



NEWBURYPORT  
PRESERVATION TRUST

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Linking the past with the present and future



Quarterly Newsletter of the Newburyport Preservation Trust

Winter 2015

# Another historic building lost: 1846 firehouse succumbs to the weight of snow... and other forces

*City's new pro-preservation zoning laws will never save any historic buildings if the laws are never enforced*

Another "test case" of Newburyport's new pro-preservation zoning laws, adopted to some fanfare in April 2014, never made it to a vote on February 24. A demolition order was issued for the 1846 brick structure at 114 Merrimac Street on the day prior to the hearing on its future before the city's Zoning Board of Appeals (ZBA).

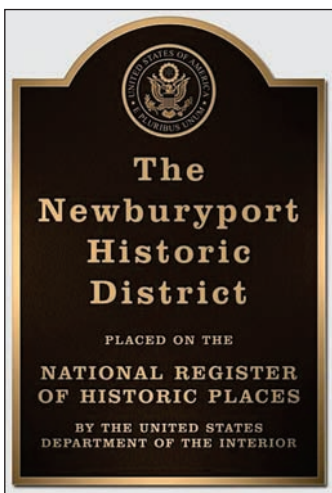
The building, the former Deluge No. 1 firehouse and a contributing structure in Newburyport's National Register Historic District, was the subject of an oft-continued public hearing before the ZBA – until a roof collapse on Feb. 23 rendered it a public safety hazard. The vacant and long-neglected building was demolished upon order from the city building inspector Thursday, Feb. 26.

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A "demolition-by-neglect"? At right is 114 Merrimac Street in summer 2014. Below was the scene on Thursday, Feb. 26, 2015. After years of "deferred maintenance," a section of the roof collapsed under the heavy snow. The compromised structure was then deemed a public safety hazard, and its demolition was ordered by the city. (Photo by Tom Kolterjahn)



*Signs of the Times?: This year's theme is infused with multiple meanings*



*The theme for 2015 Preservation Week: 'Signs of the Times'*

*Mark your calendar now for May 12-17, 2015 events*

Planning has intensified for Preservation Week 2015, scheduled for Tuesday through Sunday, May 12-17, at sites throughout Newburyport. This year's theme is "Signs of the Times," referencing the new National Register District Signs, the new NPT Historic House Plaque program, and the apparent pro-preservation sentiment of Newburyport voters at the ballot box.

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At the far right is one of five signs to be installed this year indicating Newburyport's National Register Historic District. Below left is a sign from NPT's new Historic House Plaque program. Above left are members of the Newburyport City Council that unanimously passed two new pro-preservation zoning ordinances in April 2014. Three of the pro-preservation city councillors were newly-elected the previous November.

## Another historic building falls to 'natural causes'

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**The long drawn-out story in brief:** In June 2014 prospective owners began seeking approval to demolish 114-118 Merrimac St. and construct a two-family home on the lot, located at the bottom of the Rte. 1 exit ramp at one of the city's busiest intersections. Sale of the property, still owned by Anita Kumari – Mr. India Restaurant was the most recent occupant of the building – was to be contingent upon approval of multiple permits from the city.

In June 2014, after two public hearings, the Newburyport Historical Commission voted unanimously that the building should be preserved, and noted in its report the non-maintenance of the vacant structure.

The applicants, represented by local attorney Lisa Mead, appeared before the ZBA eight times between June 2014 and February 2015, most times to request continuance. Plans were presented on September 16. The position of the applicants was that the property, in its long-neglected condition, no longer had any reasonable value or use, and demolition was the only

At right is the snow on the roof at 114 Merrimac Street that led to the partial roof collapse and eventual demise of the 1846 structure. (Linda Smiley photo)



option. Considerable opposition was heard, including from numerous NPT members. Some opposition included the assertion of the property's historical significance. This assertion merely served as a reminder, since all contributing structures within the city's National Register Historic District are, *on paper at least*, protected from demolition by the city's new Demolition Control Overlay District (DCOD) and Downtown Overlay District (DOD) ordinances.

Finally on Oct. 21 the Newburyport Zoning Board of Appeals exercised the right bestowed by law to engage an *independent* structural engineer, construction estimator, and real estate appraiser, paid for by the applicant, to render objective opinions on the value of the property and feasibility of preservation. Engaging these independent consultants took many weeks.

The most recent continuance was Feb. 3, which extended proceedings to the Feb. 24

meeting, at which time the applicants were to contest the structural engineer's favorable report on the building, and emphasize negative aspects of the appraiser's report.

But at the 11th hour on Feb. 23, Mother Nature, aided by years of apparent abandonment of the building, took over. The partial collapse of the roof created a hazard to human activity along the Rte. 1 exit ramp, and the building had to come down. Therefore there was no need for discussion or vote on demolition at the Feb. 24 meeting. The Zoning Board of Appeals missed out on an opportunity to show its backbone in enforcing the city's zoning laws.

(The city's new pro-preservation zoning ordinances address "demolition-by-neglect," but there has yet to be any enforcement.)

Attention turned to the special permits needed to build the two-family structure according to a plan that involves a drive-through garage in which cars would enter on Merrimac Street and exit out the back onto Mass. Dept. of Transportation property and turn onto the Rte. 1 off-ramp. In keeping with the project's history so far, the hearing on the special permits for this project is continued to the Zoning Board of Appeals meeting of April 14, 2015. ■

## Yes, this is indeed the winter issue ...

... although it is later than usual as we held out for any late-breaking news on NPT preservation advocacy efforts. Preserved Newburyport is still visible this winter: Beyond the snowbank below is the Charles Bulfinch designed courthouse (1805) on High Street.



## Preservation Week 2015: 'Signs of the Times'

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Featured this year will be an exhibition at the Custom House Maritime Museum detailing the Historic American Building Survey (HABS) of Newburyport's restored 1822 Powder House. Other highlights

include tours, lecture programs, and the annual Preservation Awards ceremony recognizing projects undertaken by preservation-sensitive property owners and exemplary preservation craftsmen.

Mark your calendar now for Tuesday through Sunday, May 12-17, 2015, keep an eye out for the latest developing details, and plan to join us for the tours and activities of Preservation Week 2015. ■

## NPT seeks to share downtown office space for efficiency & increased public visibility

In an effort to gain greater public visibility, streamline work, and consolidate archives, the Newburyport Preservation Trust is looking for office space in or near downtown Newburyport.

We need one room with access to a half-bath. It needs to be accessible to the public from the street, but can be on a lower or upper floor. This prospective office room rental needs to be very inexpensive and have no lease. We are also looking for members, non-members, or businesses who would like to support our moving into office space by donating a month's rent (or more) for a tax write-off. Since NPT will not use the office for full-time hours, another

small non-profit or business with similar small office needs could be a co-tenant.

If you can help NPT in this quest, contact Linda Miller, NPT Co-President, with your ideas, information, and suggestions at 978-462-9079. Thanks! – Linda Miller, NPT Co-President. ■

