

2 Page Road
Bedford, MA 01730

October 10, 2023

Historic District Commission
Town Hall – 10 Mudge Way
Bedford, MA 01730

Subj: 139 The Great Road (“139 TGR”) - Documentation Report

Dear Commission Members:

I have had an opportunity to review the draft *Documentation Report* on 139 TGR by Mr. Ryan Hayward. His factual historic research on the Bacon and other families and on the architectural details of the current building are informative, and they are an interesting addition to the town’s historic records. However, I am very troubled by the seriously erroneous, false, and dismissive personal opinions and conclusions contained in the report regarding the historic districts and the building. They would be particularly relevant to any Historic District Commission deliberations regarding that site and need to be addressed. Due to my family health-care responsibilities, some months were needed for me to find time to research and prepare this letter report.

Since becoming a member of the Bedford Historic Preservation Commission (HPC) in 1996, I have assisted the historic preservation consultants hired by our previous Town Manager in their preparation of every National Register of Historic Places application for individual properties and historic districts. I was also directly involved in all other projects involving Mass. Historical Commission (MHC) matching grants – surveys, preservation plans, and rehabilitation of historic municipal buildings. I believe that has given me a good understanding of MHC and National Park Service (NPS) requirements. Massachusetts Historical Commission staff representatives were also consulted in my preparation of these comments.

Any use of the *Documentation Report* by HDC members in their deliberations on an application to demolish the building at 139 TGR for a new fire station must be done with great caution. As explained in more detail on the following pages, Mr. Hayward’s disregard of the actual long-established State and Federal historic district protocols, his lack of knowledge of basic National Register requirements, and his lack of knowledge concerning protective provisions for National Register properties spelled out in the National Historic Preservation Act of 1966 (NHPA) suggest that his knowledge, experience, and qualifications in this area are extremely limited. Some of his most critical opinions and conclusions are erroneous, not true, and/or unsupported by historical evidence. The building at 139 TGR is a historic resource of the Local Historic District and a contributing element to the Old Bedford Center National Register Historic District.

HISTORIC DISTRICTS

The conclusion on p.74 of the report states that “The Bacon-Williams-Christie House is marginally significant but lacks integrity. As a result, the building is considered a noncontributing resource to the historic district”. **This conclusion is factually incorrect, apparently designed to confuse the public, and must be retracted. Mr. Hayward concocted a system to determine contributing resources based on his subjective personal opinion of the building’s integrity. His system has absolutely no relationship whatsoever to the actual long- established Federal and State protocols for classifying National Register historic district resources. It raises the question of whether Mr. Hayward has ever even prepared a National Register Historic District application which was submitted to the MHC and what his qualifications are in this area of expertise.**

-MHC staff representatives confirmed that there is no contributing/noncontributing consideration whatsoever regarding Local Historic Districts. Protection of all historic resources within the entire landscape/streetscape setting of the district is paramount.

-The building at 139 TGR is a contributing element to the National Register District. MHC staff representatives confirmed that all elements of the streetscape/landscape that retain historic integrity dating to the period of significance are contributing in National Register historic districts. The Old Bedford Center National Register amendment of 2013 encompasses the entire village center including the Fletcher Road and Crescent Avenue subdivisions which date to the 1st Q-20th Century. MHC and NPS use a minimum of 50 years to define the period of significance, so contributing elements include all those buildings, sites, structures, and objects in the National Register District predating 1963. In the case of 139 TGR, early 20th Century modifications to the building are well within the National Register District’s period of significance; a contributing building is not expected to maintain its original appearance.

-There is no provision for submitting “some sort of revised inventory” of National Register Historic Districts, as proposed on p.74 of the report. MHC staff representatives confirmed that a full amendment application is required for any change in a National Register District, including any reclassification of contributing vs. noncontributing elements. The Town of Bedford cannot undertake this reclassification independently; approvals from both MHC staff in Boston and National Register staff in Washington, DC would be required. Mr. Hayward’s lack of knowledge of basic National Register requirements again raises the question of his experience and qualifications in this area. Contributing status in a National Register historic district is not something that town officials or their consultant can change simply to support a case for demolition.

-The historic preservation consultant who prepared the 2013 National Register Historic District amendment is very experienced, well qualified, and highly respected, and she has appeared before the MHC many times on behalf of numerous communities. She determined that the building at 139 TGR is a contributing element to the National Register District under the State and Federal standards. MHC staff representatives confirmed that the National Register application was reviewed in detail by very experienced MHC staff, and they concurred that the building is a contributing element under State and Federal standards. The Commission reviewed the application at its quarterly State Review Board meeting and concurred that the building is a contributing element. The National Park Service staff, who are also very experienced, reviewed the

application in detail and concurred that the building is a contributing element under Federal standards. **The building at 139 TGR is a contributing element to the National Register District.**

- Meaningful discussion of the critical importance of maintaining the entire historic districts' integrity, specifically the integrity of the historic streetscape, is absent from Mr. Hayward's report. Its focus on preservation of only the "far more elaborate and better-preserved examples" (p.73) reflects a lack of understanding of the basic premise of historic districts. If his more significant comparator line of reasoning to justify demolition of 139 TGR were applied to future attacks on the Historic District, the illogical conclusion would be a Historic District with one building left standing.

-Bedford's historic municipal buildings and even the Second Meetinghouse on the Common have been altered and their integrity compromised much more severely than 139 TGR, but all have retained their historic exterior appearance. To retain their relevance and preservation, almost all historic buildings have undergone repairs with modern materials and methods, and many have had major alterations to provide for their adaptive re-use.

Mr. Hayward's comment that the National Register listing of a property "in no way limits the owner's use of a property. It also places absolutely no restrictions or conditions on changes to private property" (p.72) **is not true.** Section 106 of the National Historic Preservation Act (NHPA) specifically protects properties listed on the National Register of Historic Places from damage caused by any project (whether by the owner or another party) involving Federal funds, licenses, permits or other approvals. Parallel review processes exist in Massachusetts (under GL, c.9, ss.26-27C and MEPA) for National/State Register-listed historic resources impacted by projects requiring State funds, licenses, or permits. Virtually every jurisdiction in Massachusetts except Bedford has respected the State and Federal protective precedents. **Mr. Hayward's complete lack of knowledge of existing protective provisions again raises the question of his experience and qualifications in this area of expertise.**

Mr. Hayward's conclusion on p.74 that "The local historic district is helpful in fitting the proposed project into the site ... It is important to note that the loss of the fire department to the district would be a major blow to the district's overarching integrity" **is certainly not true.** The original firehouse site is outside of the Local Historic District. The current firehouse occupies the site of the former Bedford House, which was an inn and was then the Grange Hall prior to its demolition. Town celebrations were often held there, and it was a center for Bedford's social gatherings for over a century. The destruction of that iconic landmark was one of the driving forces that led to the establishment of the Local Historic District. **Construction of a fire station at 139 TGR, with its massive scale and major re-grading of the sloping site, would in fact "be a major blow to the district's overarching integrity" and would add insult to prior injury.**

BACON CARRIAGE HOUSE

Mr. Hayward's conclusion that the current building's elements "date to the last quarter of the nineteenth century" (p.6) and historical evidence support the opinion, long held by Bedford Town Historians, that framing of the current building at 139 TGR is the residential conversion of a 19th Century Bacon carriage house.

Mr. Hayward's research found that the Bacon house at 133 The Great Road was originally built in 1836 for Jonathan Bacon's son, Frederick. However, upon Frederick's move to Boston, Jonathan became head of household there from 1840 on. The assumed 1836 construction date for the carriage house is not well documented, but the original carriage house was clearly mid-19th Century, and it was added onto later.

Jerome Bacon purchased the Great Road estate after the death of his father Jonathan in 1856. Jerome was also a prominent and successful businessman. In 1880 the family still had employees, four carriages, horses, and an orchard. **The carriage house shown on the 1894 and 1906 Bedford Center maps consisted of two frame structures joined by a small tack room between them. The addition of the east carriage house early in the 4th Q – 19th Century to accommodate the Bacon's four carriages in 1880 would account for that configuration on the subsequent maps.**

After the death of his wife Eliza in 1882, Jerome at age 61 married Anna R. March in 1888. During the next few years, his business was poorly managed, his property was conveyed to Anna in 1896, creditors seized his business in 1897, and he went bankrupt. Causes of the business failure late in his life are speculative.

After Jerome Bacon's death in 1904, his widow Anna R. Bacon lived there through the 1st Q – 20th Century but dealt with serious financial difficulties as described by Mr. Hayward. In an effort to generate income, taxable valuation records show that Anna Bacon was taxed for a "new house" on the property in about 1918. However, the 1924 County Commissioners' plan (p.24 of report) showed residences but not outbuildings; the omission of that building from the plan indicates the "new house" was the converted carriage house outbuilding.

In June 1925, Anna Bacon conveyed the estate to a Lexington developer, James A. Nickerson (Middlesex Reg. of Deeds, Bk.4860 P.338), and Mr. Nickerson recorded a subdivision plan (Plan Bk.356 Plan 38) of the land (Figure 1). In June 1925 Mr. Nickerson conveyed to Joseph H. and Grace I. Williams "a parcel of land with the buildings thereon ... containing 22,205 square feet" under the subdivision plan. This ½ acre parcel is only the front portion of the current 139 TGR property, and the building is only a few feet from the original rear property line (Figures 1 & 2).

Historic evidence and practical considerations challenge the credibility of Mr. Hayward's opinion that the carriage house "was either moved, dismantled, or demolished" (p.25) after 1906 and that Anna Bacon brought buildings of unknown "origins, original configurations, or use" (p.6) on-site for framing the new house shown on the 1925 plan. **There is no historical evidence to support that opinion.**

-Mr. Hayward states that the footprint of the building at 139 TGR "is radically different from the carriage house that once existed in this location" (p.25). However, that conclusion is challenged by comparing outlines of the carriage house on the 1894 and 1906 maps and the building on the 1925 subdivision plan (Figure 3). The maps are not to exact scale as can be seen by the Bacon residence outlines and the 139 TGR lot shape. However, **the location of the building on**

the 1925 plan hard against the rear property line and its orientation, shape and size appear almost identical to the east unit of the carriage house on the earlier 1894 and 1906 maps.

-The Assessors provided a list of all residences built between 1900 and 1943 to the HPC, and the F to H alphabetical street listing page is attached. During 1916-20 there were 14 new residences built. Twice that many (30) were built during 1921-25, and triple that many (46) were built during 1926-1930. This increase coincided with the Veterans Administration's decision to build its hospital here. Bedford's population almost doubled (>91%) between 1920 and 1930 due to construction of the VA Hospital, which opened in 1927, and to its operation thereafter. **There is no Assessors' record of a new residence built at 139 TGR between 1900 and 1943.** The only logical explanation is that Anna Bacon's new 1918 house and the Williams' residential alterations ca. 1925 were residential conversions of an existing outbuilding, i.e., the east carriage house.

-Outbuildings were often placed near to property lines, but new residences were invariably placed in more central locations and near to the public way, as can be seen on the 1924 plan. **The location of Anna Bacon's new 1918 house hard against the rear property line in the same location as the carriage house reinforces the case that it was in fact a residential conversion of the east carriage house rather than a new building of unknown origin.**

-Based on Mr. Hayward's research, **Anna Bacon would have lacked financial resources to "move, dismantle or demolish" the carriage house, acquire two other buildings, and have them moved to the site for framing of her new house. The least cost approach would have been to convert the east carriage house to living space and to construct an addition containing the bath and kitchen, which would avoid retrofitting and minimize plumbing installation costs.** Lumber from the dismantled west unit of the carriage house could have been used in framing of the addition.

-The Williams had the building they acquired in 1925 lifted and rotated, as shown in the 1929 and subsequent Sanborn Insurance Plans. If the building outline on the 1925 subdivision plan is turned counterclockwise 90 degrees and brought to the same scale as the current Assessors' dimensioned plan, the footprint exactly matches the Assessors' plan (Figure 4). This confirms that the framing of the building shown on the 1925 plan is that of the current building. It corresponds to Frames 1 & 2 in Figure 30 of the report (p.32), with Frame 1 being the east unit of the carriage house and Frame 2 being the square addition shown on the 1925 plan. The current laundry, kitchen, and bathroom that require plumbing are all in the Frame 2 addition.

-Carriage houses, barns and stables that were adapted for residential re-use seldom had any original interior finishing elements. Therefore, finishing methods and materials cited by Mr. Hayward in dating the house's construction apply to dating rehabilitation of the building.

The 139 TGR lot size was increased in 1927. Charles O'Dowd, who owned the land south of the Bacon estate, had a subdivision plan of his land drawn up in August 1920 and recorded in January 1921 (Plan Bk.291 Plan 16). In August 1927 he conveyed to Joseph H. and Grace I. Williams "two lots or parcels of land ... being lots D and E" on the plan and totaling 19,930 square feet plus another parcel of land consisting of a 30-foot-wide corridor extending from the southwestern side of Lot E down to Crescent Avenue (Bk.5131 P.342). These parcels are the center portion of the current 139 TGR lot (Figure 2).

Finally, in April 1941 Joseph H. Williams sold 139 TGR to Richard C. and Ethyl M. Christie (Bk.6490 P.572). It consisted of the same parcels as were conveyed to the Williams by James Nickerson and Charles O'Dowd. The land behind (south of) the 139 TGR lot was acquired by the Christies in 1948, and a 1972 subdivision plan added the rear parcel to the current lot (figure 2).

SUMMARY

The current front building at 139 TGR was a Bacon carriage house, built early in the 4th Q-19th Century and converted to residential use late in the 1st Q-20th Century by Anna Bacon and subsequently by the Williams. **The building at 139 TGR is a historic resource of the Local Historic District and a contributing element to the Old Bedford Center National Register Historic District based on long-established Federal and State protocols.** Under the National Historic Preservation Act and State laws and regulations, demolition of the building would be prohibited if Federal or State funds, permits, licenses, or other approvals were involved; virtually every local jurisdiction in Massachusetts except Bedford has respected the State and Federal protective precedents. Demolition of the building would be a serious loss of a historic resource to the Local Historic District. Construction of a modern fire station at 139 TGR would cause a major irreparable loss of integrity to the entire eastern portion of the District and is therefore inappropriate. In order to enforce the provisions of the Special Act that created the Local Historic District, a demolition permit for the building at 139 TGR should be denied.

Respectfully,

Donald Corey
Bedford Selectman 1974-1977

Encl.

Figure 1 – 1925 Bacon Estate Subdivision Plan

Figure 2 – Current Lot Formation – 139 The Great Road

Figure 3 – Building at 139 The Great Road – 1894 & 1906 Maps & 1925 Plan

Figure 4 – 1925 Building Overlaid on Assessors Plan

Table - All Residences Built Between 1900 & 1943 – Assessors Alphabetical F – H Street Listing

CC:

Matthew Hanson, Town Manager
Select Board