

MASSACHUSETTS  
HISTORICAL  
COMMISSION

COMMONWEALTH OF MASSACHUSETTS  
Office of the Secretary of State

294 Washington Street  
Boston, Massachusetts  
02108  
617-727-8470

MICHAEL JOSEPH CONNOLLY  
Secretary of State

May 21, 1981

Mr. Robert R. Gravley  
Chairman  
Royalston Historic District Commission  
Butterworth Road  
RFD 2  
Orange, MA 02164

Dear Mr. Gravley:

Thank you for the wonderful visit to Royalston earlier this month. I was impressed not only with the striking architecture of the town but also with the enthusiasm and interest of the commission members (and guests!).

Enclosed are several items you requested: archaeological site forms; a sample, completed site form; and suggested readings about design review guidelines. Please keep me informed on your commission's work.

Sincerely,

Wendy Frontiero  
Preservation Planner  
Massachusetts Historical  
Commission

WF/pb

Enclosures

# PHONE REPORT

MASSACHUSETTS HISTORICAL COMMISSION

CB ✓

Call To / From:

Larry Meier

Address:

Chair, RHDC

Phone Number:

Business: (617) 499-2770  
Home: (508) 249-5930  
(Thursdays)

Town:

Royalston

Zip:

Subject / Project No.:

Date:

Compliance/Enforcement of Cof A's 3/5/90

Record of Discussion:

Royalston LHD is having recurring problems with enforcing compliance with C's of A once issued. Ch. 40c is very general about enforcement proceedings. (superior court has jurisdiction over enforcement) Short of this what options are available? Non-criminal disposition of cases would resolve issue, but not result in adherence to C of A, when offender simply chooses to pay fine.

What Advice does MHC usually offer. In such instances?

Let's look at a fine structure that would be a deterrent, and an alternative to litigation

Staff Member:

MV

## PHONE REPORT

MASSACHUSETTS HISTORICAL COMMISSION

JB ✓

Call To / From:

Larry Meier  
Town: Royalston

Address:

Chair, RHDC  
Zip:

Phone Number:

Business:

Home:

MV ✓

File: Royalston

617-444-2770

Subject / Project No.:

Date:

Compliance w/ cert of approp

3/5/90

Record of Discussion:

Returned Meier's phone call. Has  
2 owners violating spirit of c of a's.  
Can they enforce without resorting to  
court?

Explained that court is resort provided  
in 40C - however argument can be made  
that it is not exclusive remedy, due to  
statutory language. So that a by-law  
empowering LHD to enforce c of a might  
pass muster w/ AG. Gave him Tony Penski's  
number & emphasized that a by-law would  
be needed.

Staff Member:

MES

# PHONE REPORT

MASSACHUSETTS HISTORICAL COMMISSION

JB  
MS

Call To / From:

Larry Meier

Address:

Phone Number:

(617)  
Business MWF 499-2770  
Home: Tu-TH (508)  
249-5930

Town: Royalston

Zip:

Subject / Project No.:

Enforcement

Date:

3/9/90

Record of Discussion:

Gave info. to Mary Schwend for follow-up. She will contact LM.

They would like to have something on Town Warrant by April 1st. to address this issue. MV said not sure we could come up with something that quickly, + that we're presently looking into situation.

Staff Member:

# PHONE REPORT

MASSACHUSETTS HISTORICAL COMMISSION

MV

Call To / From:

Lorraine Casinighino

Town: Royalston

Address:

Royalston Historic  
District Commission

Zip:

Phone Number:

Business:

Home:

(508) 249-5151

Subject / Project No.:

Design review guidelines / authority

Date:

3/11/91

## Record of Discussion:

L. Casinighino called to discuss the appropriateness of skylights for an addition built onto an early nineteenth c. residence in the Royalston Historic District. She said she felt it was not appropriate because it was a change that would be fully visible from the public right-of-way. She also said they would likely install the skylights anyway and that there was not much the Historic District Commission could do about it.

There is interest in adopting more rigid guidelines for the district and also has some key questions on enforceability of the present historic district Commission's authority.

Mark -

Please call her and discuss. She is particularly interested in obtaining examples of guidelines from other communities.  
MV called 3/12/91

Staff Member:

PAH

7..

# PHONE REPORT

MASSACHUSETTS HISTORICAL COMMISSION (F4) JM

Call To / From:

Rick Carrier

Address:

P.O. Box 112

Royalston

Phone Number:

Business:

Home:

(508) 297-0033

Town: Royalston HDC

Zip: 01368

Subject / Project No.:

Date:

Review issue in LHD

3/25/91

Record of Discussion:

Royalston HDC reviewed an application for C of A for addition to property. Proposal included 5 skylights. HDC approved addition w/ 2 skylights (which would replace 2 existing that were previously approved by HDC). Bd. of Selectmen is challenging HDC approval. Bd. wants "no changes to occur in district." MV said that isn't really intent of HD, RC agreed. Bd. of Selectmen threatening to appeal HDC decision. MV said the Bd. of S. wouldn't have standing to appeal as an "aggrieved party" under 40c. If one of selectmen owns property in district they could personally appeal decision.

(over)

Staff Member:

MV



March 26, 1991

Rick Carrier  
Chairperson  
Royalston Historic District Commission  
P.O. Box 112  
Royalston, MA 01368

Dear Mr. Carrier:

Enclosed please find a map of the Commonwealth indicating those communities which have enacted local historic district ordinances and bylaws. A list of current district commission chairs is presently being updated and will be sent under separate cover. I have also enclosed several sample historic district design guidelines from various communities. The Town of Royalston may wish to draft similar guidelines to assist the review process in your district. I hope the enclosed information is useful to your commission. If you have any questions, please feel free to contact our office.

Sincerely,

*Mark Verkennis*

Mark Verkennis  
Director of Local Government Programs  
Massachusetts Historical Commission

enclosures



September 23, 1994

Andy West  
Chairman  
Royalston Historic District Commission  
P.O. Box 35  
Royalston, MA 01368

Dear Mr. West:

On behalf of the Massachusetts Historical Commission I would like to welcome you as the new chairman of the Royalston Historic District Commission. As I mentioned, although the Massachusetts Historical Commission does not have a specific manual for the administration of local historic districts, I am enclosing information on a variety of subjects that may be of use to the Royalston Historic District Commission.

I realize this is a great deal of information to digest all at once, and some of it may be redundant to what you may already have developed for the Royalston Historic District Commission, but I thought it might be useful for you to have some background materials on a variety of subjects relating to historic district administration. Please let me know if I can be of any additional assistance to the Royalston Historic District Commission.

Sincerely,

*Mark Verkennis*

Mark Verkennis  
Director of Local Government Programs  
Massachusetts Historical Commission

enclosures

Massachusetts Historical Commission, Judith B. McDonough, *Executive Director, State Historic Preservation Officer*  
Boylston Street, Boston, Massachusetts 02116-4802 (617) 727-8470 Fax: (617) 727-5128 TDD: 1-800-392-6090

Office of the Secretary of State, Michael J. Connolly, *Secretary*



Site visit, Chris Skelly, MHC  
& Royalston Hdc

Royalston  
Hdc  
Jan 21, 1999

John Bore - on study comm. since 74  
lhd created in '80  
had a hard case

• 20 applications  
per year.

Karen Bickford, resident.

1 1/2 yr on Comm.

difficult year, new construction in district  
procedures

have panel  
review in  
the by law

Clarence Rabideau, alternate  
not ares of district.  
streamlining

Ginger Asell, alternate.  
in district

Andy West, in district, 6 years  
chair for 4 years.

most of the members are residents

struggle between being commissioner & friends,

50 bldgs, 35 prop in district,

Rick Carter, 8-9 yrs. past chairman

new construction

applications after the fact. what do we do?

give in too easily, accommodate.  
public relations.

Bob Casandino 7-8 months,  
lives in hld.

streamlining the apps.

Someone last year put up a swimming pool &  
they required to take down until fence  
was put up.

Sign - for lhd - didn't get on the warrant.  
would ssp cover it, howell?

\$800.00, already approved by hld - local supervisor,

project different than was approved by hld.

applicant had diff set of plans attached to app.

emergencies - don't have time,  
to fix the roof,  
it was leaking & needed to be done  
immediately,

blde inspectors condemned the barn, ready to fall down,  
what happens then,

issued a cert of hardship for a handicap ramp.

how strong can they be w/ APA.

how does the hcl come in on APA compliance when do  
they review it

fire house - ~~door~~

metal door that was rejected by hcl for being metal,

Send them design guidelines.

Sent  
1/25

*Royalston Historic District Commission  
Royalston, MA 01368*

**RECEIVED**

OCT 05 1999

**MASS. HIST. COMM**

September 27, 1999

Christopher Skelly  
Director of Local Government Programs  
Massachusetts Historical Commission  
220 Morrissey Boulevard  
Boston, Massachusetts 02125

Dear Chris,

The Royalston Historic District Commission has just produced a new handbook which is being distributed to all homeowners in the district.

I thought you might like to have a copy for your files. This is our first attempt at a handbook and newsletter.

We would welcome any comments from you.

I am at 978-249-6081 or I can retrieve email at [Wernerb@erols.com](mailto:Wernerb@erols.com)

Sincerely,



Patience Bundschuh, Chairman  
Royalston Historic District Commission

**Skelly, Christopher @ SEC**

**From:** Skelly, Christopher @ SEC  
**Sent:** Monday, March 20, 2000 11:35 AM  
**To:** 'West, Andrew (MA19)'  
**Subject:** RE: legal council

If you didn't get "backed up" on a specific issue, we would provide whatever assistance was possible. I really can't answer this question hypothetically. It all depends. Sometimes, just our offering to call the Board of Selectmen or town counsel helps. Sometimes, sending a copy of a court case decision helps. Sometimes, our legal staff provides an opinion but that would absolutely depend on the issue.

In regards to design review assistance, there is nothing formalized here at MHC. We have, from time to time, reviewed an addition or new construction at the request of the local commission.

Chris.

-----Original Message-----

**From:** West, Andrew (MA19)  
[\[mailto:Andrew.West@honeywell.com\]](mailto:Andrew.West@honeywell.com)  
**Sent:** Thursday, March 16, 2000 11:20 AM  
**To:** 'Skelly, Christopher @ SEC'  
**Subject:** RE: legal council

No specifics. There is no real issue. We were going over our budget request for 2001. During discussion, the question was asked, where does the

money come from if we need legal assistance from the town council?

Answer:

the selectmen (but non-budgeted money is hard to get approved). So, we were

wondering, if the selectmen did not "back us up" on a particular issue because of fiscal or other reasons, would we have other avenues for help?

Also, don't forget about my question on the availability of historic resources.

thanks,

Andy

[andrew.west@honeywell.com](mailto:andrew.west@honeywell.com)

**Skelly, Christopher @ SEC**

**From:** Werner Bundschuh [wernerb@erols.com]  
**Sent:** Monday, November 27, 2000 2:02 PM  
**To:** Christopher Skelly  
**Subject:** On the Road

Hi Chris,

We are looking forward to your visit here on Thursday 11/30. I have not heard back from any of the surrounding HDCs yet so it may be just our group. I will make some follow up calls. I don't have any emails for the area HDC list.

Topics of concern for us are (1) the preparation of our design guidelines which are still underway - how best to identify our architectural styles correctly - maybe need some professional input. I thought of Ann Grady (formerly with SPNEA) - would be glad for your suggestions. (2) a review of the appeal process. We are still left with questions after our experience with our one & only appeal. (3) legal advice & representation - is this available to HDCs from any other source other than the town's lawyers. (4) Relations between local HDC and town government ( in our case- 3 selectmen )

Let me know what time you would like to arrive in Royalston. Would you both like some dinner before the meeting at 7 PM?

All the best,

Patience

Royalston Historic District Commission

**Skelly, Christopher @ SEC**

**From:** Werner Bundschuh [wernerb@erols.com]

**Sent:** Friday, December 01, 2000 1:53 PM

**To:** Christopher Skelly

**Subject:** On the Road

Hi Chris,

Many thanks to you and Gretchen for your visit to Royalston yesterday.

We all thought the session was very helpful. We also thought that the surprise attendance of David Tansey was after all a good thing. He was able to hear your input on a lot of subjects and Gretchen's opinion that we have something very special here. It was very helpful to hear Gretchen's remarks about the importance of acquired history over time represented by the steady evolution of changes to buildings in the district that help to tell the story. This has been a position of many on the Commission and it is good to hear reinforcement from a professional.

David Tansey /Landmark said that he will be bringing in an application (s) at the next meeting on Dec. 21. So the debate over his "Restoration" approach to a period of significance versus a preservation of significant features will no doubt ensue. The Commission has taken the position unanimously that the fence must be preserved and informed David by letter. David has responded by saying that the front part of the fence is on town property and therefore he is not responsible for repairing it. We have checked this out with the selectmen & through them with the town counsel. It is clear that the front part of the fence is on the town common and therefore the town has control over it. Because of David's presence at the meeting we did not go into detail about our concerns with his project. Can you give a clear answer to the question:

Is it possible for the HDC to apply for a "matching" grant to restore the town's part of the fence (assuming Tansey continues to refuse responsibility for it)? The match would have to be met by soliciting private donations as the selectmen will not entertain the possibility of using town funds for this purpose. The HDC will require Landmark to repair their section of the fence. We cannot require Landmark to repair the part of the fence which is on town property. If we had a plan for repairing the town's part of the fence, the hope is this combination would preserve this important feature. We would like specific advice about our options on this.

I think it is fair to take the position that we need resolution on the fence issue before we can issue certificates of appropriateness on other applications. Tansey will no doubt contest this position.

Would appreciate your advice on this.

Again, thanks for making the trip out here. Can you give me Gretchen's email also?

All best,

Patience

January 18, 2001

Patience Bundschuh, Chair  
Royalston Historic Commission  
The Common  
Royalston, MA 01368

RE: The Bastille Fence

Dear Ms. Bundschuh,

Recently, a staff person has been visiting many of the pre-1986 National Register Districts around the state trying to update the district data sheets. Enclosed you will find a draft copy of a District Data Sheet for the National Register District in Royalston. After our site visit, MHC decided that the fence around the *Bastille* would be considered a contributing element to the Royalston Common National Register District. Please note that all recent changes and or additions have been highlighted in gray. Since many districts in the past did not have district data sheets, outbuildings such as garages, barns and carriage houses were not counted; therefore, without a site visit it is hard to know just exactly what exists and what would be considered contributing and non-contributing. Another issue to think about is that many NRDIS with a period of significance may have had an end date of 1900 or the early 20<sup>th</sup> century, which means that many resources we would now consider contributing, were at the time of listing, considered non-contributing.

MHC wants to make sure all Local Historic Commissions are aware of these changes and in many cases there have been situations where the help of an LHC would be greatly appreciated. For example, there are cases where demolition has occurred yet MHC has no record of it. Also, there may be new additions within the district since the listing date and these should be noted in the new documentation and DDS. Also their impact on the overall integrity of the entire district will need to be assessed. Oftentimes Local Historic Commissions are more in tune with the changes in their own town and your assistance would be greatly appreciated. Therefore, please take the time to review the Question/Comments Column as well as the entire gray shaded areas, where a change has been made. Any pertinent information regarding these National Register Districts such as new assessor's maps; updated information regarding new construction and demolition, etc. would be a wonderful addition to our current files.

The general public views and uses these nominations and MHC is sure that all Local Historic Commissions would want the most recent, updated information to be readily available to our patrons. At MHC we try our best to stay aware of current changes within National Register Districts, but often the LHC is a great resource as well. Due to this fact it is vital that we keep communications open between MHC and you, the Local Historic Commissions. MHC looks forward to being able to work together with Massachusetts' communities and thank you in advance for all your support and help with updating these National Register Districts. It is our hope that you can take the next 3-6 months to review the data sheets enclosed and get back to us with any information and questions regarding this project.

Thank You,

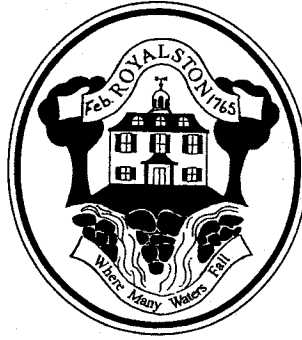
Caralyea M. Barranco  
National Register Program Assistant  
Massachusetts Historical Commission  
617-727-8470 x 232

RECEIVED

JAN 29 2001

MASS. HIST. COMM

Town of Royalston  
Royalston, Massachusetts 01368



OFFICE OF THE SELECTMEN

January 26, 2001

Ms. Elsa Fitzgerald, Assistant Director  
Massachusetts Historical Commission  
220 Morrissey Boulevard  
Boston, MA 02125

RE: Royalston National Register District Data

Dear Ms. Fitzgerald,

The Royalston Board of Selectmen has been informed via a press release from our Historic District Commission that "MHC has recently made a survey of the historic district to upgrade the district data for The Royalston National Register District and has decided to include this fence (on the Town Common in front of the Perkins Parsonage) as a contributing element in the National Register of Historic Places listing for Royalston."

The Board of Selectmen respectfully requests documentation for this action specifically the date upon which this action was taken, who participated in this decision and copies of any correspondence relative to this action.

We would appreciate your response as soon as possible, and thank you in advance for your courtesy.

Very truly yours,

Linda M. Alger  
Chairperson  
Board of Selectmen  
Town of Royalston

LMA:hed





## The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth  
Massachusetts Historical Commission

**To: Royalston Historic Commission**  
**From: MHC National Register Staff**  
**RE: Contributing and Non Contributing National Register Update Project**  
**Date: February 2000**

Recently, a staff person has been visiting many of the pre-1986 National Register Districts around the state trying to update the district data sheets. Enclosed you will find a draft copy of a District Data Sheet for the National Register District (s) in each town. Please note that all recent changes and or additions have been highlighted in gray. Since many districts in the past did not have district data sheets, outbuildings such as garages, barns and carriage houses were not counted; therefore, without a site visit it is hard to know just exactly what exists and what would be considered contributing and non-contributing. Another issue to think about is that many NRDIS with a period of significance may have had an end date of 1900 or the early 20<sup>th</sup> century, which means that many resources we would now consider contributing, were at the time of listing, considered non-contributing.

MHC wants to make sure all Local Historic Commissions are aware of these changes and in many cases there have been situations where the help of an LHC would be greatly appreciated. For example, there are cases where demolition has occurred yet MHC has no record of it. Also, there may be new additions within the district since the listing date and these should be noted in the new documentation and DDS. Also their impact on the overall integrity of the entire district will need to be assessed. Oftentimes Local Historic Commissions are more in tune with the changes in their own town and your assistance would be greatly appreciated. Therefore, please take the time to review the Question/Comments Column as well as the entire gray shaded areas, where a change has been made. Any pertinent information regarding these National Register Districts such as new assessor's maps; updated information regarding new construction and demolition, etc. would be a wonderful addition to our current files.

The general public views and uses these nominations and MHC is sure that all Local Historic Commissions would want the most recent, updated information to be readily available to our patrons. At MHC we try our best to stay aware of current changes within National Register Districts, but often the LHC is a great resource as well. Due to this fact it is vital that we keep communications open between MHC and you, the Local Historic Commissions. MHC looks forward to being able to work together with Massachusetts' communities and thank you in advance for all your support and help with updating these National Register Districts. It is our hope that you can take the next 3-6 months to review the data sheets enclosed and get back to us with any information and questions regarding this project.

Thank You,

A handwritten signature in cursive script that reads "Caralyea M. Barranco".

Caralyea M. Barranco  
National Register Program Assistant  
Massachusetts Historical Commission  
617-727-8470 x 232

enclosures

**Skelly, Christopher @ SEC**

**From:** Werner Bundschuh [wernerb@erols.com]  
**Sent:** Wednesday, February 14, 2001 1:45 PM  
**To:** Christopher Skelly  
**Subject:** The Big Vote

Hi Chris,

We are coming up to this thursday's public hearing and vote on the 6 applications now in the pipeline for changes to the Landmark Trust property.

The Commission has received letters from an abutter and the Chairman of the Planning Board suggesting that it would be premature and untimely for the Commission to make a decision about changes to this property until the owner has asked for & received permission from the town to get a variance to run Landmark's holiday program at this property. The reason being that the town could potentially end up with a building radically changed if the Commission voted in favor of the changes because the building inspector could then give building permits for these changes but would then have to halt the operation of the holiday rental program once it started in a building that is already irreversibly changed. The town law allows monthly lease rental in the Historic District but does not allow rentals of under thirty days. Landmark's published self catering holiday program offers a minimum rental of 3 days and a maximum rental of 3 weeks. The use of the property is not under the Commission's jurisdiction. The Commission is required to act on these applications within the 60 day limit.

Therefore would you agree that the Commission has the following legal options according to Chapter 40C

1. Vote on the applications at Thursday's meeting after the Public Hearing to deny or approve the changes not taking into account of the variance situation.
2. Delay the vote to the March meeting and use the full time allowed within sixty days to allow time for the owner to initiate a request for a variance change from the building inspector. This would still not be enough time to get the permission from the town before the HDC would be required to vote.
3. Allow the owner the opportunity to withdraw the applications and re-submit them when permission for a variance is granted by the town.

4. Deny the applications without prejudice because they are not timely.

We did not do this with the first application for removal of the balustrade but we did not have these two letters alerting us to the problem at that time. This would prod the owner to contact the Building Inspector & seek the necessary permission and allow him to resubmit the applications when he has the variance from the town. He would then have the assurance that he was not taking a financial risk.

The question is are the last three options appropriate & defensible positions under the law given that this applicant will first seek to contest the Commission's action.

I would appreciate your response as soon as possible as we prepare for tomorrow night's meeting.

As always, thanks for your guidance,  
Patience

2/15/01 CS suggested that HDC avoid variance issue, it is not w/ their jurisdiction. Again, told PB that I am not their legal counsel.

**Skelly, Christopher @ SEC**

**From:** Werner Bundschuh [wernerb@erols.com]  
**Sent:** Wednesday, February 14, 2001 4:19 PM  
**To:** Christopher Skelly  
**Subject:** More clarifications

Hi Chris,

Andy & I are going over procedures via e-mail and have a few additional clarifications & would value your input: Our bylaw is based on the language in Chapter 40C. We figure we can't be too careful and are re-examining everything!

1. Does a concurring vote of a majority consist of the members that show up for the meeting (as few as 4 (quorum) and 3 (majority)) or does the vote not count because there are too many members missing. I take it to mean that to issue a certificate, a majority of the meeting attendees must vote in favor.
2. Even though the bylaw states that a quorum is 4, I would stick with our policy of 5. Any variation could be seen as favoritism (or punishment).

This still means that the majority vote could be as low as 3.

3. Alternates: We have asked the alternates to vote when there is less than 7. When there are 4 regular members present and 3 alternates everyone would vote. In addition, I think that a quorum is any combination of full members and alternates that equals 5. The chair appoints the alternates to be full members at each occasion.
4. Now that I read the bylaw more closely, the selectmen are supposed to

appoint someone to serve the remaining term of the person who resigned. Therefore, it can also be said that alternates are permanent positions and never move up. This would be a major change from the way we do things. It seems like the way to go, though. Maybe another question for Chris. I don't like the idea because the green recruits don't get a chance to learn before they are thrown in the fire.

This is important because we have a new person appointed to replace a member who resigned. Our operating policy would bring this person in as an alternate and the other alternates would move up accordingly. This would mean that this new person would probably not have a vote at this meeting. I (Patience) feel that we should not depart from established operating procedure. A future meeting could deal with this issue if we need to change the way we have always done things.

Thanks,  
Chris

**Skelly, Christopher @ SEC**

**From:** Werner Bundschuh [wernerb@erols.com]  
**Sent:** Thursday, February 22, 2001 2:28 PM  
**To:** Christopher Skelly  
**Subject:** Update

Hi Chris,

Just to let you know we survived a lively, somewhat turbulent, Public Hearing on Feb. 15.

The issue that Landmark's self catered holiday use of the building is not allowable under the zoning for the historic district was on everyone's minds and the abutters are very upset. I made it very clear that this issue was not under the jurisdiction of the Historic District Commission and that we are required to take action on the applications before us. It was pointed out that the risk of proceeding before seeking permission from the town is Landmark's.

The Commission took two hours to deliberate over Landmark's 6 applications. The Commission approved 4 applications for Certificates of Appropriateness and denied 2 so Landmark got a lot of what they wanted including the demolition of the rear ell. The Commission did not feel it was appropriate to replace the front and south side doors as they are architecturally significant features of high quality, are historically significant in the evolution of the history of the house and are highly visible from a public way. So those two features along with the fence are the only elements the Commission now wants to see preserved. We still have no application or cooperation from Landmark regarding the fence so it is very frustrating.

We are all assuming there will be another appeal and will be surprised if David Tansey is prepared to comply. This time we would ask for a copy of the procedural guidelines instructing the appeal panel so we can participate more effectively in the process.

The house cleaning points I queried regarding appointments to fill out a term and whether a quorum can be made up of a greater number of alternates than members will be reviewed with a careful reading of our by-law. A little paranoia is sometimes a good thing! Thanks for your guidance on those issues.

Patience



CSK copy

**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
Massachusetts Historical Commission

March 21, 2001

Linda M. Alger  
Chairperson  
Board of Selectmen  
Town of Royalston  
Royalston, MA 01368

RE: National Register of Historic Places

Dear Ms. Alger:

With regard to your recent inquiry, the MHC's National Register staff has for the past several years been engaged in a project to update early National Register nominations (that is, those listed prior to 1986). These early nominations lacked district data sheets, the recording device that in more recent nominations are required to account for all buildings, structures, sites, and objects within the boundaries of a National Register-designated area. As part of this effort, in October 1999, the National Register program assistant, Caralyea Barranco, visited Royalston to walk through the Common district and compile a district data sheet. That information was reviewed with MHC's National Register Director, Betsy Friedberg. Subsequently, in February 2000, a copy of the data sheet was sent to the chairman of the Royalston Historical Commission inviting comments. No comments were received. More recently, on January 18, 2001, a second letter was sent with the same district data sheet that had been sent in February 2000 regarding this project. Again, no response has been received. At this time, the district data sheet information has been entered into our database.

The next step in MHC's updating effort will be to send a technical amendment to the nomination to the National Register in Washington, D.C. The amendment will include the district data sheet and a clarification of the district's period of significance; both are elements that were not required in the 1976 nomination. This procedure is one that we are following with all National Register districts listed prior to 1986, more than 400 districts.

I have enclosed copies of past correspondence and the district data sheet for the Royalston Common National Register District. If you have any questions, please contact Betsy Friedberg, National Register Director, or me at the MHC.

Sincerely,

A handwritten signature in cursive script that reads "Elsa Fitzgerald".

Elsa N. Fitzgerald  
Assistant Director  
Massachusetts Historical Commission

Enclosures

220 Morrissey Boulevard, Boston, Massachusetts 02125  
(617) 727-8470 • Fax: (617) 727-5128  
[www.state.ma.us/sec/mhc](http://www.state.ma.us/sec/mhc)

**Skelly, Christopher @ SEC**

**From:** Werner Bundschuh [goodshoe@earthlink.net]

**Sent:** Monday, April 30, 2001 3:04 PM

**To:** Skelly, Christopher @ SEC

**Subject:** Re: Cell Towers in LHDs

That sounds fine. I think you have covered our concerns. I imagine there are some instances where cell (towers) could be concealed in a church spire or Town Hall cupola and under those circumstances might be allowable in a historic district and of course if allowed would be subject to review if visible at all from a public way.

We are also concerned about vistas from the historic district. A looming cell tower on the edge of the district would certainly impact the character of the district. We would like to recommend that our Planning Board add to their amendment that a location outside (especially on the edge) and visible from the historic district would not be an appropriate place to site (allow) a cell tower. Could you add a query about regulation of cell towers within vistas of a historic district. The pine tree camouflage in Harvard, MA comes to mind. I will try to find someone to talk to there. The question of vistas is very sensitive for us because the historic district sits on a ridge with long rural views of the surrounding hill country.

We are looking for help with language to give our Planning Board so that the town's zoning by-law amendment concerning cell towers will include specifications for the historic district as part of the town zoning.

Unfortunately the Planning Board & we are under the gun and scrambling to get this amendment passed & on the books as the town has already had a first application for a cell tower. I am sure many small towns across the state are in the same predicament. It would be good to share experiences.

Our HDC is meeting this Thursday night and the Public Hearing for the review of the Planning Board's amendment for the town zoning by-law is next tuesday night May 8<sup>th</sup> so we have to get our act together pronto!

Thanks for your help, Chris

Patience

"Skelly, Christopher @ SEC" wrote:

HOW IS THIS FOR A QUESTION TO SEND OUT?

Hi all, a Historic District Commission in MA would like to hear about experiences with proposed cell towers in local historic districts. As you are all probably aware, MHC reviews cell towers under Section 106 because the operation of a cell tower requires a federal license from the FCC.

However, this HDC would like to hear about your local cell tower by-law. Does your cell tower local by-law specifically exclude all cell towers from the local historic district? Or can they be included under certain conditions? What are your experiences with the planning board, reviewing cell towers and so on.

# Historic Building Flap In Royalston

Page 8 ATHOL DAILY NEWS Monday, June 27, 2001

ROYALSTON — An historic building in need of repair on the town common has polarized a community and resulted in the replacement of the chairman and vice chairman of the historic district commission.

Selectmen on June 19 voted to not reappoint chairman Patience Bundschuh and vice chairman Andrew West and to appoint, as a alternative, in their stead, David Tansey, president of Landmark Trust, the group that has been working to restore the building known locally as "the Bastille" on the town common.

Bundschuh has been a member of the commission since the early 1980s and West for the past nine years.

Both said they were never warned by the select board that they had any problem with their actions and have not been notified that they were not reappointed.

Selectmen chairman William Reopell said the decision was made to replace the two in an attempt to get new people involved in town government. "When people serve in a position for a long period of time, they sometimes become very set in their beliefs," Reopell said. "It is sometimes good to get new people with new ideas involved."

Reopell denied there is any serious problem finding volunteers to serve on local committees although there were several vacancies at the last annual election. "These positions are appointed and not elected," Reopell said, "and serving for a long period does not grant anyone tenure."

He admitted, though, that the board supports Landmark's request and that Bundschuh and West were seen as the two members of the historic district commission holding the project up.

James P. Kelly, a property owner on the common called the select-board's actions "reprehensible" claiming it was an obvious act of revenge by the board for the two com-

*Royalston Page 8*

## *Royalston From Page 1*

mission members stand. "What is even more reprehensible is appointing David Tansey who is not even a resident of the community to the commission."

Kelly said Tansey, is merely a caretaker for Landmark Trust, the group who owns the Bastille and who, he claims, are responsible for its present condition. "They have done nothing but let that building deteriorate until it is a blot on the common," Kelly said.

Reopell added that the controversy has caused Landmark to lose a \$100,000 matching grant from the Massachusetts Historic Commission.

While everyone seems to agree the building is in need of repair, significant dispute has arisen over the type of and extent of those repairs.

Bundschuh claimed her group originally had no problem with a renovation and that she, in fact, was one of the original supporters of the project and sent a letter to the Massachusetts Historical Commission stating that support.

Bundschuh explained problems arose over Landmark's stated intent to restore the building to its original 19th century demeanor, a project she considers difficult as there are few photographs to show exactly what that appearance was.

Bundschuh said the group started to propose removal of features the commission consider architecturally significant despite their age.

"It is a matter of restoration versus preservation," explained West. "The historical district bylaw is a preservation document rather than just restoration."

Bundschuh explained the group first proposed removal of the

balustrade surrounding the roof of the structure. Landmark had stated the balustrade was badly decayed and was causing water damage to the building. They added the balustrade was not original and was added to the structure in the 1920s or 1930s and therefore conflicted with their plan to restore the building to its 19th century demeanor.

The commission at that time ruled that the balustrade was architecturally significant and denied Landmark's request for removal.

The company appealed that ruling to the Montachusett Regional Planning Commission who overturned the ruling of the historic district commission and the balustrade was removed.

Since that time Landmark has proposed removal of the ell on the rear of the building and removal of trim above the front door and south side entrance.

Bundschuh said there is no real way of knowing what the ell should look like as photographs of the structure are from the front or side but noted there are indications there has always been at least a shed-type ell. She said Landmark's plans call for no replacement whatsoever.

Landmark's plans also call for removal of a fence erected in the 1920s that the commission feels should remain.

Bundschuh explained that while the fence is not from the 19th century it is a last example of a type enclosure that was once popular on the common.

West said he feels common courtesy would dictate that selectmen at least formally notify Bundschuh and himself of their decision and added he plans to be at the next selectmen's meeting to inquire about their actions.

PEOPLE'S FUEL INC.

# Royalston Historical Panel Member Resigns In Protest

ROYALSTON — Clarence Rabideau has resigned his appointment to the Royalston Historic District Commission in protest over the recent actions of the Royalston Selectmen.

In a communication to the Athol Daily News, he stated, "Many of you have probably read the headlines in the Daily News on Wednesday, May 27 about the 'Flap' over the non-reappointment of Patience Bundschuh and Andy West to the commission and the controversy that supposedly led to this because of the restoration (or non-restoration) of the Bastille. You know the big run-down house on the common with the even more run-down fence on the road heading towards South Royalston.

"When Patience called me on Monday and informed me that the board had chosen not to reappoint her and Mr. West, I was shocked to say the least. She also received this information second-hand because the board didn't have the common courtesy to let both parties hear directly of their decision. And, when she informed me that they had appointed David Tansy to the historic district commission, well it became immediately clear what the reasoning was behind the selectmen's move.

"For those of you who don't know, Mr. Tansy is the representative of the Bastille's owner, the Landmark Trust. He has had a conflicting vision with the commission over the way the Bastille is to be restored. He believes the building should be restored to its original 1819 state. The commission sees the building as representative of its entire history and that some elements of its long architectural life should remain intact. This is in keeping with the rest of the common. "The rest of the buildings on the common show evidence of ongoing architectural influences. When Mr. Tansy began to make his applications for the restoration project the commission didn't give him everything he wanted. The commission is now seen as a stumbling block and so we are not in

favor with the board and new blood is needed to infuse movement on the Bastille's restoration and perhaps insure that voting goes the way Mr. Tansy wants?

"Of course, the votes of the two removed members count no more than any other member, so their influence is no greater than the rest of the commission. The entire commission has to have a majority vote to reject or approve any application before it.

"Mr. Kelley (James P.) has said he sees the act as one of revenge, and one has to agree it certainly looks that way! Let's remove the top two officers and maybe the voting will change.

"But will the strategy of removal work? It remains to be seen if this will mean smooth sailing for Mr. Tansy. The remaining and new members of the commission may not always vote the way he wants! Will this in turn lead to their removal?

A great deal of misinformation has arisen around the restoration of this potentially beautiful old home on the common. First and foremost is the idea that the commission had anything to do with the Landmark Trust losing a \$100,000 grant from the Mass. Historic Commission. This is ludicrous. The board is ill-informed if



## **Bastille** *From Page 1*

they buy this argument from anyone. Our local commission had no influence in the grant being lost by the Landmark Trust. The dealings and resulting decision were between the Mass. Historic Commission and Mr. Tansy as the Landmark Trust representative.

"The Royalston Historic District Commission makes local decisions in good faith to the best of its ability, keeping in mind the mission of the historic district commission. Bodies like this are not able to be selected based on the expertise of volunteers as educated preservationists or historic scholars. We read and learn as we go. In a small town you take what is available in the form of volunteers and hope for the best.

"A good example of this is how well Royalston has been served by Andy and Patience. They have dedicated themselves tirelessly to their appointments and rarely miss a meeting. They attend conferences and do research. They commit time and energy and set a high standard of "volunteerism" and most communities would feel lucky to have them on their commissions/committees.

"So what has happened? Well, small-town politics at its worst. The selectmen have dealt Mr. Tansy a pat hand and what he wishes to do with the Bastille will probably become a reality. When people see the results of the restoration they will probably be pleased and not understand what all the uproar has been about.

"The issue here is not the ultimate restoration of a building, but the support, or in this case the lack of support, that an elected group of officials gives its volunteers. Who wants to commit time to their communities if they aren't supported?

"Mr. Reopell said that there isn't an issue finding volunteers. I suggest otherwise. Committed volunteers are hard to come by. In my few years on the commission I have seen quite a few appointees come and go. And, many show up for meetings on a very irregular basis, making it hard sometimes to get a quorum. Even the paid positions in town are not always filled, or if so not filled for any great length of time.

"Patience and Andy have an incredible service record. Patience began her service in the 80s and Mr. West has served on the commission for nine years!

"I think Mrs. Bundschuh and Mr. West are due an apology for the underhanded way they have been treated. We live in an age when people are more and more reluctant to become involved in local community service. Hard working and committed people with a true interest in the greater community are sorely lacking. This board decision is one strong example of why this may be happening!

"Shouldn't citizens like Mrs. Bundschuh and Mr. West be commended for their service rather than sent packing?"

CLARIFICATION

Editor, Daily News

I would like to clarify some points in your article of June 29 entitled "Royalston Historical Panel Member Resigns in Protest."

1) The Parson Ebenezer Perkins House, also known as the Bastille, was uninhabited and unmaintained for more than 50 years when the Landmark Trust acquired it.

2) The Landmark Trust this past winter received all approvals necessary from the Royalston Historic District Commission for its proposed restoration of the Parson Ebenezer Perkins House on the Royalston Common.

As Mr. Rabideau surely knows, all but two minor items of our applications were approved on generally six to one votes with Patience Bundschuh, the chair, voting against every item.

3) The Bullock family members who donated the Perkins House to the Trust and whose family goes back seven generations in Royalston and includes a Governor and Speaker of the House, have been enthusiastic supporters of our proposals for the house.

4) The plans that the Trust proposed for the Perkins House are appropriate for the House and the Common. They acknowledge the important role that the Parson Ebenezer Perkins played in Royalston's history and they adhere to the Statement of Significance for the Royalston Common Historic District which states very clearly that it is the 19th century that is the important period for Royalston: "It is recognized by architectural historians and historical surveys as the best example of an early nineteenth century town common in Massachusetts." Furthermore, the RHDC in its handbook states: "Our village still retains its nineteenth century character even as we enter the twenty first century."

5) The RHDC did indeed thwart our grant funded work by stating clearly that it would not approve our project. It rejected the Trust's first application for restoration of the 19th century character of the roof. On appeal the Montachusett Regional Planning Commission in a unanimous decision repudiated the RHDC and ordered it to reverse its stand.

The Landmark Trust is well known for having rescued over 200 significant historic buildings in the past 35 years. Nearly all of our buildings had been neglected for years despite their importance. Our successes range from a simple 13th century farmhouse in England to a villa by Andrea Palladio in Italy to Rudyard Kipling's National Historic Landmark house in nearby Brattleboro. The Trust has received very many awards for the high quality of its preservation work.

We hope to rescue the \$215,000 in funding for the Ebenezer Perkins House that was lost, reverse the decades of decay, and make this house truly the "jewel of the Common."

David C. Tansey  
President

# Removal Of Royalston Panel Members Called A 'Mistake'

## Bundschuh, West Stay On Board

By PAULA J. OWEN

ROYALSTON — As the church bell rang in the pastoral common Tuesday night, more than 30 residents gathered for the board of selectmen's meeting in the town hall, some standing in the hallway to the small, packed meeting room.

The residents gathered to show their support of non-reappointed Royalston Historic District Commission chair and vice-chair, Patience Bundschuh and Andrew West, and express their dismay over the appointment of David Tansey as a member of the commission.

The selectboard listened to resident after resident.

Chairman William Reopell attempted to defuse the situation by taking total responsibility for what was termed a "mistake" in not reappointing Bundschuh and West to the commission.

His apology did not stop the barrage of comments from those wishing to express their opinions of what they said were "shameless" actions taken by the selectboard.

Reopell explained the board's decision was based on misinformation and that, in fact, Bundschuh's and West's terms were not up. The two were appointed in 1999 for three-year terms that will not be up until 2002.

Additionally Reopell apologized for the board's actions in not notifying the two members of the HDC of the board's decision not to reappoint before the new appointment list was made available.

West and others stated the board was remiss in appointing David Tansey, president of the Landmark Trust, working to preserve the Bastille, to the commission.

West said Tansey has been actively involved in conflicts with the HDC and has a vested interest in the property.

Tansey was not present.

Selectman Linda Alger said the decision to appoint Tansey was part of a larger agenda to obtain "new blood" for the committees and commissions in town. She said the problem in many small towns is the committees never get new people because there are not enough people involved in town government. Those committees, she said, become closed with no infusion of new people or new ideas.

Reopell said Tansey's appointment was made because of his higher education in historic preservation and to get "the historic eyesore moving."

Abutter to the property, James Kelley, addressed the board on the issue. "This letter is for the purpose of expressing our outrage regarding the recent action of the board in firing two key members of the historic commission," he began. "Your removal of the chairman, Patience Bundschuh, and the vice-chairman, Andy West, was a mean spirited and vindictive act not worthy of elected public officials in this town or any other town. By the removal of Bundschuh and West from the HDC you have demonstrated your insensitivity to the concerns of your fellow citizens, taxpayers, and residents on the common. Furthermore, by your action in appointing Tansey, a resident of Brattleboro, Vt., and representative of Landmark Trust, to the Royalston HDC, you have made a mockery of the dedication and commitment given by the commission members who are residents of Royalston."

Others also expressed their dislike for and their opposition to placing a non-Royalston resident on the commission, even if only as an alternate. They voiced their support of Bundschuh and West and the work they

**Royalston Page 8**

**Skelly, Christopher @ SEC**

**From:** Werner Bundschuh [goodshoe@earthlink.net]  
**Sent:** Wednesday, July 25, 2001 10:37 AM  
**To:** Christopher Skelly  
**Subject:** 3 questions

Hi Chris,

Would be interested for your input & to know if other HDCs have any experiences to share concerning these two issues.

1. Our Selectboard is initiating a thorough examination of it's appointment records for the HDC. This is percipitated by the Selectboard's recent move to not reappoint two members who discovered their terms had not expired. The Town Clerk has provided ten years of Selectboard appointment records. The records do not show in most cases when someone was appointed to fill out a term and when that former members term expired. Our bylaw states that vacancies shall be filled within 60 days by the Selectboard for the unexpired term. When the unexpired term is up, The Selectboard would then need to reappoint that person for a three year term . This has not been done. Most people were appointed for a three year term. This has affected the rotation of the membership. We are now trying to match up resignations with appointees to determine who should have been appointed to fill out whose term. We are using minutes, meeting agendas, correspondence & the Town Clerk's records to research this. One suggestion for a solution is to take the appointment date of each member for a three year term and use those expiration dates. This would result in an uneven rotation. Another suggestion is for the Town to dissolve and then reappoint the Commission on the start up terms of 2 members & 1 alternate appointed for one year, 2 members & 1 alternate appointed for 2 years and 3 members & 1 alternate appointed for 3 years. (This would give the Selectboard the opportunity to change the current membership of the board if they see fit.)

2. Our HDC wants Mass. Electric to replace a missing street light with the "old style" fixture to match the others existing in the district. HDC has asked the Selectboard's assistance to contact Mass Electric to do this. The Selectboard anticipates that Mass Electric will say they have none of the old type fixtures and will have to replace the missing fixture with an arc type fixture which will be out of character with the rest of the district. The Selectboard feels that Mass Electric will expect the town to provide the old type fixture. Do any other Commissions have experience with Mass Electric in similar situations?

These two issues will be on the agenda for the next Selectboard meeting on Aug. 7 so would appreciate inout before then if possible.

Thanks for your help Chris.

Patience

Patience Bundschuh, Chairman  
Royalston Historic District Commission

Friday, August 17, 2001

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## Royalston HC concerns

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### Royalston

Jason Fortunato  
Royalston, MA

#### Fax:

8/17/01 JF called because he was concerned about the historic district commission. He feels that all property owners are not on a level playing field. He was doing a stonewall and concrete pad in the rear and the HDC was there in 3 hours telling him to get an application. Another owner is replacing windows but no application was required. The chairperson put up a shed with no review.

He thought that MHC oversees the HDCs. I explained that definitely was not the case. His house was falling apart and he has now restored it but he is upset with the gestapo commission that picks and chooses what to enforce. People just walk into his backyard to see what he is doing. HDC members have talked about him from the street when he has company over. He likes patience but thinks she is outnumbered on the Commission.

I said that there wasn't much MHC could do. We don't oversee the commissions. I said that I really appreciated hearing his views on the Royalston HDC.

**Skelly, Christopher @ SEC**

**From:** West, Andrew (MA19) [Andrew.West@honeywell.com]

**Sent:** Friday, September 07, 2001 4:59 PM

**To:** 'Skelly, Christopher @ SEC'

**Subject:** RE: Shed

Chris,

I know I'm taking a lot of your time today. But, I thought of some more stuff to tell you about the shed built next door to Jason. I want you to know all the facts. The Village School, a private non-profit school, built the shed. The frame of the shed was started one weekend with volunteer labor. For what ever reason, they did not apply for a certificate. When the HDC noticed the shed the school was notified and they filed an application. Abutter notices were sent out and the HDC determined that a public hearing was not needed. A second weekend of volunteer labor was scheduled to finish the shed. The date was picked that suited the volunteer's schedules. That weekend occurred before the application was acted on. My son attends this school and I am a very active volunteer (I have since been appointed to the board of directors). Since the structure will be moved when the school moves (in 2 years or so) and since they promised to move it if the application was denied, I participated in completing the shed that weekend. During the HDC meeting where the application was voted on, I made all the members aware of my actions and my reasons for participating in the construction and also abstained from voting. (I always abstain on Village School matters anyway because my son attends.)

I'm sure that it appears to others that I either influenced the HDC, or gave some kind of wink to the Village School. I believe that my actions were appropriate and did not violate the fairness of anyone in the district.

Some other follow up points to our discussion:

When Jason came before the HDC at our last meeting with his criticism, we took it graciously and had a very frank and useful exchange with him. We acknowledged that some of his points were valid and that we would try to improve them. We also defended our attempt to hold everyone to the same standard as much as possible. We did not change any of his opinions, however. He stated his intention to never file an application again because he thinks we are not fair.

However, the main reason he came before us was to ask us to "look the other way" for "small stuff." I'll paraphrase, but, his point was that if someone is improving his property then the HDC should not require him to apply for approval. We told him that that would not be fair enforcement. Also, immediately after complaining that we were not tough enough on the person who is replacing the windows he admitted to us that he had replaced windows in his house that we had missed. So much for "look the other way," I guess.

The question remains, however, is there some slack we can give him for his cement and stone patio. The fact is that he asked ahead of time if he needed to file an application and was told, "no." If the commission, or a member, gives the wrong advice, is the burden still on Jason to right the wrong? Then again, if we do cut him some slack, we are right back in the favoritism hole that he is accusing us of in the first place. How can we require him to submit an application for the patio or require him to submit any other applications if we have no support from the Selectmen?



Sept. 13/01

To: Chris Skelly

From: Patience Bundschuh  
Royalston Historic District Commission

RE: Letter attached to my email that you had trouble opening. We are discussing this at a special HDC meeting tonight.

Please review and give me your feedback.

I have sent you a second email with another query. I would appreciate your advice.

Many thanks,

Patience - 978-249-6081  
goodshoe@earthlink.net.  
Fax - 978-249-5850

4 pages to follow.

*Royalston Historic District Commission  
Royalston, MA 01368*

September 11, 2001

Board of Selectmen  
Royalston MA 01368

Dear Board of Selectmen,

The Historic District Commission would appreciate your response to the following points concerning your decision made at the last Selectmen's meeting on 9/4/01 to order the removal of the fence surrounding the Bastille/Perkins House in the Royalston Historic District and also your prior action which has resulted in the removal of a collapsed section of this fence.

The Commission has not received any communication from the Selectboard concerning either of these issues. Therefore, our information is based solely on the report of the Selectmen's 9/4/01 meeting in the 9/5/01 copy of The Athol Daily News. For clarification on your actions and to determine if due process was followed, Commission members will attend the next Selectmen's meeting on 9/18 and are requesting time on the agenda.

The Historic District By-Law states that no building or structure within the historic district shall be constructed or altered in any way that affects its exterior features unless the Royalston Historic District Commission shall first have issued a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship with respect to such construction or alteration.

1. If the newspaper report is accurate, The Selectboard appear to have ignored the HDC town By-Law by removing the collapsed section of the fence and by voting at the last selectmen's meeting to remove the fence surrounding the Bastille/Perkins House without complying with the requirements of the By-Law.



The HDC By-Law allows for an exception to the enforceable requirements regarding removal or alteration of a building or structure for public safety stating that a building or structure must meet the requirements of a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition.

2. If the newspaper report is accurate, The Selectboard appear to have overstepped their authority by determining that a collapsed section of the fence lying on grass, not clarified as town land, was a public safety hazard requiring emergency removal without holding a meeting or consulting the town Historic District Commission or filing an application with the Commission or communicating with the Commission in any way.

The HDC is the regulatory authority concerning any change visible from a public way in the historic district.

3. If the newspaper report is accurate, The Selectboard appear to have abused their authority by circumventing due process in voting to remove the surrounding fence. The newspaper report does not clarify how much of the fence is affected by the Selectmen's vote or if the fence involved is actually on town or private land. Again, the Historic District Commission did not receive any communication from the Selectboard explaining why they felt it necessary to ignore the town regulatory authority concerning any change visible from a public way in the Historic District.

The Selectboard is aware that the Historic District Commission has identified this fence as a distinctive, defining characteristic in a highly visible central location in the Historic District worthy of protection & preservation and that the Royalston Historical & Village Improvement Society supports this assessment and that The Massachusetts Historical Commission has listed this fence as a contributing structure on the National Register listing.

4. If the newspaper article is accurate, The Selectmen appear to have abused their power by undermining the authority of the town Historic District Commission, ignoring the opinion of the town Historical Society and contradicting the work of The Massachusetts Historical Commission by voting to order the removal of the rest of the surrounding fence.

According to the newspaper article, The Selectmen stated that the fence is on town property with a portion on the Town Common as well.

5. If the newspaper article is correct, The Selectmen have inferred that more of the fence is on town property than is clearly marked on the map of the town center. It appears that the Selectmen may have authorized the town DPW to remove part of the fence from private property.

According to the newspaper article, The Town Counsel said that an easement to build the fence was granted back in the 1930's to the original owner Calvin Bullock, and that the easement ceased with the death of Bullock and that any new fence construction could only be done if a new easement was granted. The Selectmen voted unanimously to have the fence removed.

6. In taking this action, the Selectmen do not indicate if they mean the entire fence or only the fence on town land.

The easement given to Calvin Bullock recorded in the town minutes applies to that part of the fence built on town land. If the easement ended with the death of Calvin Bullock, it has never been challenged or revoked till now. This fence is a highly visible and important feature of the Royalston Historic District and is under the jurisdiction of The Historic District Commission.

7. The Commission requests further clarification from the Selectmen and the Town Counsel regarding the disposition of the part of the fence that sits on town land in the Historic District.

In the Commission's opinion, by taking this action, the Selectmen have robbed the citizens of the town their right to due process and a public hearing on the fate of this important structure and have interfered with any opportunity for compliance with the stated purpose of Chapter 40C of the general laws of Massachusetts and the Historic District By-Law.

Please clarify and explain your actions.

Sincerely,

Royalston Historic District Commission

**Skelly, Christopher @ SEC**

**From:** Werner Bundschuh [goodshoe@earthlink.net]  
**Sent:** Friday, March 08, 2002 9:51 PM  
**To:** Gretchen Schuler; Christopher Skelly; Gradoia, Eric @ SEC  
**Subject:** Fence news

Greetings from Royalston,

I thought you might be interested to know the most recent development in the long running " fate of the Bastille fence in The Royalston Historic District" story!

The fence surrounding the Bastille on the Common is now owned by The Village Improvement & Historical Society, after a town meeting vote last night. The two articles on the warrant to transfer ownership by means of a \$1.00 sale and an easement to work on the fence were approved. The fence was considered abandoned personal property on town owned land, and the first article approved had the town assuming ownership of the fence. The other article to sell the fence to the Historical Society, also granted them an easement so they could perform repairs & maintenance. The Historical Society is committed to fundraising for the repair & restoration of the fence. Landmark Trust, owners of the Bastille, have disavowed any responsibility for maintaining the fence surrounding their property.

David Tansey/Landmark Trust has said in the press that ... he cannot afford nor does he want the fence but he understands the voters will decide.

This is great news but now we have to raise a large sum of money! The estimates for repair and/or rebuild where necessary are \$20,000 - \$30,000. The Historical & Village Improvement Society is a private, non profit organization which owns & maintains its own building in the historic district.

On behalf of The Historical Society, I would be very grateful for your advice about potential grants for which we would be eligible to apply for this effort.

Thanks very much for any advice & guidance you can offer.

Patience Bundschuh