



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HISTORICAL PRESERVATION & HERITAGE COMMISSION
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MINUTES
RHODE ISLAND HISTORICAL PRESERVATION & HERITAGE COMMISSION
January 8, 2020

Conference Room 300
Rhode Island Department of Environmental Management
235 Promenade St. Providence, RI 02908

I. MEMBERS PRESENT

Mr. Michael Abbott, AIA
Dr. Tripp Evans
Dr. Morgan Grefe
Mr. Paul Jordan, representing Janet Coit, Director, DEM
Ms. Tanya Kelley
Mr. John Paul Loether, State Historic Preservation Officer
Dr. E. Pierre Morenon
Mr. Kevin Nelson, representing Meredith Brady, Assoc. Dir., Div. of Statewide
Planning
Ms. Kaity Ryan
Mr. Clark Schoettle
Ms. Lucie Searle
Mr. John Smith
Ms. Ruth Taylor, Chair

MEMBERS ABSENT

Mr. Jesse Saglio, President, Rhode Island Commerce Corporation
Mr. Warren Ducharme, representing the State Building Code Commissioner

STAFF PRESENT

Donna Alqassar, Heritage Aide
Joanna Doherty, Principal Architectural Historian
Virginia Hesse, Principal Historical Architect
Timothy Ives, Principal Archaeologist
Katherine Pomplun, Senior Grants Coordinator
Roberta Randall, Principal Historical Architect
Elizabeth Rochefort, Principal Architectural Historian

GUESTS PRESENT

Shantia Anderheggen
Leslie Carter
Jim Donahue
Valerie Talmage

II. AGENDA

1. Call to Order

The meeting was called to order at 9:36 A.M., Ms. Taylor, Chair, presiding.

2. Minutes of November 13, 2019

Dr. Morenon requested that the attendance be revised to reflect that he was present for the meeting. On a motion by Ms. Kelley, seconded by Mr. Smith, the Commission voted unanimously to approve the Minutes of November 13, 2019 with the correction requested by Dr. Morenon.

3. Executive Director's Report

Mr. Loether reported that:

- a) He attended a Newport City Council meeting at which the Council discussed the Newport Spring project. The Council voted at this meeting to reopen Court House Street, and the Newport Spring Leadership Committee withdrew its resolution asking the City Council to support the street's permanent closure. The Committee has asked RIHPHC to participate in their future conversations related to the Spring.
- b) RIHPHC applied to the National Park Service for \$500,000 in grant funds through the Save America's Treasures program. If successful, it will fund interior restoration of the Old State House. The application received the full support of Rhode Island's congressional delegation.
- c) He met with Brett Smiley, Governor Raimondo's new Director of the Department of Administration, and they discussed funding for grants and tax credits. The Governor's office wants RIHPHC to work with the Commerce Corporation on the Rebuild RI tax credit program. We are proceeding in that direction.
- d) He met with Jesse Saglio, Commerce Corporation President, and RIHPHC Deputy Director Jeff Emidy to discuss funding available at Commerce for tax credits and how RIHPHC and Commerce can interface on these programs. Mr.

Loether referenced Article 12, passed in the last General Assembly session, which makes the program more readily available to small projects and preservation projects. Mr. Loether reports that RIHPHC will likely execute a Memorandum of Agreement with Commerce regarding this program and RIHPHC's involvement and review of projects. Mr. Schoettle asked whether Commerce has developed rules and regulations to implement Article 12. Mr. Loether replied that they have not yet, and that he anticipates RIHPHC will take part in that process.

- e) He toured the Waterfire Arts Center with RIHPHC Heritage Aide Donna Alqassar. The facility is excellent, and he anticipates that it will be the location for the next Heritage Festival, to be held in Fall 2020.
- f) He attended and testified at Division of Human Resources Hearing against the proposal to eliminate the job classification of Senior Historical Architect. Human Resources proposes eliminating the position from state classification because it has not been used in many years. Mr. Loether explained in his testimony that this is because RIHPHC has had the same staff architects for a long time, but that the classification will be needed when we need to hire an architect again in the future. He does not yet know the outcome of the hearing.

4. For information: Report on final "Planning for Preservation" meeting

Elizabeth Rochefort reported that RIHPHC hosted the last of three "Planning for Preservation" public meetings on Wednesday, October 16, 2019 at the University of Rhode Island. The goal of the meeting series was to solicit public feedback on the State Historic Preservation Plan update. The theme for this meeting was "Preservation Under Pressure," and focused on threats to cultural resources and approaches to protecting Rhode Island's historic places. 38 people attended the meeting, which consisted of a brief panel discussion followed by questions and answers from the attendees. The panel was moderated by Paul Loether; Jeff Emidy discussed statewide GIS, flood plain mapping, climate change, and sea-level rise; Tanya Kelley spoke about cultural landscapes and scenic byways; and Jack Renshaw discussed energy efficiency and preservation.

Audience-led discussion topics included statewide responses to climate change, options for homeowners, partnerships with other state agencies, GIS databases, survey data for sea level rise, reference guides for HDCs, window restoration, lead paint remediation, landscape devices to remediate water issues, scenic byways, and a great question at the very end from a URI student regarding when and how to decide which resources to "let go."

Following the meeting, RIHPHC staff gathered together for the first time to discuss the plan. Currently, staff members have been assigned sections related to their program areas to review and edit. Ms. Rochefort will consolidate these edits and comments and create a working copy of the updated plan. Ms. Rochefort is also in the process of updating data, such as census information, from the existing plan. Staff will meet again later this month to discuss edits as well as additions. Next steps include creating a public survey for the

RIHPHC mailing list, and for staff to begin a broad discussion about the goals set out in the 2012 plan, what should be changed, and what new goals should be added.

Dr. Grefe asked whether this group is interfacing with the “Protecting the Past” work that was done through OLIS and RIEMA. She also noted that DOA maintains a list of town by town resources that are not explicitly about climate change but may be of use. Ms. Rochefort responded that now that the public feedback stage of the project has concluded, we will be investigating what other resources are available for RIHPHC to work with. This will include conducting a survey of our constituencies. Dr. Grefe notes that a lot of work has already been done in this area, and that the RIHPHC should make sure not to duplicate efforts unnecessarily.

Ms. Taylor asked whether the Commissioners would be given opportunity to comment on the plan. Ms. Rochefort responded that yes, Commissioners will be asked to comment when a working draft is available for distribution.

Mr. Abbott referenced the plan’s goals and wondered whether there are any goals from the last plan that have not been met or still need work. Ms. Rochefort clarified that the goals are currently written extremely broadly, and that our strategy will likely be to keep many of those broad goals in the plan, but revisit, evaluate, and update the action steps related to each goal.

Mr. Evans asked how the audience and panelists responded to the URI student’s question regarding letting go of threatened resources. Ms. Rochefort said panelists agreed it will not be possible to save everything, but most practitioners are not quite there yet, and are focusing on options for threat mitigation.

Mr. Loether, alluding to Mr. Abbott’s previous question, noted that very specific goals will be included in the State Guide Plan Element. Ms. Rochefort further clarified that the State Preservation Plan is an NPS document, and that our Annual Work Plan submission to NPS is tied to those goals.

Ms. Kelley noted that the City of Newport’s Historic Preservation Planner is currently working on design guidelines for the city’s historic districts, and has asked Ms. Kelley to assist, particularly regarding sections that address climate change issues. Ms. Kelley asked how the City should be interfacing with this planning effort, if at all.

Mr. Loether responded that municipal-level efforts like that will most likely be mentioned in the plan as an ongoing effort, but the information in Newport or any city’s guidelines is likely to be so specific to one particular area that it will not be explicitly included in the State Plan.

Ms. Taylor asked whether this is a plan for this agency, or a plan for the whole state.

Mr. Loether responded that this is a plan for the whole state.

Ms. Taylor asked whether the goals in the plan are binding.

Mr. Nelson noted that it is important to keep in mind that there are two different but parallel plans in progress right now. The State Historic Preservation Plan is a document for the National Park Service. The State Guide Plan element will set more specific goals and policy positions and it is binding on cities, towns, and state agencies.

Mr. Schoettle asked if it is possible that the State Guide Plan will just incorporate the NPS plan. Mr. Nelson responded that this has been done in the past, but that the plan is really written for NPS and in NPS language, so for state purposes there are other items that should be included.

Mr. Abbott asked whether the plan addresses storm damage after a hurricane, or elevation recommendations for coastal properties. Ms. Rochefort said that the existing plan does not. Mr. Loether said that a major outcome of this process will be a recommendation that we update our survey data for all historic properties. He noted that lack of data at the start of the recovery process was a major obstacle for NPS following Hurricane Katrina. Ms. Rochefort added that solving climate change issues on a statewide basis is not something we can set out to do with our small staff, but we can take concrete steps to address it within our own program areas, such as survey.

Mr. Jordan mentioned that Malcom Spaulding and engineers at the University of Rhode Island have done a lot of work to develop an app that allows you to look at any area in the state and see future flooding and damage estimates based on FEMA data. Ms. Kelley noted that it can be difficult to decipher a map with multiple layers depicting projected sea level rise, storm surge estimates, etc. Mr. Jordan added that the app is designed to be used by homeowners to assess future risks due to sea level rise. He will share information on the app with the Commission.

There was no further discussion on this topic.

5. For consideration: Breakers Landscape Rehabilitation, Phase II
Newport

Joanna Doherty reported that the Preservation Society of Newport County (PSNC), via its landscape architect, Reed Hilderbrand, has submitted information to the RIHPHC regarding the second phase of the rehabilitation of the serpentine walk at The Breakers. The serpentine walk is the garden path that winds around the perimeter of the property – depicted in the 1907 atlas of Newport. It is part of Ernest Bowditch’s design for the grounds at The Breakers, completed in 1895. The RIHPHC holds an easement on The Breakers which requires the PSNC to seek the RIHPHC’s approval of any changes to the property, including changes to the landscape.

PSNC hopes to put this work out to bid in the winter, for construction in the spring/summer. As with the first phase of work, approved by the Commission in

December 2018, this phase draws upon the findings and recommendations of The Breakers Cultural Landscape Report and The Breakers Master Plan. The CLR defines the period of significance for The Breakers landscape as 1893-1938. During this period, the landscape featured an open lawn facing the ocean, dense tree canopy in the northwest quadrant, and the serpentine walk wending its way along the perimeter of the grounds, with plantings designed to frame views and to create a variety of spatial experiences for those on the walk, including garden rooms and layered plantings that create an almost tunnel effect in some locations.

The treatment approach for the serpentine walk is rehabilitation rather than restoration. This reflects the walk's low to moderate level of integrity and the somewhat limited amount of information available about its historical design and appearance. It also reflects changing site conditions. For example, in some places mature trees now shade areas that were once sunny, necessitating some adaptation in terms of planting choices, and the need to create a landscape that is sustainable with currently available funds and staff.

The Master Plan for the property calls for increasing the tree canopy, restoring the gardens at the north and south parterres, restoring the planting along the north and west entry drives, and rehabilitating the serpentine walk. The proposed project that we're discussing today would focus on the serpentine walk in the southwest quadrant of the Breakers property. A portion of the walk was rehabilitated in June 2018, as part of the Welcome Center project, and the work that the Commission approved in December 2018 was completed this past August.

Ms. Doherty displayed photographs of the Phase I serpentine walk project, two historic images of this area, and an image of the donor garden in the southwest quadrant. Ms. Doherty then displayed a 2013 aerial image of that shows a clear view of the southwest quadrant and noted that Phase II work would focus on this portion of the serpentine path.

Ms. Doherty then displayed the plan for demolition and explained the limits of the work as follows: the existing bituminous walk would be removed and replaced with an oil-and-stone paving surface to match material used in the section already rehabilitated. A total of five trees would be removed: two Norway Maples identified as "non-contributing, for phased removal or replacement" in the CLR, and two linden trees and one elm tree all identified as "contributing type, form and location" in the CLR, meaning that they are appropriate to the landscape but are not historic plant material. Many existing trees would be retained and protected, and several new trees would be planted. Ms. Doherty displayed images of the trees identified for removal. In addition, several rhododendrons and yews identified as non-contributing in the CLR would also be removed. One overgrown yew will stay, but an attempt will be made to heavily prune and reshape.

Ms. Doherty then displayed the planting plan. She described seven trees to be planted in the lawn between the serpentine walk and the house: two large-leaf linden trees, three horse chestnuts, and a red oak and horse chestnut. Three trees, along with many shrubs, would also be planted in the buffer zone between the serpentine path and the fence: two

little-leaf lindens and one elm. The project would create controlled views along the path to the house and the water beyond. A garden “room,” providing a sense of enclosure, would be created at the southwest corner of the project area – similar to design elements used in Phase I. Unlike in Phase I, this phase does not include locations with tall, layered plantings on both sides of the path, creating a “tunnel” effect.

Ms. Doherty explained that the Phase II approach is informed by an 1896 article in *Gardens and Gardening*, one of the best sources of information on the historical appearance of The Breakers landscape. She displayed photos and quoted the article as describing the path in the southwest quadrant as “much the same in countour [as the northern path]...but almost wholly different in its planting.” “Much of this walk is bordered with low growing flowers, mostly annuals...But it is understood that this is a temporary arrangement to be followed by hardy herbaceous plants, perennials, such as now everywhere coming into general use...” A photo shows a bed of begonias between the path and the southern perimeter of the property and on the left open lawn and evidence of trees.

The article also includes a photo of a large specimen evergreen along the path, a bit west of the begonia bed. It appears to be set within a dense planting mass. The article describes this part of the garden as follows: “There are still masses of the old remaining, where trees, shrubs and vines are crowding each other and awaiting the action of the master hand which shall give them more room.” The proposed design includes a garden bed in this location, with a large specimen evergreen, but with simplified planting to be more in keeping with the layered beds elsewhere.

Ms. Doherty reported that the 1896 article does not provide much other information about the plantings along this section of the path, but there are other clues. For example, a ca. 1885 postcard shows a garden bed with hydrangea in the foreground, so hydrangea is included in the proposed planting plan. An 1895 photo of the Children’s Cottage shows “floating garden beds – not tethered to the path, low plantings, simplified palette of maybe two types of perennials, one ringing the other. This design element is used in Phase II as well, where it is used to direct views. In the future, when the Children’s Cottage landscape is rehabbed, “floating beds will be used there as well, since they were historically.

Existing plant material also serves as evidence. For example, there is a grouping of rhododendrons where the path turns the southwest corner. Elsewhere on the grounds, the landscape architects have found that the existing condition is a simplified and overgrown version of what was there originally. So, a group of rhododendrons forms the backdrop for a garden room in this location in the proposed design.

Ms. Doherty described the planting schedule as similar to the Welcome Center and Phase I of the serpentine path. In terms of buffer plantings, between the path and the perimeter of the property, there is heavy use of rhododendron and viburnum, as well as holly, cypress and deutzia. Along the western edge of the property, new rhododendron will be planted alongside existing rhododendron. Junipers are also proposed. These were not

used in prior phases but are in keeping with the character of those earlier plant schedules. Groundcover includes periwinkle, fern, lamb's ear, and Baptisia – all used previously – as well as some anemone and astilbe. Hydrangea will be used extensively, as there is historic evidence for its use.

Ms. Doherty then displayed the landscape architect's renderings for the proposed plan and concluded her presentation. She noted that Leslie Carter of Reed Hilderbrand landscape architects was in attendance and able to field questions about the plan.

Ms. Kelley complimented the design and noted its comprehensiveness. She asked whether the large Baptisia beds might look bare when the plants are not flowering. Ms. Carter responded that there is some evergreen in those beds; the Baptisia bed is run with evergreen holly; there will be some structure to the beds in all seasons.

Dr. Grefe made a motion to approve the proposed Breakers Phase II landscape rehabilitation plan. The motion was seconded by Mr. Abbott and the COMMISSION VOTED UNANIMOUSLY to approve the motion.

6. For consideration: Request to increase State Preservation Grant amount
RIDEM for project at Fort Adams Visitors Center
Newport

Ms. Taylor reported that this agenda item has been postponed until a future meeting at the request of RIDEM.

7. For discussion: Valentine-Whitman House easement modification request
Lincoln

Mr. Loether distributed a photo of the c. 1696 Valentine-Whitman House and explained that Preserve Rhode Island (PRI) has approached RIHPHC about modifications to an existing easement on the Valentine-Whitman House in Lincoln. The easement requires that the building, which was previously operated as a house museum, be open to the public not less than 12 days per year.

Ms. Talmage requested and was allowed permission by the Chair to present. She explained that PRI operates a small revolving fund and is scoping a possible revolving fund project at the house. The house is one of the few remaining stone-enders and a significant Rhode Island property. After subdivisions were proposed for the property in the mid-1980s, the Town purchased it to save it, but without a plan for preservation. A friends' group emerged and created a house museum, but the museum has never been very successful. In 2002, RIHPHC awarded a State Preservation Grant to the house for significant structural repair. The friends' group has since told the Town of Lincoln that their numbers are dwindling, and they do not see a future for the house museum. PRI originally discussed supporting a project at the Valentine-Whitman House similar to their

model at Chase Farmhouse, in which they restored the house and created two market-rate apartments that are helping to recoup the restoration costs. But Valentine-Whitman cannot be divided into more than a single-family house, so the rental income would be limited and its needs are extreme. Since the grant project in 2002, Town investment in the property has been limited to a new furnace and utilities. It needs a new roof, siding, pest extermination, and moisture remediation. There is no kitchen and it is not currently habitable. Several contractors have visited and estimates for rehabilitation range from about \$350,000-\$400,000.

PRI has explored the idea of investing that money, taking an easement on the property, and then selling the house into private hands for an amount that would allow them to recapture their costs. They understand there is a lot of risk in play. PRI has also met with the Landmark Trust, a British organization with a small U.S. arm, that operates a whole-house rental vacation stay model. They have a new executive director who is trying to become a more important factor in preservation in New England. They own the Rudyard Kipling house in Vermont and are currently scoping a project in Tiverton. PRI has discussed an arrangement in which PRI would take on the rehabilitation project, the Landmark Trust would operate the property but pay income to PRI, and after five years the arrangement could either continue, or the property could be conveyed to the Landmark Trust, or the house could be sold privately. The Town is working on a Purchase and Sales Agreement which PRI hopes to execute this month.

Ms. Talmage notes that the existing easement is a particular sticking point in these discussions, and PRI would like the Commission's sense as to what modifications might be allowable. The easement expires in 10 years, and all preservation terms are fine – but the requirement that the house be open to the public is a non-starter. PRI proposes a new perpetual easement, held by PRI, that would carry restrictions on the exterior, the interior, and the lot – but would remove the public access requirement.

Ms. Taylor asks whether this is just for discussion today, or if PRI is looking for a formal vote.

Ms. Talmage responds that no action is needed, but she would like a sense of the Commission's take on the proposed changes.

Ms. Taylor notes that the financial situation seems precarious. With an easement in place and a huge price tag on the rehabilitation, selling the property may be a challenge. She noted that easements are generally seen as diminishing the value of the house. She also noted that assigning an easement from an agency that is likely to be perpetual to one that is not would probably require a fallback clause that would revert the easement to RIHPHC should PRI go out of business. Ms. Taylor suggested that RIHPHC could also consider altering the easement and continuing to hold it until the building is sold.

Mr. Loether responded that RIHPHC could also hold the easement in perpetuity. He noted that he does not think the value of the property would be diminished by the easement, but that it will shrink the potential market of buyers.

Ms. Taylor said that amending the easement to remove the public access requirements is something she would generally be in support of here and in other places, but transferring it is a much larger question.

Mr. Schoettle asked if the original grant from RIHPHC requires the easement to be held by a public agency.

Mr. Loether responded that it does not.

Dr. Grefe noted that any change to the easement's public access requirements will set a precedent. The Commission should be cognizant of the fact that other former grantees may request similar changes in the future.

Ms. Talmage said that PRI's Board will not consider taking a risk on this project, and discussions will not proceed, if the public access requirements are not removed.

Ms. Searle asked what the proposed source of funding is for the rehabilitation.

Ms. Talmage responded that is still to be determined, and PRI is looking for private capital.

Ms. Searle asked whether any public funds would be involved.

Ms. Talmage responded that no public funds would be used, unless PRI applied for a loan from RIHPHC. The Landmark Trust funded privately. Ms. Talmage asked to address Dr. Grefe's comments regarding precedent and noted that this is an opportunity to demonstrate a unique way of achieving preservation goals, and an alternative to house museums. Low capacity groups often own the most important resources in our state, so providing some models of what can be done beyond a house museum is a good thing.

Ms. Taylor asked whether there is consensus to ask the Attorney General's office for guidance on how to make the suggested changes. The Commissioners collectively agreed.

Dr. Morenon asked what will happen if the Landmark Trust backs out.

Ms. Talmage responded that PRI will review their finances and pursue the private sale option, and noted that the level of finish on the rehabilitation is higher for a private sale than it would be for Landmark.

Mr. Schoettle asked if PRI would want a perpetual easement, even if the property was conveyed to a private owner.

Ms. Talmage responded yes, and noted that PRI is trying to grow their revolving fund, a key piece of which is easements.

Ms. Taylor asked whether there is a plan in place for easements currently held by PRI if PRI were to go out of business.

Ms. Talmage responded that all easements have a provision stating that a like-minded organization, such as Historic New England, would be given the easements.

Mr. Loether notes that no easement changes will go into effect without his signature, and that the issue will be brought before the Commission again before anything is finalized.

Mr. Schoettle noted the difficulty of administering interior easements.

Ms. Talmage encouraged the Commissioners to visit the house, and described it as deceptively large with an interesting mix of 17th century framing and typical 19th century construction, dating from its conversion in the 1820s to a three-family house. She noted that the Town of Lincoln wants to make sure that if they are giving PRI this property, the easement will cover everything. The easiest thing to get started may be to amend the current easement to remove the public access provisions.

Ms. Taylor said that the would probably be the easiest option for the Commission to support.

Mr. Schoettle asked whether any additions would be necessary.

Ms. Talmage responded that another structure where the garage is could be possible, but not an addition.

Mr. Abbott agreed that the house is very deceiving and noted that is surprisingly large enough for modern life.

Mr. Loether ended the discussion by confirming he will continue discussions with the Attorney General's office, and specifically noted that he will address Dr. Grefe's comments regarding precedent.

8. Old Business

None discussed.

9. New Business

Mr. Loether reported that he and Ms. Hesse attended the opening of the 2020 legislative session yesterday, January 7. The House and Senate Chambers have been restored and the legislature is very pleased. In remarks, the Speaker noted RIHPHC's involvement in the project.

Mr. Loether reported that he is scheduled to meet with the Governor's new Chief of Staff, David Ortiz. He will brief Mr. Ortiz on grants and tax credits.

Mr. Loether reported that updates to the State Register of Historic Places database are now complete, with the goal of being able to publish it within the next two months. Publication of the State Register is a statutory requirement that we have not met in recent years.

Mr. Loether also provided an update on marine archaeology at the potential *Endeavour* site in Newport Harbor. Divers from the Australian National Maritime Museum are 95-97% that the ship in question is *Endeavour*. There are two cannons at the site, and the museum wants to borrow one. Mr. Loether is in discussion with lawyers, including Fred Stoli, at the Department of Administration, and has asked that nothing be raised until we have an agreement in place with the museum. The museum envisages an exhibit/conservation project that would include conservation work being performed in an area that the public can witness, akin to the Smithsonian Institution's restoration of the Star-Spangled Banner. Mr. Loether is scheduled to speak with the Department of Administration attorney this afternoon.

Mr. Loether reported that he made a site visit to Hope Webbing, a tax credit project, with Ms. Hesse. He described the project, which is finishing up now, as one of the most successful in his tenure at RIHPHC, and he encouraged Commissioners to visit. Ms. Searle noted that this property is known to most as Hope Artiste Village, and that the brick cleaning and the windows are magnificent. Mr. Loether added that the developers were very complimentary of RIHPHC and he encouraged them share their enthusiasm with their legislators.

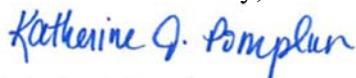
10. Announcements

No announcements were made.

11. Adjourn

The meeting adjourned at 10:53 am.

Minutes recorded by,



Katherine J. Pomplun
Senior Grants Coordinator