (15) business days), in order for the Sudbury Historical Commission to consult with the Sudbury Town Counsel, and for the SHC to deliberate at a public meeting. This would also allow the USACE to consult with the SHC in this time period. Ms. Costa seconded the motion.

Ms. Warren commented she believed that the SHC was making a big mistake, and not considering the big picture, and should be conveying messages to the USACE. She stated she would abstain from this motion, if a related letter was not sent to USACE. She left the meeting at this time and expressed her disappointment in the Commission.

It was on motion 5-0-2; Hagger-aye, Greene-abstain, Durall-aye, Katz-aye, McGrath-aye, Costa-aye.

The motion passed.

Date for next meeting(s)

Mr. Hagger confirmed that the date for the next SHC meeting was scheduled for June 21, 2022. Mr. Hagger stated Mr. Durall was working on the Town Government Application for SHC and needs all Commissioner resumes by June 10.

Motion to adjourn

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Mr. Hagger motioned to adjourn the meeting. Ms. Costa seconded the motion. It was on motion 5-0; Costa-aye, Hagger-aye, Greene-aye, Durall-aye, McGrath-aye, Katz-aye.

The meeting was adjourned at 10:15 PM.