

# RYE HERITAGE COMMISSION

Thursday, June 1, 2023

5:30 p.m.

Rye Town Hall

**Commission Present:** *Chair Bev Giblin, Vice-Chair Gail Hughes (arrived at 6:36 p.m.), Treasurer Peter White, Frank Lagana, David Choate, Alex Herlihy (arrived at 5:41 p.m.), Alternates Elizabeth Sanborn and Mae Bradshaw*

**Members Not Present:** *Selectmen's Rep Bill Epperson and Alternate Tim Durkin*

**Also Present:** *Patricia Weathersby representing Friends of Pulpit Rock Tower*

## I. Call to Order

Chair Giblin called the meeting to order at 5:30 p.m. and the members introduced themselves.

## II. Assign Alternates

Alternate Elizabeth Sanborn was seated for the meeting.

## III. Review of Previous Meeting Minutes

- May 4, 2023

The following corrections were noted:

- Page 3, under 'Rye Advocates', 5<sup>th</sup> sentence should read: **A CLG Grant will be applied for and it will be before the Select Board for support.**
- Page 3, under 'Rye Advocates, 8<sup>th</sup> sentence should read: **He pointed out that two of the property owners of the properties being considered are on the Historic District Commission.**
- Page 3, under 'Rye Advocates, last sentence should read: **He also pointed out that the study will give a lot of information about some of the old houses in the proposed district, as well as documenting the original district, since that information has been lost.**
- Page 3, under 'Pulpit Rock Tower' Chair King should be **Chair Giblin.**

**Motion by Peter White to approve the minutes of May 4, 2023 as amended. Seconded by Frank Lagana. All in favor.**

#### **IV. Business:**

- **Treasurer's Report – Peter White**

Treasurer White reported that the Heritage Commission has \$36,187.08 in its account. The gazebo fund has \$6,660., which includes \$500 received from the Driftwood Garden Club. A total of \$8,650 are unrestricted funds.

- **Approval of Invoices**

Treasurer White presented an invoice in the amount of \$3,940 from Portsmouth Sign Company, Newington, for the second invoice for the manufacturing go of the signs.

**Motion by Peter White to approve payment of the invoice to Portsmouth sign company in the amount of \$3,940 from the restricted signs fund. Seconded by Elizabeth Sanborn. All in favor.**

Treasurer White pointed out that this brings the Commission's account to \$32,247.08. He also pointed out that after payment of the invoice there will be \$11,245.85 remaining in the account for town signs. A total of \$24,000 was raised for the signs and \$13,000 was spent to date with funds remaining for future signage. From an operating standpoint, the Commission's annual budget is \$4,800 and \$188 has been spent, which leaves 96% of the budget.

- **Rye Signage**

Member Choate asked if there were other locations considered for signs that weren't done because it wasn't clear if there would be enough money.

Treasurer White explained there is still a list of about two dozen locations and themes. It was thought that the Signage Committee would stop at number seven. However, this can always be brought back up for consideration next year. He noted that all the signs have been manufactured. All of the signs, with the exception of the Trefethen sign, are at the DPW awaiting scheduling for installation. DPW Director Jason Rucker will be updating the Signage Committee on when the signs will be installed. There will be a ribbon cutting for the sign by the library, which is anticipated to happen sometime in June. As part of the Rye400 Committee, it will be publicized and a nice event will be held. The Trefethen sign has been attached to Realtor Madden's building and it looks great. The sign company was paid to attach the sign to the building.

Vice-Chair Hughes pointed out that the Madden's building used to be Trefethen's store.

- **Demolition Review Committee and Vote on term appointments**

Member Choate reported that the Demolition Review Committee did not meet over the last month. There was an informal meeting with the owner of 1264/1266 Ocean Boulevard, who is now before the Conservation Commission. The project is to tear down the two houses and replace them with one home. Member Choate noted that 5 Cable Road is now before the Zoning

Board. He also noted that the Heritage Commission recommends appointments to the Demolition Review Committee. Jenn Madden's and his terms have expired, so the Committee hasn't been able to vote at the last few meetings. The Heritage Commission should vote and a letter of recommendation needs to be sent to the Select Board.

**Motion by Elizabeth Sanborn to recommend the reappointment of Jenn Madden and David Choate to the Demolition Review Commission. Seconded by Frank Lagana. All in favor.**

- **Pulpit Rock Tower – Patty Weathersby and members attending to discuss**

**Patricia Weathersby, Friends of Pulpit Rock Tower**, along with a representative from **NH Fish and Game**, met with the Heritage Commission to discuss the future of the Pulpit Rock Tower. It was noted by Mrs. Weathersby that the tower was owned by the Federal Government in World War II. The tower was used as an observation post to watch for enemy ships. Over the years, the tower became the property of the Fish and Game Department. Fish and Game has decided that they do not have a use for the tower. They have leased it to the Friends of Pulpit Rock Tower, who have been maintaining the property, as well as holding open houses to the public for touring. The Friends of Pulpit Rock Tower has been maintaining the tower since the early 2000's; however, the time is coming that Fish and Game no longer wants it and the Friends group is getting tired, as people are moving and aging. The goal is to find a long-term solution that involves an organization that will live on.

Mrs. Weathersby noted that in 2010 or 2012, it was presented to the Town about taking the tower. It is being offered at no cost, as part of a surplus property program. It went to town vote and the voters approved the transfer of the tower to the Town provided \$130,000 went with it. At that time, it was an astronomical sum for the Friends group. On that same ballot, the Heritage Commission was formed in order to receive Pulpit Rock Tower. She pointed out that the Friends group has been doing repairs to the tower through grants to make it safe and to bring it as close as possible to its original condition.

The Friends of Pulpit Rock Tower would like to revisit the idea of whether the Town of Rye, through the Heritage Commission, may have any interest in acquiring the tower. If the Town doesn't want the tower, and Fish and Game decides they don't want the tower, it will revert back to the Federal Government and it will be auctioned off to the public to the highest bidder. It's most certain that public access will be eliminated. Hopefully, there will be some historic covenants put on the deed, as it's listed in the National Register of Historic Places.

Member Choate asked the reason for the \$130,000 in the warrant article for the tower.

Mrs. Weathersby explained that at that time, the Select Board asked for the tower to be evaluated structurally to make sure it was in good shape. Emanuel Engineering was hired to inspect the tower and they determined some repairs were needed. The repairs included a new roof, windows, and concrete spalling on the exterior. Those repairs, plus money to deal with maintenance moving forward, amounted to \$130,000. She noted that the Friends group at that

time didn't have the money. However, over the years, as they have received money through donations and grants, and all the repairs that were needed have been made.

Mrs. Weathersby continued that pre-Covid, there was discussion again with the Heritage Commission about taking the tower. It was suggested that another evaluation of the tower be done. That was done and the engineering firm came back with a number of about \$600,000 to make the tower perfect.

Member Herlihy commented that he feels like this is Rye's World War II museum. What the Friends of Pulpit Rock Tower have done is remarkable and it's a great example of grassroots effort. He would like to forget about that pre-Covid visit and not even have that discussion. He encouraged his colleagues to consider taking the tower with everything the Friends group has done and not have some high-end firm saying that kind of money has to be paid. He noted that Treasurer White will say that the Heritage Commission has a good track record of raising money for high profile things. There's nothing higher of a profile than the Pulpit Rock Tower.

Chair Giblin asked the status of the Friends of Pulpit Rock Tower.

Mrs. Weathersby replied that it still exists and there's an active board. There are six members on the board. There's a lot of community interest of people who want to be kept informed. She further explained that the group doesn't have a budget. They have roughly \$14,000 in money, which has been raised through donations. Money is raised through open houses and public tour days.

Treasurer White asked if there are any projects pending that need to be completed.

Mrs. Weathersby replied no. As far as repair work, the intent is for Fish and Game to repair some rotted wood on the dormer roof this summer. She confirmed there are no big projects at this time. She pointed out that one thing the report found is there may be water infiltrating underneath the roof. It should be investigated a bit further, as there may be a need for new roof.

Member Choate reminded the Commission that in August 2021, he was able to get an engineer to do a free evaluation of the building. They looked at the original report and proposal and made some suggestions. The Commission should look at the report again.

Alternate Sanborn asked if there would be anyone from Friends from Pulpit Rock Tower who would consider coming onto the Heritage Commission. She pointed out that having someone with the knowledge of the building and what was done in the past would help with the transition.

Mrs. Weathersby commented that she would be happy to help with the transition and join the Commission as an alternate for a short time. There are a couple of other members who may also be interested.

The representative from NH Fish and Game noted that the lease for the Pulpit Rock Tower is for another four or five years. It was a ten-year lease that was extended for another five years. She suggested doing a memorandum of understanding with the Town to help with the transition of the property. The agreement could be written as a shared responsibility with the Friends of

Pulpit Rock Tower, so the Heritage Commission can see what is involved before taking it on by themselves fulltime.

Speaking to Mrs. Weathersby, Treasurer White asked what the vision is for Pulpit Rock Tower.

Mrs. Weathersby replied that her vision is that it will be kept as it is, with it being open to the public a couple of days a year. She pointed out that the tower is in the middle of a residential neighborhood and there is no parking. There is some town owned land next door, which could open up some possibilities. The neighbors are very protective and don't want it to be a tourist attraction or a museum that is open every day. It's an amazing piece of history, but because of its location, it's sensitive.

Member Choate read from the RSA for establishing heritage commissions. One of the things that statute says: "*Municipalities can establish a non-lapsing heritage fund which the heritage commission can spend after public hearing and subject to approval of the local governing body, without going back to town meeting or a citywide balloting, to acquire property and property interest easement.*" He commented that one strategy might be to go to the Town to acquire the Pulpit Rock Tower and establish a heritage fund for some amount of money, which would effectively become an endowment. The Commission could then fundraise to add to the fund.

Member Herlihy stated that the last huge expansion of the Rye Library in 1997 was funded by a tremendous amount of private money, but there was also some taxpayer money. That's a tradition in every community.

Treasurer White stated that it behooves the Commission to have a vision for the tower, plus have an idea of what the liability is of major projects for the future. The Commission needs to have those numbers identified before moving forward.

Alternate Bradshaw noted that a warrant article establishing the rules for acquiring this building was passed by the Town. The only way to change the rules for acquiring this building is to have a new warrant article that proposes something else.

Mrs. Weathersby asked if warrant articles fail if they are not fulfilled after so many years.

Alternate Bradshaw explained the way the warrant article was drafted it says "*this acquisition is authorized contingent upon.*"

Member Choate commented it would be good to review the wording of the warrant article.

Member Herlihy asked how much the Friends of Pulpit Rock have spent over the last thirteen years on the tower.

Mrs. Weathersby replied it's just shy of \$100,000. She noted that the walls of the tower are thirteen inches thick. It's very solid. The things that need to be done now are the roof and maybe some minor repairs. The cost of that would be about \$20,000 at the most. There are no features to the tower that cost money over time to fix; such as, bathrooms or kitchens. It's a

basic building of concrete. Mrs. Weathersby confirmed that she can provide the Commission with any information they may need in order to make a decision on whether or not to move forward.

It was noted that a summary was prepared in 2022 about the tower and the work that has been done, which was sent to the Commission. Chair Giblin will email this out to members again for their review. Mrs. Weathersby noted that if the Town of Rye takes over the property and decides at any time they don't want the tower, it can be given back to the Federal Government and it will go to public auction.

Alternate Bradshaw suggested that the Commission do a presentation to the Budget Committee, if they decide to take this on, as their support will be needed. Some of the financial issues should be considered in making this decision.

Alternate Sanborn asked that a list of items be prepared of things that have to happen before the Commission should take a vote; such as, taking the idea to the Select Board and Budget Committee.

Mrs. Weathersby agreed to send the Commission the summary she did in 2022 for the tower, recent biannual report, and the electrical estimate. She will also send the specifics of any money that was spent on the tower over the years; including, insurance, repairs, and general maintenance. A brief summary of the volunteer efforts over the years will also be prepared and sent to the Commission.

- **Gazebo**

Chair Giblin reported that she has been trying to speak with her neighbor, who is in construction, about the gazebo, but has not been able to reach him. Selectman Epperson has sent an email saying that he hasn't had any luck in finding someone to work on the project.

Member Choate noted that he spoke with Steve Bedard. He has lost people from his own company and doesn't know of anyone.

Chair Giblin will keep working on finding someone.

- **Graveyard adoptions and plans for promotion**

Member Herlihy wrote an article about the graveyard adoptions for Stroll Magazine. Member Choate and Alternate Bradshaw will submit their comments for the article to Member Herlihy.

- **Rye Advocates**

Member Choate reported that Rye Advocates are still working on scheduling a date your house session. The Advocates have an upcoming meeting on Tuesday, June 6<sup>th</sup>.

- **August 19<sup>th</sup> Rye 400 Event**  
*No report at this time.*

**V. New Business**

Currently, there are two alternate openings on the Heritage Commission. Chair Giblin agreed to reach out to Tim Durkin to see if he wants to continue as an alternate.

- Next meeting scheduled for July 6<sup>th</sup>, 5:30 p.m., Rye Town Hall

**Adjournment**

**Motion by Peter White to adjourn at 6:59 p.m. Seconded by Gail Hughes. All in favor.**

Respectfully Submitted,  
Dyana F. Ledger