

TOWN OF WILTON MASTER PLAN
CHAPTER VI: Historic and Cultural Resources

HISTORIC AND CULTURAL RESOURCES

Introduction

Structures and sites that survive from earlier periods are the visual manifestation of a town's history. They contribute to a town's individuality and lend a sense of continuity from the past to the present. Historic sites and structures are but one part of a town's total environmental resources and, like many others, are nonrenewable, capable of being preserved or vanishing with a single action. These sites and structures also have potential monetary value to the town. Historic districts have been shown to increase the value of properties contained within and nearby. The historic character of Wilton's downtown area, one of the town's only two commercially zoned areas, might better draw retail investment if new buildings and renovations to existing ones support this characteristic. For all these reasons, it is the responsibility of our community to plan a program of historical and cultural resource protection, based on local needs and desires. In short, a plan for our town's future without a look to its past is incomplete.

WILTON HISTORICAL SUMMARY

The town of Wilton was first settled in 1739 and incorporated as a town in 1762. Originally, the center of town was in the area now called Wilton Center, where two town meeting houses, town pound, two schools, other community buildings, and a cemetery were located.

Throughout Wilton's history, industry has developed in balance with agriculture. In the mid 1800's, Wilton's dairy farms made it the largest producer of milk in the state and sent daily shipments of dairy products to Boston. By 1839, Wilton also contained 8 sawmills, 5 gristmills, 3 tanneries, 2 fulling mills, and a bobbin manufacturer. Many of the early industries were in West Wilton, which was the industrial center of the town during the 1700's and early 1800's. In 1895, the New Hampshire atlas still shows Wilton (population 1100) and West Wilton (population 150) as separate communities.

The advent of the railroad, along with the availability of waterpower from Stoney Brook and the Souhegan River, increased the industrial and social prominence of East Wilton, which includes the current Wilton downtown area. During the 1800's, East Wilton became a leading manufacturing and commercial center for the region, specializing in the production of flannel and dress goods. The Bales/Holt factory (1814) was one of the first cotton and woolen producers. The earliest textile manufacturer to be incorporated (1829) was the Wilton Manufacturing Company. This textile mill and its successor burned, but in 1882, on the same site, Colony Brothers constructed a large, four-story, brick and stone mill for manufacturing flannel woolens. The mill, which became the Abbott worsted mill, ceased operations in 1970. The building is currently owned and occupied by Label Art.

As the result of three disastrous fires in 1874, 1881, and 1884 that forced rebuilding along Main Street, most commercial and public buildings in the current downtown area reflect architectural styles common around the turn of the century and into the 1920's. Several of these, the library, Masonic Temple, Town Hall, and bank building, are fine examples of architecture typical of the time in which they were built. However, even the downtown area has a few commercial buildings and a number of private residences that date to earlier periods. Because the downtown area has been relatively free of new commercial development for an extended period of time, Wilton's downtown area still has its railroad station and blacksmith buildings. These two kinds of structures have typically disappeared by the time most towns start any historic preservation efforts.

Houses and other structures built in the early 1900's, 1800's, and even 1700's are clustered in Wilton Center, West Wilton, and the former Davisville area and are also scattered in other areas of town. For example, Wilton Center has the original town pound (1773) and the oldest continuously occupied church in New Hampshire, along with another church and a number of homes and buildings

that are historically significant. In West Wilton, all but two of the buildings shown in an 1847 buildings map are still standing. Among these are all the homes built in West Wilton when it was first settled in the 1780's.

The Davisville area has a measure mill still capable of water-powered operation and a farm that are both listed on the National Register of Historic Places.

The sections that follow:

- Identify historic preservation actions Wilton has taken to date
- Describe the tools available to the town and private citizens for the preservation and enhancement of historic sites and areas
- Recommend actions that the town should take to protect its historically significant resources
- Preservation Action to Date

PRESERVATION ACTION TO DATE

A fair amount of historical data collection and preservation action has been done in Wilton by private groups and individuals. In the 1980's, five sites in Wilton were approved for listing on the National Register of Historic Places. In the same period, there was an effort to win voter approval for a commission to investigate designation of Wilton Center as an historic district (not approved) and a study of the downtown area with recommendations for improvements (not implemented).

In the last two years, there has been a resurgence of interest in historic preservation. Voters approved sufficient funds to ensure that needed renovations to the Town Hall (new windows, handicapped access, and painting) were in keeping with the building's architectural style. The first floor renovations, now complete, are a source of pride for the town government and community at large. Community interest (including substantial private donations) also helped win Wilton selection into the Main Street Program, which provides training and technical assistance aimed at downtown revitalization.

Wilton Historical Society

The Wilton Historical Society, which meets monthly at the town library, has been active, on and off, for over fifty years. The Society has maintained for many years a collection of artifacts, documents, and photos that are located in the Historical Rooms on the second floor of the library. Many items in this collection were donated soon after the library was built in 1908. The collection is now quite extensive, both interesting to the casual viewer and useful to those doing historical research. The Historical Society was responsible for publishing brochures and historical sketches for the town's and the Nation's bicentennial celebrations. Some Society members were instrumental in preparing applications for Wilton sites listed on the National Register of Historic Sites and Areas.

Wilton Main Street Association

In 1998, Wilton was one of three towns in the state chosen to join the Main Street Program, a national program aimed at preserving and revitalizing commercial downtown areas. The Wilton Main Street Association (WMSA), under the direction of a paid part-time manager, is a volunteer organization of citizens and merchants who are working with town officials on various projects to improve the look and economic vitality of Wilton's downtown. Although the WMSA is chartered specifically to drive improvements in the downtown area, preservation and restoration of historic buildings, collection of historical data and photos, and improving public awareness of Wilton's historic and cultural resources are among the association's projects.

Wilton Sites on the National Register of Historic Places

Wilton currently has five sites listed on the National Register of Historic Places:

- The Wilton Public Gregg Free Library, a neoclassical structure built in 1908
- Daniel Cragin's Mill, now known as E. B. Frye and Son Mill, which dates to the early 1800's
- The Old County Farm Road bridge
- The Whiting homestead on Old County Farm Road
- Stonyfield Farm

Other sites in Wilton, such as the Town Hall, are likely candidates for listing in the register. There are also areas, such as Wilton Center, West Wilton, and the current downtown, that likely meet the requirements for listing as historic districts.

Town History

The only comprehensive history of the town was published in 1888 and is currently out of print. Information about historical events of the late 1800's and throughout the 1900's exists in fragmented pieces: brochures, town reports, the town library collection, and private collections. There is currently an effort, driven through the Wilton Main Street Association, to collect photos and historical data, including oral histories of Wilton senior citizens, with the eventual goal of updating the town history.

TOOLS FOR THE PRESERVATION AND ENHANCEMENT OF HISTORIC SITES AND AREAS

Like many New England towns, Wilton has a high proportion of older homes and other buildings that contribute to its visual identity. To date, any protection of these structures has been accomplished by owner action alone. Currently, the Wilton Planning Board controls development mostly through zoning. Zoning regulations may not be enough to protect Wilton's historic resources in the future. It is the private sector that must provide the support necessary to ensure that the town's historic resources remain an integral part of everyday life. Therefore, the town must seek a broad-based partnership with private citizens that works on a variety of levels to protect our historically and culturally significant sites. This section lists and describes the kinds of facilities and tools that can be used in this partnership. It is, of course, a local decision as to which tools are most appropriate for Wilton.

Private Individuals and Organizations

Most building renovation is done by private individuals or groups. Unfortunately, improvement work undertaken with good intentions can often use techniques or materials inconsistent or insensitive to an older building. As a result, the integrity of the building is compromised or the work may actually damage the building it was intended to preserve. A wealth of specialized information covering topics sensitive to the needs of older buildings is available from the New Hampshire Division of Historical Resources and other places. It is important for the town to make this kind of information conveniently available to individuals doing restoration or remodeling work on older properties.

Historical societies and organizations like the Wilton Main Street Association can enhance public awareness of the importance of preserving the town's historic quality and explain preservation strategies through slide shows, walking tours, pamphlets, and other publications.

Historic Resources Survey

Preservation through documentation is perhaps the most basic, essential, and non-controversial of preservation strategies. There are several advantages in undertaking an historic resources survey, which is a detailed descriptive and photographic inventory of all buildings and other sites worthy of preservation and rehabilitation because of their historical or architectural significance. In addition to providing a permanent and complete written and photographic record of a town's architecture, the survey is the foundation for using other preservation tools, such as nominations to the National Register of Historic Places and/or establishment of local historic districts. Data gathered in a survey may encourage a greater appreciation of the existing environment by town citizens. Historic resource assessments are also necessary parts of the environmental reviews required by projects receiving federal

funding. Survey information helps future decision-making because it establishes a baseline for measuring results over time.

National Register of Historic Places

The National Register of Historic Places is the official list of the nation's cultural resources worthy of preservation. Established by the National Historic Preservation Act of 1966 and administered by the National Park Service within the Department of the Interior, the Register lists properties of local, state, and/or national significance in the areas of American history, architecture, archeology, engineering, and culture. Individual structures may be nominated by themselves or an area that contains multiple historically significant structures may be nominated as an historic district.

In New Hampshire, anyone may prepare a nomination application. National Register forms, maps, and photographs are submitted to the NH State Historic Preservation Office for review by the State Review Board. Following approval at the state level, the nomination form is sent to Washington, D. C. for final review, approval, and listing.

A National Register listing has the following advantages:

- Recognition of local, state, or national significance often stimulates appreciation of local resources and pride in ownership.
- Any federally-funded project that affects the listed property must be reviewed to ensure that the project does not compromise the property.
- The listed property (if privately owned) is eligible for certain federal tax benefits, including a 20% tax credit for the rehabilitation of income-producing buildings and a charitable deduction for the donation of easements.
- The listed property can qualify for federal preservation grants when such funding is available.

To be eligible for listing on the National Register, a property or district must generally be older than fifty years and possess the "quality of significance" as specified below:

The quality of significance in American history, architecture, archeology, engineering, and culture in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and

- a) that are associated with events that have made a significant contribution to the broad patterns of our history; or
- b) that are associated with the lives of persons significant in our past; or
- c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- d) that have yielded, or may be likely to yield, information important in prehistory or history.

In an historic district, each building in the district may not be an outstanding landmark on its own, but the group of structures taken as a whole must convey a strong sense of history and integrity. Structures that have been greatly altered or that do not contribute to the character of the district are noted as "non-contributing." Once nominated, a National Register district must have the approval of a majority of the property owners in the district. Each owner has a single vote, regardless of the number of eligible properties he or she may own and regardless of whether an owned property contributes to the district's historic significance. In the case of a single, privately owned property with one owner, the property cannot be listed as an individual site on the National Register if the owner objects.

Listing on the National Register does not interfere with a property owner's right to alter, manage, dispose of, or even demolish his or her property unless for some reason federal funds are involved. Nor does listing on the National Register require an owner to open the property to the public.

A listing on the National Register can act as a catalyst to change public perception and improve an area's image. So, it is a psychological first step towards historic awareness, respect, and protection.

Local Historic Districts

The term "historic district" can refer to either a locally designated historic district or, as discussed in the preceding section, a National Register Historic District. Both are useful preservation tools but differ in the way they are established and the protection they afford. An historic area may be both a locally designated historic district and a National Register historic district.

The most comprehensive preservation tool available to local governments under state law is the creation and administration of a local historic district. A local historic district is characterized by a grouping of structures and/or sites that physically and spatially comprise a specific environment. Buildings may represent a cross section of ages and styles but should be unified by past events, plan, or physical development. As authorized by New Hampshire RSA 674:45, an historic district commission must be approved by (depending on the type of town government) town council or town meeting to prepare a suitable ordinance to govern the commission's management and decisions. The commission may contain five or seven members, each with a demonstrated interest in and ability to understand, appreciate, and promote the purposes of the historic district. After the commission has drafted an historic district ordinance, two public hearings on the ordinance should be held at least fifteen days apart. Fourteen days notice prior to each hearing must be given with proper notification in a newspaper of general circulation and proper posting. After the public hearings, an official ballot must be presented to town voters. The majority of the voters must vote in favor of the historic district ordinance before it can go into effect.

The concept of historic districts exemplifies the growing recognition that buildings do not live in a vacuum and that protection must be provided to structures as part of the total environment. The purpose of a local historic district is to protect and preserve areas of outstanding architectural and historic value from inappropriate alterations and additions that might detract from an otherwise distinctive character. RSA 674:45 specifies the following purposes of a local historic district:

- Preserves an area that reflects cultural, social, economic, political, and architectural history
- Conserves property values
- Fosters civic beauty, strengthening the local economy
- Promotes the use of the district for the education, pleasure, and welfare of community citizens

After the ordinance that governs the local historic district is approved by voters, the historic district commission has the authority to consider the appropriateness of any proposed construction, exterior changes, or demolition of any structure within the district. In addition to rules for buildings, rules for streetscape features, above ground utility structures, and signs are often also specified in the ordinance and therefore regulated by the commission. The ordinance enforced by the commission must precisely specify permitted and prohibited actions and regulated activities. Expectedly, ordinances for local historic districts vary widely in their degree of strictness. Permitted activities might include routine maintenance, painting, replacement of exterior features with similar features, rehabilitation, and landscaping. Prohibited features might include artificial siding, lighted signs, mercury vapor lighting, and so forth. The ordinance for a local historic district can specify the use of land as well as its appearance or aspect; however, town voters can limit the commission's powers so as not to include land use regulation.

It is important to note that an historic district commission controls non-contributing structures as well as new construction within the district. Alterations and additions within the district are individually reviewed with respect to their mass, scale, and detailing in relation to surrounding structures.

An historic district commission may be abolished upon petition of 25 voters, followed by two public hearings, and a town meeting in which two-thirds of the voters affirm abolition. The success of any local historic district is dependent on a variety of factors, including local support and the ability and commitment of the town to enforce such regulation.

Heritage Commissions

Starting in 1992, heritage commissions became another preservation tool that New Hampshire towns can use. Unlike local historic district commissions, whose responsibilities are limited to a specified area of town, heritage commissions are intended to have a broader, town-wide scope. A heritage commission has the responsibility of advising and assisting other local commissions and boards, including the planning board. While some communities opt to have heritage commissions that are only advisory, others decide to merge one or more local historic district commissions with the heritage commission. New Hampshire RSA 674:44-a, RSA 674:45, and RSA 674:46 allow New Hampshire communities to choose their own level of official involvement in historic preservation.

An innovation of the heritage commission legislation is that it allows towns to establish a non-lapsing heritage fund that the heritage commission can spend to acquire property and/or easements in much the same way that a municipal conservation commission might. That is, the heritage commission can spend this money after a public hearing, without going back to the selectmen or town meeting for approval.

Historic Building Rehabilitation Tax Incentives

The rehabilitation of older buildings, frequently less expensive than new construction, is a cost-effective solution that benefits the tax base while giving new life to older structures. The Economic Recovery Act of 1981 provides attractive incentives in the form of federal investment tax credits for the substantial rehabilitation of income-producing older buildings. The act was passed to support preservation by eliminating tax incentives that encouraged the demolition of historic structures. Tax credits are deducted from taxes owed, not income earned, with an 18-year cost-recovery period. Currently, the tax incentives take the following two forms:

- A 10% tax credit for commercial and industrial buildings that are 40 years or older
- A 20% tax credit for commercial, industrial, and income-residential buildings that are certified as historic structures 50 years or older and that undergo a certified rehabilitation

To be eligible for the 20% tax credit, the building must be listed individually on the National Register, specified as a contributing structure in an historic district listed on the National Register, or specified as a contributing structure in a local historic district. Certified rehabilitation work is work that adheres to the Secretary of the Interior Standards for Rehabilitation, a list of ten standards to ensure that significant features of the building will not be compromised. Only the 20% tax credit has guidelines for how rehabilitation work must be done. However, owners of properties within historic districts must use the 20% tax credit or obtain certification that their building is not a contributing historic structure. Although it involves increased paperwork and procedures, the 20% tax credit is a larger monetary savings with more advantageous depreciation rules.

Municipally owned structures are not eligible for these tax credits.

Revolving Funds

Revolving funds are self-replenishing loan pools. The money in the pools comes mostly from donations and is used to restore buildings. The fund revolves when the restored building is sold. With a revolving fund, a non-profit organization can either acquire a deteriorating building, restore it, and sell it or make low interest loans available to those who need to restore their historic buildings.

Scenic Road Designations

New Hampshire RSA 231:157 and RSA 231:158 enable a town to designate any road as scenic unless it is a Class I or II highway. On petition of ten people who are either voters of the town or whose lands abut the road to be designated as scenic, the proposal can be voted on at town meeting. A majority approval vote at town meeting designates the road as scenic.

A scenic road designation protects trees and stone walls situated on the public right-of-way insofar as it requires written consent of the planning board or official municipal body of the town before such trees and stone walls can be cut or removed, totally or in part.

The scenic road designation does not affect the town's eligibility to receive state aid for road construction, nor does it affect the rights of abutting landowners.

Designation of scenic roads can help preserve the rural environs around a town's historic structures. It also stimulates pride in and respect for the existing landscape. This is an important tool for preserving historic structures in rural areas, whose heritage is reflected in an inseparable bond between architecture and landscape.

Easements

New Hampshire RSA 447:45, RSA 447:46, and RSA 447:47 specify Conservation Preservation and Agriculture Conservation Restrictions, commonly known as easements. An easement is a property right that can be bought or sold. It allows a property owner to put limitations on a property when an easement is sold or for another person or organization to set limitations on the property owner when an easement is purchased or donated. Easements can be of two types: conservation or preservation.

A preservation easement is an agreement between the owner of an historic property and a government agency or preservation organization and gives the latter the right to review any proposed changes to the property. In return for giving an easement, property owners are eligible under the Tax Treatment and Extension Act of 1980 to make a deduction from their taxes. If the easement is donated as a lifetime gift to an organization, property owners can receive a deduction for up to 50% of their adjusted gross incomes. The cost of securing easements may be significantly lower than buying properties outright in order to protect them because easements can be acquired by donation.

Preservation easement donations are of two major types: exterior or interior. The first is donation by the property owner of an easement for the building's façade. This can include air rights, exterior maintenance or alterations, and so forth. The second type of preservation easement is one for a building's interior, which can restrict changes to all or part of the interior. Interior easements are rarely used because they are difficult to acquire and enforce.

A conservation easement can give protection to open spaces, scenic areas, waterways, wildlife, and farmland. Conservation easements are often superior to zoning and local historic districts in preserving historic structures in rural areas, both because they preserve appropriate setting for the buildings and restrict development that may lead to demolition of older buildings.

Covenants

A covenant is a contractual agreement in which the owner of a building agrees to maintain its historic and architectural character. A covenant can be written as an affirmative or negative provision. An affirmative provision requires the owner of an historic structure to ensure its continued upkeep. A negative provision, or restrictive covenant, requires the owner to abstain from making changes to the building that would compromise its historic or architectural integrity. The right to enforce a covenant is normally granted to a preservation agency.

The legal difference between easements and covenants is that easements are an interest in real estate, whereas covenants are only a contractual obligation. However, covenants can sometimes be made binding on future property owners, not just the owner with which the contract was made. In this

case, the distinction between an easement and covenant is blurred in terms of which one provides better protection to historic resources.

Deed Restrictions

New Hampshire RSA 447:45, RSA 447:46, and RSA 447:47 allow a property owner to place restrictions on the deed to the property, assuming a charitable or preservation organization is willing to accept and monitor the restrictions. Deed restrictions are especially appropriate for owners with homes they can no longer afford and that they would like to see future owners preserve. If property owners donate preservation restrictions in perpetuity to a public body or non-profit organization, they may be eligible for a charitable deduction from federal income tax.

Innovative Land Use Controls

New Hampshire RSA 674:21 gives communities authority to adopt a variety of innovative land use controls that can support the preservation of community character and, consequently, historic resources. For example, the use of clustering allows development to be located away from sensitive areas, agricultural land, or historic areas. The concept of the transfer of development rights is another strategy that can help a community retain its historic character.

Building Code Provisions

Standards, such as building codes, that are intended to protect the public's health and safety may cause complications to the use or rehabilitation of an historic building. As a result, some communities have elected to amend local building codes to exempt historic buildings from certain requirements, other than life safety provisions. The exemption allows historic buildings to continue to be used safely without imposing requirements that an older building cannot meet without significant loss of integrity. Chapter 32 of the Basic Building Code of Building Officials and Code Administrators (BOCA) specifically addresses the need for sympathetic treatment of historic structures and allows historic buildings to be exempted from the Code in some cases.

Conclusions

A few of the tools discussed in this section have been used in Wilton, but application has been sporadic and localized. At this point in time, action in three problem areas would seem most appropriate for the town.

The first problem is that Wilton lacks a complete and descriptive inventory of the historic resources it has so that preservation planning can be done in the context of a single set of data that is easily accessible and can be maintained over time. Secondly, private donations toward historic preservation that result in income tax benefits to the donor usually must be made to a non-profit organization chartered to address historic preservation. Wilton does not currently have such an organization, which means it cannot accept or solicit these donations. Finally, Wilton building ordinances might do more to support preservation of the town's historic resources, but there has been no investigation into what might be done.

RECOMMENDATIONS

1. Complete a formal survey of buildings and other structures in Wilton that have historic and cultural significance. This inventory should become the responsibility of a Heritage Commission if the town votes to establish a Heritage Commission. (See Recommendation 2.) However, this survey should be completed through other means if the Heritage Commission is not established. Upon review and approval by the Planning Board, the inventory should be included in the Wilton Master Plan as a supplement or addendum.
2. Propose (through a Town Meeting warrant article) that Wilton establish a Heritage Commission to:
 - Accept and administer private donations of money, easements, covenants, and deed restrictions that are aimed specifically at preservation and rehabilitation of historic buildings and other historically significant structures in Wilton

- Assume responsibility for completion and future updates to the survey of Wilton's historic and cultural resources, reporting status to the Planning Board when requested to do so
 - Explore the pros and cons of establishing one or more historic districts (National Register or local) in Wilton
3. Determine and implement any revisions to town building codes and ordinances that might better support protection and rehabilitation of Wilton's historic resources while maintaining balance with the rights of property owners

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