



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HISTORICAL PRESERVATION & HERITAGE COMMISSION
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MINUTES
RHODE ISLAND HISTORICAL PRESERVATION & HERITAGE COMMISSION
August 9, 2017

I. MEMBERS PRESENT

Mr. Michael Abbott, AIA
Dr. Tripp Evans
Dr. Morgan Grefe
Mr. Michael Hebert, NR Review Board
Dr. E. Pierre Morenon
Mr. Kevin Nelson, representing the Associate Director of the Division of Planning
Ms. Lisa Primiano representing Janet Coit, Director DEM
Mr. Edward F. Sanderson, State Historic Preservation Officer
Mr. Clark Schoettle
Ms. Lucie Searle
Mr. John Smith
Ms. Ruth Taylor

STAFF PRESENT

Ms. Joanna Doherty, Principal Architectural Historian
Mr. Jeffrey Emidy, Deputy Director
Ms. Michaela Jergensen, Senior Reviewer RIDOT Projects
Mr. Glenn Modica, Senior Project Review Coordinator
Ms. Sarah Zurier, Principal Special Projects Coordinator
Ms. Elizabeth Warburton, Senior Architectural Historian

MEMBERS ABSENT

Mr. Al Cocce, AIA, representing John P. Leyden, State Building Commissioner
Mr. Darin Early, COO, Commerce RI
Ms. Tanya Kelley
Vacant

GUESTS

Mr. Brent Runyon, Executive Director, Providence Preservation Society
Ms. Jill Chin, Intern, Providence Preservation Society

II. AGENDA

1. Call to Order

The meeting was called to order at 9:34 A.M., Ms. Taylor, Chairwoman, presiding.

2. Ms. Taylor stated that the agenda for this meeting was quite full, and that she would make every effort to keep the meeting to its prescribed two-hour limit. She stated that one of her goals is to introduce efficiencies to the Commission meeting proceedings that might reduce the typical running time of a meeting to 90 minutes.

With that, she handed the meeting over to Acting Executive Director Jeffrey Emidy.

3. Acting Executive Director's Report

- a) Mr. Emidy announced that Mr. Sanderson had officially retired on July 31, 2017. He will continue to serve as State Historic Preservation Officer until Governor Raimondo sees fit to replace him or until a new Executive Director is appointed. As SHPO, Mr. Sanderson is a Commissioner. He has been coming into the office to help Mr. Emidy during the transition period.
- b) Mr. Emidy introduced himself to the Commissioners and thanked them for voting to allow him to serve as Acting Executive Director while the search for a permanent Executive Director is conducted.

4. Overview and discussion of RIHPHC programs

Mr. Emidy introduced this meeting as an orientation, of sorts, for new Commissioners, and a refresher for those who have previously served. He stated that there is not enough time in a regular Commission meeting to cover all of the RIHPHC programs in detail, and that three have been chosen to be included today: Survey and National Register of Historic Places, Project Review, and State Preservation Grants. Survey and National Register inform most of the other programs in the office by helping us to determine what properties we consider to be historic. Project Review is a large component of the workload at the RIHPHC, and many of the staff are involved in some capacity. State Preservation Grants were selected for inclusion at this meeting because there will be actions at the September Commission meeting that are related to this program.

Mr. Emidy gave a brief presentation of the administrative aspects of the office, including staffing and budget. He also discussed the formation of State Historic Preservation Offices as a directive of the National Historic Preservation Act of 1966, and explained that the RIHPHC fills that role for Rhode Island. The RIHPHC acts primarily under two sets of regulations: the National Historic Preservation Act (NHPA) and the Rhode Island Historic Preservation Act (RIHPA). He explained that while the NHPA confers regulatory responsibility on the RIHPHC as the State Historic Preservation Office, the RIHPA gives the office an advisory role in reviewing projects. The staff of the RIHPHC moves seamlessly between the two sets of regulatory authority.

Mr. Emidy mentioned that the RIHPHC website (www.preservation.ri.gov) contains information about all of the office's programs, with links to state and federal regulations, procedures, resources developed by the office, and related news items. He mentioned that a section of the

site is being planned as an information location for Commissioners, so that information can be posted in a single place for them to find. This will be updated with documents and links that are important for upcoming Commission business. At this point, the Commissioners' page is not intended to be password-protected, therefore anything that is posted to it will be public information.

Mr. Nelson asked for clarification on the regulatory process of the RIHPHC. Mr. Emidy explained the differences in the Section 106 review process under the NHPA and the review process under the RIHPA, noting that Glenn Modica and Michaela Jergensen would further explain the matter during their Project Review program overview.

Mr. Morenon noted that the RIHPHC advisory role in project review under the RIHPA is fairly far-reaching. Mr. Sanderson stated that the RIHPHC and other state agencies typically are able to reach agreements on the best solutions to problems that arise, in part because taking the disagreement to the Governor for a decision is bound to reflect badly on one or both sides and is, therefore, undesirable.

Ms. Searle asked if, for budget purposes, the RIHPHC is its own entity. Mr. Emidy explained that the RIHPHC is not within another office of state government, and deferred to Mr. Sanderson for a more in-depth explanation of how the RIHPHC budget is allotted and managed. Mr. Sanderson explained that the RIHPHC comes under the larger budget allocation of the Education department within the state framework. He stated that the office is known by the state's budget administration as a responsible, efficient office with a relatively small budget impact.

5. Mr. Emidy introduced Principal Architectural Historian Joanna Doherty to provide an overview of the architectural survey and National Register of Historic Places programs at the RIHPHC.

Ms. Doherty explained that architectural surveys were carried out in Rhode Island's 39 cities and towns throughout the 1970s and 1980s. Survey forms were prepared for properties that were, at that time, over 50 years of age, as a means of gathering information on properties that were potentially eligible for listing in the National Register. The survey forms were compiled into survey reports; one for each city/town and also a few neighborhood-level reports. Special survey reports have also been produced on topics including historic landscapes, outdoor sculpture, African Americans in Newport, and Native Americans.

Ms. Doherty's overview of the National Register included its role in providing recognition, protection, and eligibility for financial incentives to historic properties. She explained that National Register listing does not mandate preservation of a historic property. In discussing what makes a property eligible for listing in the National Register, Ms. Doherty covered property types, criteria, criteria considerations, and integrity.

Ms. Doherty concluded her presentation by presenting information about the history and evolution of the National Register in Rhode Island. About 20,000 properties in Rhode Island are listed in the National Register, with representation in every community. The earliest

nominations, which were prepared in the 1960s, tended to focus on individual, colonial-period buildings, mostly in Newport and Providence. The 1970s and 1980s saw greater geographic distribution; inclusion of resources built in the 19th and early 20th centuries; more historic district nominations; and a growing recognition of vernacular, everyday resources. The nomination of industrial properties was (and continues to be) spurred on by the historic rehabilitation tax credit program. There is an ongoing effort to nominate properties associated with diverse populations and a growing interest in Modernism.

Ms. Primiano asked about the value of listing in the National Register. Ms. Doherty mentioned recognition and tax incentives. Ms. Grefe spoke of the value of the research that is collected in the nomination of a property to the National Register. Ms. Taylor added that there is a recognition of place importance that comes with listing.

Ms. Primiano asked if a property can be delisted for the National Register. Mr. Emidy answered that yes, that can be pursued, particularly if a property has lost integrity since its listing. Mr. Morenon stated that listing adds value to a property, while delisting therefore devalues the property.

6. Ms. Taylor introduced the topic of separating the National Register Review Board from the Commission, in an effort to decrease the length of Commission meetings. She stated that our procedures allow for a separate Review Board, and that it has been a separate body in the past. She proposed that the Commission establish a Review Board consisting of present commissioners, past commissioners to include Patrick Malone and Ronald Onorato, and others as needed. Ms. Taylor noted that the separate Review Board would hold meetings at which the staff would do its typical National Register presentations and the Review Board would vote on them. The Commission would see abbreviated presentations by the staff at its next meeting, and would hear recommendations from the Review Board on whether to approve or not. The only downsides that she anticipated were that the staff would have more work because of the dual presentations, and the commissioners would not get to see the extended presentation if they were particularly interested in the property.

Mr. Abbott asked how the Commissioners would know what properties would be reviewed by the Review Board and if a Commissioner was interested in seeing the extended presentation, if they could attend the Review Board meeting as an observer. Ms. Taylor replied that the Review Board meeting would be noticed like a Commission meeting, and that commissioners were welcome to attend.

Mr. Smith asked if the Review Board meetings would be subject to Open Meetings Law. Ms. Taylor responded that they would.

Mr. Sanderson noted that the Commission would have to make appointments to the Review Board.

Ms. Taylor asked Mr. Emidy to have the staff prepare information on how an independent Review Board would function, and a draft resolution to establish it. This will be presented at the

September 13 Commission meeting. Ms. Taylor asked if there is anyone on the Commission who is not interested on being on the Review Board. Ms. Grefe, Ms. Taylor, and Ms. Primiano responded that they would not.

Mr. Sanderson stated that individual members of the Commission might be contacted in the coming weeks to confirm whether or not they are interested in serving on the Review Board.

7. Mr. Emidy introduced Architectural Historian and Senior Project Review Coordinator Glenn Modica and Architectural Historian and RIDOT Senior Project Review Coordinator Michaela Jergensen to provide an overview of the Project Review programs of the RIHPHC.

Mr. Modica began by explaining that in the calendar year 2016, the RIHPHC reviewed 1,582 projects through the Project Review program. Of these, 1,223 were federal reviews, 125 were state reviews, and 234 were reviewed under Section 220 of the CRMC regulations. He explained the national Historic Preservation Act's Section 106 review process, including the definition of an "undertaking", what is considered to be "historic", and that the process requires consultation, but not, necessarily, preservation. He showed the flow chart of the Section 106 review process. He stated that in calendar year 2016, four projects were determined to have adverse effects to historic properties, out of 125 for which historic properties were identified.

Ms. Jergensen explained that her position at the RIHPHC has its salary funded by the Rhode Island Department of Transportation (RIDOT) through an agreement between the RIHPHC and the RIDOT, though she is an RIHPHC employee. This position was established in order to allow for expedited reviews of RIDOT projects, or, as we like to refer to it, "red carpet service". Ms. Jergensen stated that the RIDOT program has more projects that result in determinations of adverse effect than Mr. Modica's program because right now, the RIDOT is undertaking a lot of bridge repair and replacement projects at historic spans. Most of the other projects that she reviews for RIDOT, particularly reviews of state projects, result in findings of no effect.

Mr. Sanderson stated that Project Review is less about a "thumbs up/thumbs down" result, but about facilitating projects in ways that do not impact historic properties. This includes consultation to alter the proposed project, rather than denying it outright.

Ms. Searle stated that she is interested in how Ms. Jergensen became so involved in and knowledgeable about bridges. Mr. Sanderson stated that Ms. Jergensen was working at the Massachusetts Historical Commission when the RIHPHC hired her, where she did some project review work. She also had worked in Maine previously.

8. Mr. Emidy introduced historian and Principal Special Projects Coordinator Sarah Zurier to provide an overview of the State Preservation Grants (SPG) program.

The SPG program has been funded through bond issues in 2002, 2004, and 2014, the most recent being the Creative and Cultural Economies Bond, under which we partnered with the Rhode Island State Council on the Arts (RISCA) for \$5 million of a \$35 million bond issue. Eligible properties under the 2014 bond include museums, cultural arts centers, and public historic sites

that are listed or eligible to be listed on the Rhode Island Register of Historic Places. Eligible applicants include non-profit organizations, municipal agencies, and Native American tribes. The applicant must own the property or operate it and have at least a 20-year lease or written agreement to use the property. Eligible activities include capital improvements that must conform to the Secretary of the Interior's Standards for Historic Preservation. Ms. Zurier outlined the application process, Small Grant and Large Grant requirements, review process, and the schedule for the 2017 grant round.

Ms. Primiano asked if the RIHPHC compiles data on the grantee organizations and properties, for instance on visitation numbers. Ms. Zurier responded that we are learning from RISCA how they do this, and that we do collect visitor numbers as part of the application process.

Ms. Searle stated that she is interested in this program going forward, including how the RIHPHC will propose to set up its bond ask: will it be solely an RIHPHC bond, or will we partner with one or more agencies like we are doing now, and will we increase the amount of money that we ask for. Ms. Taylor responded that we are looking into both of those issues right now.

9. Ms. Taylor informed the Commission that the Loan Committee has lost one member due to Mohammed Farzan not being reappointed to the Commission. She has selected Ms. Searle to join Clark Schoettle and Michael Abbott on the Committee.

10. Ms. Taylor informed the Commission that she has made selections for the Executive Director Search Committee. By regulatory rule, the Commission Chair (Ms. Taylor) and the State Historic Preservation Officer (Edward Sanderson), must be on the Committee. Additionally, Ms. Taylor has appointed Michael Abbott, Morgan Grefe, and John Smith to the Committee.

11. Other Business: Mr. Smith asked what is considered to be a quorum for a Commission meeting. Mr. Sanderson responded that there are ten public members of the Commission, who are the only voters as ex-officio members don't vote. A quorum is a simple majority; therefore, a quorum is six commissioners.

12. Next regular meeting date: Wednesday September 13, 2017 at 9:30 AM.

10. Adjourn: On a motion by Mr. Abbott, seconded by Mr. Smith, the Commission voted to adjourn. The meeting adjourned at 11:30 PM.

Minutes recorded by,



Jeffrey D. Emidy, Acting Executive Director
Deputy State Historic Preservation Officer