

# **DUDLEY RECONNAISSANCE REPORT**

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## **BLACKSTONE VALLEY / QUINEBAUG-SHETUCKET LANDSCAPE INVENTORY**

### **MASSACHUSETTS HERITAGE LANDSCAPE INVENTORY PROGRAM**



**Massachusetts Department of Conservation and Recreation**

**John H. Chafee Blackstone River Valley National Heritage Corridor**

**Quinebaug and Shetucket Rivers Valley National Heritage Corridor**

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### **June 2007**

**Cover Photographs:** French River  
Black Tavern  
Farmhouse on Durfee Road

## **CONTENTS**

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<b>Introduction .....</b>	<b>1</b>
<b>Part I: Dudley's Heritage Landscapes</b>	
Dudley's Landscape Through Time.....	2
Community-Wide Heritage Landscape Issues .....	4
Dudley Priority Landscapes .....	5
Dudley Center	
Old Stagecoach Road	
Zajac Farm	
French River Corridor	
Railroad Bridge, Boston and Albany Railroad	
Stevens Linen Mill	
Chase Woolen Mill	
Perryville Dam and Perry Mill Site	
Northeast Corner of Dudley	
<b>Part II: Building a Heritage Landscape Toolkit</b>	
Eight Toolkit Basics .....	21
Dudley's Toolkit: Current Status and Future Additions .....	22
<b>Conclusion and Implementation .....</b>	<b>29</b>
Appendix A: Dudley Heritage Landscapes.....	i
Appendix B: Guide to Preservation and Planning Tools for Heritage Landscapes .....	v

## **INTRODUCTION**

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The 22 Massachusetts communities within the John H. Chafee Blackstone River Valley National Heritage Corridor (BRV) and the Quinebaug and Shetucket Rivers Valley National Heritage Corridor (Q-S) are linked by a common heritage of agriculture and industry powered by the rivers and streams that dominate the landscape of south central Massachusetts. River Corridor towns extend from Mendon on the east to Brimfield on the west. While they range in size from the city of Worcester to the compact town of Hopedale, each is equally shaped by the interaction of nature and culture over time.

Heritage landscapes are special places created by human interaction with the natural environment that help define the character of a community and reflect its past. They are dynamic and evolving; they reflect the history of a community and provide a sense of place; they show the natural ecology that influenced land use patterns; and they often have scenic qualities. This wealth of landscapes is central to each community's character, yet heritage landscapes are vulnerable and ever changing. For this reason it is important to take the first step toward their preservation by identifying those landscapes that are particularly valued by the community – a favorite local farm, a distinctive neighborhood or mill village, a unique natural feature or an important river corridor.

To this end, the Massachusetts Department of Conservation and Recreation (DCR) and the two National Heritage Corridors (BRV and Q-S) have collaborated to bring the Heritage Landscape Inventory program to communities in south central Massachusetts. The primary goal of the program is to help communities identify a wide range of landscape resources, particularly those that are significant and unprotected. One focus is to identify landscapes that have not been previously surveyed or documented. Another important goal of the program is to provide communities with strategies for preserving heritage landscapes. The goals of the program are to help communities identify a wide range of landscape resources, particularly those that are significant and unprotected, and to provide communities with strategies for preserving heritage landscapes.

The methodology for the Heritage Landscape Inventory program was developed in a pilot project conducted in southeast Massachusetts and refined in Essex County. It is outlined in the DCR publication *Reading the Land*, which has provided guidance for the program since its inception. In summary, each participating community appoints a Local Project Coordinator (LPC) to assist the DCR-BRV/Q-S consulting team. The LPC organizes a heritage landscape identification meeting during which residents and town officials identify and prioritize the landscapes that embody the community's character and its history. This meeting is followed by a fieldwork session including the consulting team and the LPC, accompanied by interested community members. This group visits the priority landscapes identified in the meeting and gathers information about the community.

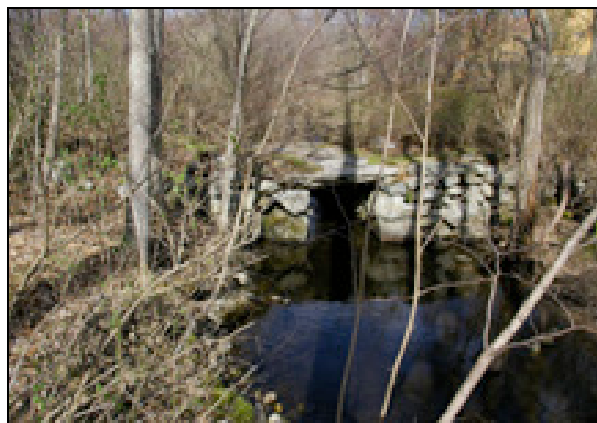
The final product for each community is this Reconnaissance Report. It outlines the community's landscape history; discusses broader land planning issues identified by the community; describes the priority heritage landscapes and issues associated with them; and concludes with preservation recommendations. Two appendices include a list of all of the heritage landscapes identified at the community meeting and a reference listing of land protection tools and procedures.





## **PART I**

### **DUDLEY'S HERITAGE LANDSCAPES**



## **DUDLEY'S LANDSCAPE THROUGH TIME**

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The town of Dudley, established in 1732, lies between the French and Quinebaug Rivers, just north of the Connecticut border. To the east, on the other side of the French River, lies Webster, to the north, Charlton, and to the west, Southbridge. The Quinebaug River runs through a steep, narrow valley in the southwest corner of Dudley. In the northeast quadrant, the land rises to 800' above sea level, and there are a number of small ponds and reservoirs created in the 19<sup>th</sup> century to provide water power for the town's mills. A gneiss ridge running along the western shore of the French River is the site of several good quarries. Sutton, Charlton and Paxton loams found on the tops of drumlins provide the town with rich agricultural soil, while land bordering the French River is gravelly glacial till.

Dudley Hill was the site of a precontact Native American village, but the focus of precontact settlement in the area was Lake Chaubunagungamaug (now in Webster). The lake was an intertribal meeting place, and during the mid-17<sup>th</sup> century, became the site of a Christian Indian village under the aegis of the Reverend John Eliot. A network of native trails crossed through Dudley, including a north-south trail from Oxford to Woodstock, Connecticut, a northwest trail (probably including Dresser Hill Road), and a trail between the two rivers.

In 1681, the Nipmucs sold a large tract of land in south central Massachusetts to colonial investors, but reserved for themselves five square miles between Dudley Hill and Lake Chaubunagungamaug. Forty years later this reservation was also sold, and in 1732 Dudley became the first town incorporated in the new Worcester County. Dudley Hill was its geographical center, and a meetinghouse built in 1734, as well as trails improved as roads cemented the hilltop village's importance. In 1816 Amasa Nichols established Nichols Academy in the town center.

From the colonial period well into the 19<sup>th</sup> century, Dudley's economy was mainly agrarian, dependent on dispersed farmsteads and mixed agricultural production. After that time, as the industrial working population grew, Dudley's farmers switched to dairying. The West Dudley Cooperative Creamery was established in 1887, and by 1905, 31 dairy farms occupied a third of the town's agricultural land. They continued, in progressively smaller numbers, to provide milk and milk products for local and regional markets until recently.

Growing industry along the French River shifted much of Dudley's development away from the colonial village center. The section of town that lay east of the French River incorporated as the separate town of Webster in 1832, and the Norwich and Worcester Railroad was laid down along the river's west bank in 1840. Industrial development in the mill villages of Merino, Chaseville and Perryville over the next decades attracted a large immigrant population to work in the textile mills, including Irish, French Canadians and Polish.

During the Late Industrial Period (1870-1915), Merino Village especially continued to grow, with expansion of the Stevens mill, construction of a library and residential infill. In Perryville, downstream, workers' tenements and a proprietor's estate were built as mill capacity was doubled. A new textile village, Quinebaug (or Dundee) was established near the Connecticut line (1871-1872).

The early and mid-20<sup>th</sup> century saw improvement of local roads, including Routes 12, 197, and 131, for automobile traffic, where development continued at this time. Residential development also spread in Chaseville, and Nichols Academy – now Nichols College – expanded in Dudley Center. Cottages were built on Pierpont Meadow Pond (Charlton Pond) and Merino Pond. The textile industry, including a new Stevens mill built in Merino Village in 1928, continued to provide most of the employment in town, suffering a decline during the Depression, but recovering by 1940 with a wartime demand for textiles.

## **COMMUNITY-WIDE HERITAGE LANDSCAPE ISSUES**

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Concern for heritage landscapes is not new to Dudley. The town's Master Plan, prepared in 2000, encompassed the incredible diversity and impact of heritage landscapes on community character in one of its Goals: "To preserve, enhance, and publicize the Town's natural resources, agricultural resources, historic buildings and sites, unique cultural features and significant views." A historic resource reconnaissance survey completed in the late 1984 and updated with a comprehensive survey in 2001 found many sites of historic significance throughout the town.

Dudley's Heritage Landscape Identification meeting, attended by interested residents including those representing town boards, was held on March 7, 2007. During the meeting, residents compiled a lengthy list of the town's heritage landscapes, which is included as Appendix A of this report. As the comprehensive list was being created, attendees were asked to articulate the value of each landscape and identify issues relating to its preservation.

Residents emphasized broad issues related to heritage landscapes and community character. These issues are town-wide concerns that are linked to a range or category of heritage landscapes, not just to a single place. In Dudley, three issues stand out.

### **Open Space Protection**

A number of open spaces and open space corridors were identified as important to protect. Two are priority landscapes—the French River Corridor, and the Northeast Corner. A third, the Tuft's Branch Valley, comprises the central third of the town and encompasses resources including four of Dudley's oldest farms, valuable wildlife habitat and some of the most scenic views in southern Worcester County, as well as two other priority landscapes, Dudley Center and Old Stagecoach Road. While much of the open space is protected, one 80-acre parcel remains threatened by development. The Dudley Conservation Land Trust has signed a purchase and sale agreement but needs financial support to be able to complete the sale, which is critically important.

### **Historic Building Preservation**

Residents expressed concern about the long-term protection of Dudley's heritage of historic buildings. Demolition of buildings in the past by Nichols College, which owns many of Dudley Center's most important architectural resources, has underscored the need to improve communication between the town and the college. A mechanism needs to be developed that can serve public and private needs while protecting the town's important architectural heritage.

### **Scenic Roads**

Dudley's Open Space Plan talks about the importance of the town's scenic roads, with their "woods, fields, stone walls, and historic homes that enhance the town's rural qualities." Dudley has not enacted a Scenic Roads Bylaw. Despite this, scenic roads have been individually voted at Town Meeting, but without a Scenic Roads Bylaw there is nothing the town can do to protect the qualities that are so essential to the character of these roads.

## **PRIORITY HERITAGE LANDSCAPES**

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Based on information gathered at the community meeting, attendees identified a group of priority landscapes for the consulting team to focus on, through field survey, documentation and planning assessment. Each of the priority landscapes is highly valued and contributes to community character. None of them has any permanent form of protection.

Dudley's priority landscapes range from the expression of the industrial revolution in mills along the French River to a thousand wild acres that have never been developed. Farms tell of Dudley's strong agrarian roots, while a hilltop village evokes Dudley's historic civic and intellectual significance.

The landscapes which were given priority status by Dudley's community meeting represent a range of scales and types of resources. Each landscape is also representative of other, similar properties in the town and each demonstrates the multiple layers of significance that are common to most heritage landscapes.

Natural and cultural features, individual and civic histories, combine to present property owners and concerned citizens with a complex combination of present-day issues and opportunities. The descriptions and recommendations that follow are intended to be first steps and constructive examples for what needs to be an ongoing process: to identify what is valued and irreplaceable in the community, and develop strategies that will preserve and enhance Dudley's landscape heritage.

### **Dudley Center**

Description: Dudley Center is located on Dudley Hill, site of the town's Colonial Period hilltop settlement near the geographical center of town. There are approximately 40 individual historic resources in the 200-acre village, of which Nichols College makes up over 50 acres. The resources that constitute Dudley Center lie along Center Road from the historic William Carter House (1726) on the north, where the road splits into Ramshorn Road heading northwest and Dudley Oxford Road heading northeast, to the south end of the Nichols College campus (1815, oldest building 1881). The Carter House is the oldest standing building in Dudley, and was the site of the first town meeting when the town was established.

Historic buildings serve residential, academic, religious and civic uses. Many are in excellent condition while others have been updated with synthetic siding and modern windows. Examples of Colonial, Federal, Greek Revival and Victorian Eclectic architectural styles are present. Residential buildings are set back 30-50 feet while college and civic buildings around Dudley Town Common have deeper setbacks.

The town common fronts on the Conant Memorial Congregational Church (1891). A war memorial (1909) with stone base, bronze plaques and a bronze sculpture of an eagle sits in front of the church. The church is the central architectural resource in the area. Its brick Victorian Eclectic style cross-gabled form is dominated by a five-story tower with carillon, clock, rounded corner turrets and Romanesque detail. The Grange Hall (ca. 1840) sits on the north edge of the common and the former Dudley Hill School (1890), now the Currier Center of Nichols College, borders the common to the south. The Grange

Hall is a rectangular, two and one-half story Greek Revival building ornamented with paneled corner pilasters, frieze, and a molded cornice. Across the street from the Grange Hall is the Black Tavern (1803), Dudley's only National Register listed property. It is a classic side-gabled, Federal style commercial building two and one-half stories high. The building appears to have been built in two sections judging from the different heights of the roof. It occupies a prominent site in Dudley Center, and is one of the best preserved Federal style buildings in the area. An 1805 house that had stood next to the Black Tavern to the south was recently taken down by Nichols College.

Land use in the area of the common is primarily residential yards mixed with open fields and small wooded lots. The two major public open spaces in the district are the common itself and the Village Cemetery south of Carter House. Dating from the 18<sup>th</sup> century, the cemetery slopes to the east, providing an open vista to the east. Monument designs reflect burials from the 18<sup>th</sup> through the 20<sup>th</sup> centuries.

A historic resources survey of Dudley Center was conducted in 1981, and updated at the time of a town-wide reconnaissance survey in 2001.



Background: Dudley Hill and its immediate vicinity were the original focus of Anglo-American settlement in the area following purchase of the land from a local Nipmuc tribal group. The site was the western edge of land that had been reserved to the Nipmuc in the seventeenth century. By the time of the Black Tavern's construction in 1803-1804, Dudley was the midway point on a stagecoach route between Boston and Hartford. A 1795 map of Dudley shows the intersection of a north/south "County Road" with an east/west "Town Road" (see Old Stagecoach Road below) as a major through route in the area. The tavern and other turn-of-the-century development at this intersection created a civic and commercial nucleus for the village.

Dudley Center thrived in the early decades of the 19<sup>th</sup> century, fueled by its location on the Boston-Hartford roadway (Old Stagecoach Road). By 1825, the hill's buildings included, in addition to the tavern and meetinghouse, a general store, farmer's market, schoolhouse, half a dozen residences, and Nichols Academy, founded in 1815. In 1829, however, the Central Turnpike, one of a series of transportation improvements in central Massachusetts, was completed and completely bypassed Dudley Hill. Traffic through the

town center diminished, development slowed, and the residential nature of the area was confirmed. While textile manufacturing and other industries developed in other parts of the town, Dudley Hill's growth effectively stopped.

Today, Nichols College is the most prominent presence and activity in Dudley Center. The common symbolizes the area's former status as Dudley's focal point for civic activities. While some activities still take place here, including church services and events in Nichols College buildings, the civic life of Dudley is no longer concentrated here but scattered throughout the town.

#### Issues:

- **Lack of Permanent Protections:** the lack of permanent protection, and the fact that many historic resources are privately owned, poses threats to the resources of the Center. Recent demolition activity around the common raises serious concern about lack of stewardship and the likelihood of further loss of resources. Each loss of an individual resource impacts the integrity of the whole.

#### Recommendations:

- Increase communication and cooperation between Nichols College and the Town of Dudley across the various boards and commissions that have an interest in the character and vitality of the Center. Consider creating formal co-planning sessions to discuss strategic planning issues of concern to both the town and the college.
- Share the findings of this report directly with property owners, especially Nichols College administration. It is important for landowners to understand the high value placed on this heritage landscape by Dudley's citizens.
- Make every effort to designate Dudley Center as a Local Historic District. There is a Local Historic District Study Committee in town that is currently studying this. The designation provides a high level of protection for historic buildings and features. Local Historic Districts are further described in Part II and in Appendix B.
- The Historical Commission should make an effort to inform private property owners of the values associated with Preservation Restrictions, and it should develop a priority list of buildings and landscapes that should be protected.
- Prioritize this district for National Register listing and work with MHC to complete the nomination process.

### **Old Stagecoach Road**

Description: Old Stagecoach Road, part of which is also known as Rattlesnake Hill Trail, is a four-mile long segment of the discontinued road that once served as the stagecoach link between Boston and Hartford, noted above in Dudley Center. Most of it lies within the Tufts Branch Valley. There are swampy wetlands along the western segment of the road, and a stone bridge crosses the Tufts Branch of Newell Brook in this area near Foskett Road. The Johnson-Foskett house stands on the north side of Old Stagecoach Road at the end of Foskett Road, a site that has been continuously occupied since the road was built. The existing house replaces an earlier building owned by Hiram Child. When Old Stagecoach Road was discontinued this house would have been isolated, and as a result Foskett Road was built at the owner's expense. The eastern end of Old Stagecoach Road continues to Dudley Center behind the Congregational Church.

The second growth woodland through which the road passes today contains several large old growth oaks. Some segments of the former road are walkable while others are so overgrown that passage requires skirting the path itself. One stretch of the former road west of Route 31 has been obliterated by development. There are portions of road, however, that appear much as they might have looked centuries ago. Massive stone walls up to five feet high line both sides of one section.

The name Rattlesnake Hill refers to a geological formation forming a ledge several hundred feet long above the road at its western end near Fish Road. Presumably referring to the presence of rattlesnakes in the area, the ledge was named when the road was originally laid out. A landmark along the old road east of Rattlesnake Ledge is a large upright stone known as Durfee Monument.



Once a public road, the entire four-mile length of Old Stagecoach Road has been discontinued as a public way and is today on private property and not indicated on town assessors maps. A portion of the western stretch of the road parallels Durfee Road.

Background: The origin of Old Stagecoach Road was apparently a Native American trail that led through the region. It was formally laid out by the Dudley Selectmen in 1740 as a town road. According to historical records, the Durfee Monument was set upright around 1685 as the boundary marker between the colonial settlers' land and the lands reserved by the Nipmuc nation.

The stone bridge over Tufts Branch is located at the site of a woolen mill operated by Aaron Tufts apparently only between 1816 and 1820. Scattered boulders and a level area adjacent to the brook may be remnants of the mill building. Old Stagecoach Road was abandoned in 1857.

#### Issues:

- Lack of Awareness: The existence and history of Old Stagecoach Road is not generally known to Dudley residents.
- Lack of Access: Private ownership means that an important part of Dudley's history, and a potential trail opportunity, is unavailable for use.



### Recommendations:

- Publicize the history, scenic and environmental values of Old Stagecoach Road and its environs.
- Explore obtaining easements that would allow public use of Old Stagecoach Road. Use of the road as a trail can give the public access not only to this passive recreational resource, but also connect them to the Tufts Branch Valley, which is rich in wildlife habitat and scenic resources.
- Consider sponsoring an annual Stagecoach Road walk for local residents, working in partnership with local landowners.
- Discuss with landowners the possibility of a volunteer group, such as a scout troop, taking responsibility for clearing and maintaining the road as a hiking trail.
- Convey the uniqueness and the significance of the unusually tall 5' high wall to landowners, to help foster good stewardship of this resource.

### **Zajac Farm**

Description: Zajac Farm is a 412-acre farm on Town Farm Road, the site of the original Dudley town farm from which the road derived its name. The road dead-ends at the farm and its cluster of farm buildings. The original two-story, hip-roofed farm house with ell was substantially destroyed by fire; the portion still standing now resembles an American Four-Square and is currently a rental property. A large, 20<sup>th</sup> century round roof barn, a silo, and other small wooden outbuildings stand behind the house on the north side of the farm road. The farm buildings stand on foundations built from local fieldstone. There is a farm pond near the building complex. The owner occupies a small, ca. 1960s Cape on the south side of the farm road.

About two acres of land are used by the owner's nephew for a market garden, producing vegetables and fruits for a farm stand operation. Approximately 110 acres are hayfields. The high pasture, highest point on the property, affords broad scenic vistas of the Woodstock Valley south into Connecticut. Foundations of an old farm house/tavern are hidden in the underbrush along the pasture edge. Other hayfields flank the Quinebaug River, which runs through the southwest corner of the farm. Foundations of the former Intervale or Quinebaug River Mill are located about a half mile downstream from the farm track that crosses the river during times of low water.



The Zajac Farm land exhibits tremendous diversity of topography, vegetation and habitat. The property rises seventy feet from the Quinebaug to the high pasture. Mixed hardwood and pine forests contain dramatic steep slopes and rock outcrops, a brook, several vernal pools, and numerous wetlands. A number of old growth oaks have been identified, but the property has not been comprehensively surveyed for the presence of other old growth trees. Mass Audubon conducted a survey of rare plants and insects on the property in the early 1990s. There is an abundance of wildlife, including wild turkey, fox, coyote, deer, and bobcat.

The Providence and Worcester Railroad tracks run through the property, paralleling the river to the northeast. Approximately 1.5 miles of the Grand Trunk Railway roadbed runs through the site parallel to the P & W within a narrow extension of the property south toward Mill Road, including one of its characteristic high-arch bridges spanning a deep stream gully, now filled in and only a visual feature in the landscape.

The property is subdivided into three parcels by trust or family member ownership. The parcels are in Irrevocable or Nominee Trusts, with the current farmer's children as beneficiaries. The entire property is under Chapter 61A.

Background: Zajac Farm is the site of the former Town Farm, which operated on 92 acres of the property from 1870 to 1917. A historic photograph shows the poor house building in the late 19<sup>th</sup> century, and a second photo from around 1900 indicates the ell of the house was enlarged or replaced between the time of the two photographs. This building burned down in 1907.

The present historic Zajac farmhouse was originally a hospice house built in the 1870s that was moved onto the property after 1907, before the Zajacs' purchase of the land in 1933. The building was expanded and updated in the 1940s. The Zajacs used the farm primarily for their own sustenance, raising vegetables, fruits, chickens, pigs and cows. The present owner began dairying at age 14 and eventually had 100 cows. The dairy operation continued, as a multi-generational enterprise, with a son until the early 1990s. The farm stand operation is an attempt to reutilize the farm.

Issues:

- Few Working Farms in Dudley: There are few working farms left in town, and no Local Agricultural Commission in place to support those that are. With hayfields and a farmstand operation, Zajac Farm's activities need to be supported.
- Lack of Funds to Underwrite Maintenance and Repairs: the farm, like many others in the region, is running at a deficit as the owner attempts to identify alternatives or supplemental income options.
- Lack of Permanent Protection: The owner considered an Agricultural Preservation Restriction (APR), but felt the farm's valuation was inappropriate, and not financially adequate to meet estate planning needs. There has not been any attempt to pursue alternatives, such as a Conservation Restriction. The nature of the trusts may pose obstacles to the timing of certain permanent protection mechanisms.

### Recommendations:

- Share the findings of this project with the property owner and his heirs. They should know that this heritage landscape is valued and appreciated by Dudley's residents.
- Work with owner and regional land protection agencies to explore permanent protection options, including placing a CR on the property. Make sure the owner is aware of technical assistance available from the Department of Agricultural Resources and DCR.
- Investigate the legal ramifications of the trusts on permanent protection options.
- Document the landscape and its historic features according to MHC standards, completing and submitting an Area form with the local historical commission and MHC.
- Explore Community Supported Agricultural as a potential expansion of the farmstand operation.

### **French River Corridor**

The French River lies in the Thames River Basin and originates at the outlet of Rochdale Pond in Leicester just north of the Oxford town line. From there it extends 26 miles to its confluence with the Quinebaug in Thompson, Connecticut. The river in Dudley forms the town's eastern border with Webster. This priority landscape is composed of the river corridor itself and four major historic sites along its shore: the Railroad Bridge of the Boston and Albany Railroad, the Stevens Linen Mill, the Chase Woolen Mill and the Perryville Dam and Perry Mill site. The focus of this priority landscape is the river and the four resources that cross or abut it. Associated mill villages exist in places, but are not part of this discussion.

The corridor has an abundance of scenic, historic, recreational and environmental values. Work has been done over the last decade and a half to study and promote the benefits of protecting and developing the river land as a greenway for the enjoyment of residents and visitors to the region. This work was published in 1990 in the French River Greenway Plan. The initiative was again taken up by the French River Connection, a citizen group, with a 2006 planning study of French River Revitalization Concepts prepared by the University of Massachusetts Department of Landscape Architecture and Regional Planning. The town's 2004 Open Space Plan notes the special qualities of the French River corridor and the fact that the river is largely inaccessible to the community.

The four major historic resources of this priority landscape are described below.

#### **1. Railroad Bridge, Boston and Albany Railroad**

Description: This is a railroad trestle bridge that carried the Webster branch of the Boston and Albany Railroad over the French River from Dudley to Webster. South of Collins Cove, it stands high above the river and can be easily seen from the North Main Street road bridge over the river. The bridge is the entrance to the Memorial Beach Trail Spur, proposed as part of the French River Greenway trail system.

The bridge is in deteriorated condition. While the steel girders appear sound, it is obvious that many of the ties are rotted, and some are missing. There are no railings on the bridge,

or fences discouraging access. In its present condition, the bridge is dangerous, but if made safe and accessible it provides a stunning viewpoint up and down the river.



There is attractive riverside land, including the approaches to the bridge in Dudley, north of the bridge to the Webster line, which is in private hands.

## **2. Stevens Linen Mill**

Description: Stevens Linen Mill is located on about nine acres of land between the French River and Mill Street, in the vicinity of West Main Street and Merino Village. Its stone towers are a dramatic landmark to all who enter Dudley from the north. The principal component of the mill is the four-story, gabled block at the core of the complex with two matching Italianate towers and two wings perpendicular to the main building, all of cut granite quarried in the north part of the town. A brick addition was built on the north side and a one-story glass and metal enclosure was added to the south elevation between the stone wings. Present fenestration includes a variety of modern and historic sash types, with several former window openings blocked in with cinderblock.

There is a large parking lot behind the mill, expanded in anticipation of mill reuse for industrial or office purposes. Between the parking lot and the river, a level terrace separates the buildings from the sloping riverbank. This was leveled as the roadbed for the Grand Trunk Railway, a massive but ill-fated transportation project that died before it began, in 1915. The riverfront terrace is owned by Water Street Mill Corporation, of Holliston, Massachusetts, with National Grid holding an easement. The recent parking lot expansion has reduced the riverfront terrace area, but it is still approximately 100 feet wide. A partial view is possible of the graceful 1868 stone arch bridge that carries West Main Street over the river, although the view is obscured by invasive plants along the shore. The bridge is in need of maintenance work, with mortar missing in places. Alongside the mill spillway are granite bridge abutments designed to carry the Grand Trunk Railway over the power canal.

Background: Dudley's dominant industry in the 19<sup>th</sup> century was textile manufacturing, and the most significant factory belonged initially to the Merino Woolen Manufacturing

Company. This enterprise functioned for only a few years. In the 1840s Henry Hale Stevens purchased the property and in the 1850s and 1860s began constructing the existing monumental granite multi-story complex with Italianate towers that are the town's highest structures. Power for the mill came from the outflow of manmade Merino Pond, which flowed through a power canal under Mill Street to the complex. The mill became the first linen mill established in America. Weaving, spinning and spooling took place in the main building. Looms increased in number from 145 in 1860 to 750 in 1928. The mill prospered during and after the Civil War, which led to construction of worker housing in nearby Merino Village. A decline in production occurred after the Depression.



Stevens Linen Mill experienced many building campaigns between 1812 and 1995. The original, Federal period buildings have nearly all been demolished or replaced by mid 19<sup>th</sup> century construction. The original stone mill built in 1812 survived until the late 1990s when it was demolished along with the bridge over Mill Street that connected it to the later, main mill, the core of the complex.

The mill was threatened with demolition, but the current owners have plans for residential reuse of the property. The town's Mill Reuse Bylaw was created in response to an interest by the previous owner of the mill for regulatory support to redevelop it, and was a key in preventing its demolition. As part of the reuse plans for the structure, the developer in cooperation with the Dudley Historical Commission has agreed to establish an interpretive exhibit area overlooking the tailrace and waterfall.

The town is currently exploring the potential for a Local Historic District at Stevens Mill. This would offer an extremely effective protection mechanism for the mill and surrounding area.

### **3. Chase Woolen Mill**

Description: Chase Woolen Mill is located on about 15 acres of land on Chase Avenue, halfway between the Stevens Mill and Perryville along the French River. It is a four-story rectangular granite building punctuated by a five-story stair tower with a pyramidal hip roof in the center of the front façade. A former machine and carpenter shop is attached to the rear eastern elevation, and there is a modern metal addition attached to the southern wall of the mill. To the north of the mill is a modern brick building. In the front yard is a granite and brick building and a wood-frame one-story office building. The area between the main building and these smaller structures, now a parking lot, is the site of the former power canal for the mill. An earthen ramp replaces a bridge that carried traffic from the road over the canal. The ramp descends the height of the granite retaining wall that elevates Chase Avenue approximately ten feet over the mill yard. The paved mill yard surrounds the buildings and extends behind them to the banks of the French River, which flows north-south past the mill. A cut stone retaining wall channels the flow and defines the property's edge. On a rise across the river is the track of the Southern New England Trunk Railroad, proposed to be redeveloped as part of the Quinebaug and SNETT Rail Trail. In 2004, the Commonwealth of Massachusetts purchased approximately eight miles of the railroad right-of-way.



Background: The Chase Mill was constructed in 1860 across the French River from the presumed site of the 1816 Dudley Cotton Company mill. The Dudley Cotton Company mill was succeeded by Fenner's Mill, which burned in 1855. John Chase of Burrillville, Rhode Island bought the mill privilege in 1860 and, focusing on the Dudley side of the river, erected the earliest sections of the existing stone mill building with the intention of producing cashmere. He built the mill using locally quarried stone, probably from the northeastern part of town where a vein of gneiss was exposed. The mill village of



Chaseville, including worker housing, began at this time. By the 1880 federal census, there were 200 people living in the village.

Chase's son made subsequent improvements to the village and mill grounds, including plantings and the stone retaining wall that elevates Chase Avenue above the mill parking lot.

Family ownership of the mill gave way to corporate ownership with its purchase by the conglomerate American Woolen Company in 1899, although the mill's name and its production of cashmere were both retained. During the early 20<sup>th</sup> century, American Woolen expanded the mill, but by 1949, only part of the main mill building was still being used, as a chair factory for the Ethan Allen Furniture Company. The remainder of the complex was vacant with some wool storage in outbuildings.

Dudley's Mill Overlay District includes the Chase Mill property, which has recently been purchased for reuse.

#### **4. Perryville Dam and Perry Mill Site**

Description: The remains of Perry Mill and the Perryville Dam are located off Schofield Avenue on Upper Perryville Road, at Dudley's boundary with Thompson, Connecticut. The dam is an impressive curved, granite step dam dating from 1880, designed to slow the flow of water over it. It impounds approximately nine feet of water in the main channel of the French River. A dry-laid wing wall secures the east side of the dam in Webster to solid ground. Just above the dam in mid-river is an area overrun with loosestrife. The dam has been repaired since 2000. Illegal dumping that occurred near the dam has been largely curtailed since 2005 through efforts by the town of Dudley and volunteers. Ownership of the dam and of the land on the east (Webster) side is unclear. Webster assessor's records show it belongs to Webster-Dudley Realty of Montclair New Jersey, and is currently in tax title. The closed Lower Perryville road runs one-half mile north from the dam, creating a pleasant riverside walk used by nearby families. This road may be reopened to vehicular traffic, made possible by repair to the canal bridge.



Perry Mill no longer stands, but there are remnants of the mill buildings and the waterworks that powered their operations. A 20<sup>th</sup> century concrete sluiceway about 100

feet east of the dam, allows water into a fieldstone millrace built during an earlier period which, after turning 90 degrees, passes under Perryville Road and curves southeast toward the former mill. Walls of the millrace are six to eight feet in height and are built of dry-laid fieldstone. While the Perry Mill site is overgrown with second growth vegetation today, numerous remnants of the mill can still be seen including stone foundations, the remains of a concrete structure, and a double line of fieldstone piers that once supported a long mill building. The Town took ownership of the property in 2005.

Background: Prior to its development as a mill village, the area of Perryville was farmland purchased in 1775 by the farmer Josiah Perry, according to the county historian D. Hamilton Hurd. Industrial operations began in 1825 when Joseph and Richard Perry, sons of Josiah Perry, built a mill for manufacturing satinnet (a satin-like woolen fabric) on the site of the existing mill foundations and canals. Mill construction in 1825 consisted of a single industrial building. The stone components of the power canal are likely part of the initial or early-stage waterworks construction. By the 1870s and again in the 1880s, the mill was greatly expanded, and additional worker housing was added to the village that had grown up around the mill.

During the Depression the mill was forced to close temporarily, and while it reopened and operated through the 1940s, the period of expansion was clearly over. At that time, space was given over to wool storage. By 1950 the facility had become the office of the Webster Record Corporation, a company that manufactured vinyl records. In 1970, a photograph showing volunteer vegetative growth on the site indicates that the mill had not been maintained for several decades. The Perry Mill was finally demolished in the 1970s. Prior to its demolition, the mill was considered by historians to be one of the most significant mill building complexes in the Commonwealth.

Perryville is the third area that is being studied by the Local Historic District Study committee for LHD status.

#### French River Corridor Issues:

The four major resources described in this priority landscape have significance as individual features or collections of resources. The value of this significance, however, is enormously enhanced by virtue of their location along the French River corridor. As part of an envisioned continuous riverfront greenway with canoe and kayak put-ins, these riverfront resources have the potential to provide major recreational, interpretive and scenic benefits to residents and visitors to Dudley. This vision has been articulated for many years, and needs to be given the support necessary to move the concepts forward to implementation.

- Lack of Public Access to River as a Recreational Resource: although there are abundant land and water-related recreational opportunities, there is no public access along the entire length of the French River in Dudley.
- Lack of Awareness of the Historic Resources: while some historic resources are clearly visible, such as Stevens Mill, there appears to be little general public awareness of the opportunities and threats posed to sites in the corridor.
- Zoning Issue: a prime development parcel across the street from the Boys and Girls Club on Oxford Avenue is one of the last wooded areas of Dudley that connects to the river. It is zoned Industrial.



- **Need for Conservation of Wildlife Habitat:** The Natural Heritage and Endangered Species Program, a state agency responsible for protecting endangered and threatened plants and animals, identifies a narrow corridor along most of the French River as one of four important wildlife habitats in Dudley. The river harbors two species of “special concern”, Creeper and Triangle Floater Mussels. In addition, the river corridor is home to great blue herons, swans, Canada geese, and several varieties of ducks. Many varieties of turtles, frogs, and snakes are common, as are bass and bluegill. Deer, foxes, mink, otters, and beavers are among the mammals seen.

#### French River Recommendations:

- Expand efforts to increase public awareness of the values and threats to the French River corridor and build support for protection of the historic and ecological resources along its banks.
- Work with mill owners to support private efforts to adaptively reuse the Stevens and Chase Mills in ways that are sensitive to the historic structures, economically viable, and allow public access to the riverfront and the water (where canoe launch sites are possible).
- Support the efforts of the Local Historic District Study Committee to consider Stevens Mill and Perryville as LHDs.
- Ensure that maintenance and renovation of historic structures is done in a historically sensitive manner, including such resources as the stone arch West Street bridge near Stevens Mill.
- Take measures to ensure that proper zoning is put in place to protect land along the river vulnerable to development.
- Explore the potential to improve the Perry dam and mill sites for public use and interpretation.
- Build on the groundwork of the French River Advisory Committee of 1990 and the French River Connection/UMass study of 2006 to implement the recommendations for creation of a greenway along the French River.
- Facilitate trail connections between the proposed French River Greenway and the Quinebaug Rail Trail, the Airline Trail into Connecticut, the Mid-State Trail, and the Memorial Beach Trail Spur across the Boston and Albany Railroad Bridge.
- Explore and pursue National Register listing for the mills and, where appropriate, their associated mill villages.

#### **Northeast Corner of Dudley**

Description: The Northeast Corner of Dudley is an approximately 1000-acre parcel of undeveloped land bounded by Oxford Road on the northwest, Charlton Road on the southwest, Oxford on the northeast and Oxford Avenue along the east. The undeveloped acreage continues into Oxford. The Dudley assessors map shows that the land is under multiple ownership including a realty company, with some land of unknown ownership, and some acquired by the Town of Dudley in tax foreclosure proceedings. There is a paper subdivision in a central parcel of the land dating back to 1903 that lays out 246 lots. A large gravel strip-mining operation is active in the southeastern portion of the land, and several small subdivisions are located around the southern edges of the property.

This undeveloped area is situated along a glacial ridge with bands of ledge that rise to a high point in the northern quadrant of the property, and drop several hundred feet to the

next ridge. There is a marsh and a pond on the land, and a brook runs through it. The vegetation is mostly hardwood with some white pine and holly. Wildlife including bobcat and bear likely inhabit this area. Mass Audubon's Pierpont Meadow Wildlife Sanctuary lies northwest of the property.

The Dudley Conservation Land Trust has been attempting to obtain a corridor through the land.

Background: Old deeds refer to land within this larger quadrant of town as Thomas Dudley's Farm. As evidenced by the 1831 map of Dudley, however, at a time when most of the town was cleared and in use, this area was still shown as forest land. This indicates that the land was not easily adaptable for habitation, pasture or tillage, and would not have constituted a 'normal' farm. If anything, the parcel was suited to use as woodlots. A superficial reconnaissance of the area has identified foundations and other indications of land use, however, and local lore associates this untamed borderland with Native American occupation perhaps as late as the 19<sup>th</sup> century.



### Issues:

- An Unusually Large, Wild and Unprotected Site: this land is rare within the region in its scale, wildness, and apparent richness of wildlife habitat.
- Development Threat: while the property was considered not desirable for habitation over many years, the recent increased demand for residential development have made otherwise undevelopable land attractive to developers in many Quinebaug Valley communities.
- Lack of Documentation of Resource Values: there is little known and no documentation of the range and value of the cultural and natural resources on the site.

### Recommendations:

- Document the historic and precontact resources in accordance with MHC standards.
- Engage the services of Mass Audubon to conduct a natural resources inventory of the property, gaining approval as possible from the landowners. Look for sources of funding to cover the expenses of the study.
- Make efforts to contact the known owners of the land and share the results of this and other studies with them. It is important for them to know that this area is valued by Dudley residents as a unique heritage landscape. Landowners might also be helpful in identifying the resources of the property.
- Once the values and threats to the property are better understood, raise owner and public support for permanent protection measures for the land and its resources. These might include application of Conservation Restrictions on the relevant parcels, or acquisition of the property by the Town or a land conservation organization. The Towns' application of Conservation Districts to protect natural features in ecologically valuable areas of Dudley should be considered here.



## **PART II**

### **BUILDING A HERITAGE LANDSCAPE TOOLKIT**



## **EIGHT TOOLKIT BASICS**

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As our communities undergo rapid land use changes, heritage landscapes are particularly threatened because they are often taken for granted. There is a broad variety of resources that communities can call upon to protect these irreplaceable resources. Below is a checklist of the basics. Each is discussed in the sections that follow and in Appendix B.

### **1. Know the resources: Inventory**

We cannot advocate for something until we clearly identify it – in this case, the physical characteristics and historical development of the town’s historic and archeological resources. The necessary first step is to record information about the resources at the Massachusetts Historical Commission.

### **2. Gain recognition for their significance: National Register Listing**

The National Register of Historic Places is the nation’s official list of cultural resources worthy of preservation. Listing brings a number of benefits including recognition, consideration when federally-or state-funded projects may impact the resource, eligibility for tax credits, and qualification for certain grant programs.

### **3. Engage the public: Outreach, Education and Interpretation**

In order to create a community of advocates, we need to raise public awareness and broaden the base of support. This includes developing opportunities to learn about and celebrate the places and history of the town, as well as to care for them.

### **4. Think in context: Comprehensive and Open Space Planning**

It is important that Open Space Plans and Comprehensive or Master Plans address heritage landscapes as vital features of the community, contributing not only to unique sense of place but also to environmental, recreational and economic health.

### **5. Develop partnerships: The Power of Collaboration**

Protecting community character, respecting history, and promoting smart growth are interrelated concerns that impact heritage landscapes and require collaboration across a broad spectrum of the community. This includes communication among town boards and departments, as well as public-private partnerships.

### **6. Defend the resources: Zoning, Bylaw and Ordinance Mechanisms**

Effective and innovative preservation tools exist in the legal and regulatory realm. These range from a wide array of zoning, bylaw and ordinance mechanisms, to incentive programs and owner-generated restrictions on land use.

### **7. Utilize the experts: Technical Assistance**

Regulations and creative solutions for heritage landscapes are constantly changing and emerging. Public and private agencies offer technical assistance with the many issues to be addressed, including DCR, MHC, the Heritage Corridor and the Central Massachusetts Regional Planning Commission.

### **8. Pay the bill: Funding Preservation**

Funding rarely comes from a single source, more often depending on collaborative underwriting by private, municipal, and regional sources. Each town also has a variety of funding sources that are locally-based and sometimes site-specific.

## **DUDLEY'S TOOLKIT – Current Status and Future Additions**

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What follows is a review of the tools that Dudley already has in place, as well as a number of additional tools that fall within some of the categories noted above. The tools already in place for Dudley provide a good foundation for heritage landscape preservation, but their efficacy as protection for the town's natural and cultural resources can be significantly improved by strengthening existing measures and putting others in place. Appendix B includes extended descriptions of preservation measures; the specific applications of those tools to Dudley's resources are described below. In addition, the appendix contains a full description of additional avenues and creative approaches that Dudley can consider in developing a multi-pronged strategy for preservation.

A tool that has been proven to be one of the single most valuable resources in protecting heritage landscapes has been the Community Preservation Act (CPA). Towns that have approved the CPA have been able to leverage funding for such activities as historic resource surveys, acquisition of conservation restrictions and open space, adaptive reuse of historic structures, and signage programs. A number of recommendations in this study, including further historic resource surveys and natural resource survey work, could be funded by the CPA. More information about the CPA can be found in Appendix B under 6. Defend the Resources: Laws, Bylaws and Regulations and 8. Pay the Bill: Funding Preservation.

These tools should be considered in combination with those recommendations made in Part I for Dudley's priority landscapes.

### **1. Know the resources: Inventory**

**Current:** According to the Massachusetts Historical Commission, the town's inventory includes documentation for 502 buildings, structures and sites. A reconnaissance survey was conducted in 1984, and a community-wide comprehensive historic resources survey update was completed in 2001.

**Additions:** The update completed in 2001 permitted the work of the earlier survey to be reviewed and receive the benefit of improved methodology for such work.

It is recommended that a similar, archaeological survey be completed for the community. Known and potential precontact Native American and historic archaeological sites should be documented in the field for evidence of their cultural association and/or integrity. Funding assistance for this effort would also be available from the MHC Survey and Planning grants, as well as CPA funding.

### **2. Gain recognition for their significance: State and National Register Listing**

**Current:** Dudley currently has only one property listed on the National Register, the Black Tavern. There are no Local Historic Districts in town.

**Additions:** Dudley's Master Plan identified three potential districts recommended for listing on the National Register of Historic Places: Dudley Center, Perryville District,

and Stevens Mill. All three of these are addressed in this report as priority landscapes. The Town has created a Local Historic District Study Committee to study the potential for these three areas to be designated as Local Historic Districts. This is the strongest form of protection, and a very positive step for the Town to be taking. Of the three, Dudley Center would be a first priority.

The comprehensive survey of 2001 noted: “Dudley is the site of many National Register eligible agricultural properties as well as a number of historic industrial plants, mill villages and the civic focal point of Dudley Center.” It is recommended that the Dudley Historical Commission pursue designation plans with the MHC, and expand and prioritize their list of sites and areas for National Register listing.

### **3. Engage the public: Outreach, Education and Interpretation**

**Current:** The elementary schools have supported the preservation of the Black Tavern, last year donating \$3000 from pennies collected from school children for a restoration project. There are also yearly tours of the building by the third grade classes, sponsored by the Black Tavern Historical Society.

The Dudley Historical Commission is sponsoring a walking tour of Dudley’s cemeteries this fall.

Dudley’s Local Historic District Study Committee is planning community meetings in the three areas they are considering for LHD designation. This is an excellent way to gain feedback and provide information on an important preservation tool for the community.

**Additions:** The Historical Commission applied for a grant to the Massachusetts Turnpike Authority for funding for historical signage and pamphlets, and were turned down. A good place to look for funding for this would be the Quinebaug and Shetucket Rivers Valley National Heritage Corridor.

Preservation Mass, as the statewide preservation advocacy organization, is a source of support for advocacy. They have a program that annually identifies and publicizes the 10 Most Endangered historic resources in the Commonwealth, which is a good way to advocate for resources that are imminently threatened.

### **4. Think in context: Comprehensive and Open Space Planning**

**Current: Master Plan 2000:** A number of priority landscapes were mentioned in this document. It was noted that the French River (as well as the Quinebaug) is a unique place that is largely inaccessible at present. The expansion of the Quinebaug and Shetucket Rivers National Heritage Corridor to include Dudley was identified as a step that should catalyze action on riverfront recreation projects. It was also stated that the Stagecoach Road was a historic trail with exciting prospects for recreational use. The recognition of both of these priority landscapes should be followed up with action plans.

**Current: Open Space Plan 2004:** Dudley’s Open Space Plan, incorporated into its Community Development Plan of 2004, identifies Dudley as a “beautiful, quiet town

with a pleasing rural character defined by its rolling hills, farm fields, and forested areas.”

There are many objectives of the Five-Year Action Plan of the Open Space Plan that directly relate to the issues and needs of Dudley’s heritage landscapes, some of which are contained herein. They were given time frames, which is very helpful in creating a structure for implementation. A recommended Open Space Committee has been formed, an important first step in implementation.

**Additional Planning:** While many recommendations were made to protect the features and natural resources of heritage landscapes in Dudley’s planning documents, it is important that natural and cultural values be addressed as integrated issues. It is equally important that all of the relevant town’s boards work together to implement the Action Plan laid out in the Open Space Plan.

It is vital that there be strong links between community economic development, open space, and recreation agendas in order to successfully address Dudley’s environmental and development challenges. There should be regular joint meetings of the town boards involved with land-based and cultural resource issues. This scheduled interaction will help to maintain communication, coordinate planning priorities, and advance programs that support and promote community character and heritage landscapes.

## **5. Develop Partnerships: the Power of Collaboration**

**Current Status:** One goal of the Open Space Plan addressed the important issue of community participation in conservation and recreation projects, specifically through increasing public awareness, enhancing communication within and beyond the town about these issues, and encouraging public-private partnerships.

**Additional Efforts:** Dudley has many interested citizens and private organizations, including the Dudley Conservation Land Trust and the French River Connection, who have dedicated their time to protecting and promoting Dudley’s irreplaceable landscapes. As recognized in the Open Space Plan, partnerships with citizen activists are essential to expand the capacity of the town to protect its resources and maintain the character of its community. The town should continue to keep the lines of communication open with their partners and continue to work with them to achieve common goals.

## **6. Defend the Resources: Zoning, Bylaw and Ordinance Mechanisms**

### **Current Mechanisms**

Demolition Delay Bylaw: Dudley has a Demolition Delay Bylaw, which provides for 12 months of time to consider alternatives to demolition of a historic structure. The most valuable aspect of this bylaw is that it creates space within which to have a conversation about how private and public needs can both be met in the service of preservation. The spirit of the law should be honored when historic structures are threatened with demolition.



Mill Overlay District: The town has a Mill Overlay District which provides flexibility in considering adaptive reuse options for mill buildings in three areas of town.

Conservation Districts: The town's zoning bylaws include Conservation Districts to protect certain natural features. Special use regulations, they require land within the District to remain primarily undeveloped.

Open Space Zoning: Dudley has Open Space Zoning which allows greater density than would otherwise be permitted on a parcel, in an effort to preserve open space. It also has an Open Space Residential Subdivision provision in its Rules and Regulations.

### **Additional Mechanisms**

The following strategies have consistently proven effective as basic preservation tools in communities throughout Massachusetts.

**Neighborhood Architectural Conservation Districts (NACD)**, further explained in Appendix B, are local initiatives that recognize special areas within a community where the distinctive characteristics of buildings and places are preserved and protected. The Dudley Historic Commission should work with the MHC staff to determine how an NACD can help to maintain the character of areas which have changed through time, but which retain a valued neighborhood "feel" that may be threatened by incompatible development.

**Local Historic Districts (LHD)**, further explained in Appendix B, are also local initiatives and the strongest form of protection to preserve special areas with distinctive buildings and places. Unfortunately, National Register listing provides only minimal protection for historic landscapes and structures. Local designation can be tailored to specific community needs, and often protects private investment by enhancing property values. A system that provides property owners incentives can preserve important characteristics of a district while allowing options for how that can happen. Dudley is making excellent progress in this area by studying three sites with the town for potential designation, as noted above.

### **Additional mechanisms specific to Dudley's landscapes**

The following recommendations are organized by the types of resources that Dudley has, and measures that should be considered to strengthen their protection.

#### Riverfront Land

The French and Quinebaug Rivers and Tufts Brook are important natural, cultural and recreational resources that are underutilized and underprotected.

1. The Open Space Plan objectives that focused on the lands beside rivers and streams should be given priority, including enforcement of the Massachusetts Rivers Protection Act, Conservation Zoning for Quinebaug riverfront areas (and

- consideration of this for French River areas as well), and public education about these important places.
2. There is a proposed special provision that lots with frontage on the Quinebaug or French Rivers reserve a 30-foot easement along the riverbank for public access to the river. This should be passed.
  3. Initiatives that have demonstrated long-term commitments by Dudley citizens such as the French River Greenway, should be supported by the town.

### Mill Villages and Industrial Structures

A defining characteristic of the Quinebaug-Shetucket region and Dudley in particular are the mill villages that exhibit the vestiges of the transformative power of the industrial revolution in mills, dams, mill worker housing and transportation elements such as the associated rivers, canals and railroads or rail traces. Dudley exhibits that history in the villages of Merino, Quinebaug and Perryville. Preservation Restrictions and NACDs should be considered to protect the character of buildings and structures within these areas. The Town's Mill Reuse Bylaw should be publicized to ensure that residents and future developers are aware of Dudley's efforts to preserve these industrial resources.

### Agricultural Lands

Preservation of agricultural landscapes means preservation of the farming activities; otherwise, it simply is the preservation of land as open space. There are instances in which changing technology sometimes requires modifications to existing farm structures or the addition of new ones. It is important to know what the features of an agricultural setting are and which features the community treasures in order to make a case for preservation of these settings.

Appendix B has a full list of regulatory tools that should be considered to protect agricultural land; the following highlights important measures to meet the needs of agricultural protection in Dudley.

1. Create an Agricultural Commission, a standing committee of town government created through vote at Town Meeting. This Commission would represent the farming community, promote agricultural-based economic opportunities, and work to protect and sustain agricultural businesses and farmland.
2. Prioritize parcels under Chapter 61A for future acquisition. Should the landowner choose to sell land recently withdrawn from Ch 61, the town has only 120 days to act on its right of first refusal. The need to pay fair market value, combined with lack of readily-available funding from a program such as the Community Preservation Act, makes it difficult for the town to effectively act on this right.
3. Strengthen public-private partnerships to preserve farmland through purchase of APRs or CRs. Dudley has over 1600 acres of land protected by APRs, more than any other town in the Commonwealth except Amherst. This is a great achievement, which the town should continue to support and augment with pursuit of CRs as well.
4. Develop partnerships to raise funds with organizations, including the Dudley Conservation Land Trust, to purchase development rights on farms or to assist a farmer in the restoration of historic farm buildings for which the owner would be required to donate a preservation restriction (PR).

5. Make information about the Massachusetts Department of Agricultural Resources programs available to farmers, including the Farm Viability Enhancement Program (technical assistance, funding) and the Agricultural Environmental Enhancement Program (supports best management practices for agricultural operations to mitigate impacts on natural resources).
6. Document farms that are considered critical to the character of Dudley's community using MHC survey forms.
7. Adopt a right-to-farm bylaw which allows farmers to carry on farming activities that may be considered a nuisance to neighbors. Refer to Smart Growth Toolkit at: [http://www.mass.gov/envir/smart\\_growth\\_toolkit/bylaws/Right-to-Farm-Bylaw.pdf](http://www.mass.gov/envir/smart_growth_toolkit/bylaws/Right-to-Farm-Bylaw.pdf)
8. Explore Community Supported Agriculture (CSA), a partnership between a farm and a community of supporters. Community members cover a farm's yearly operating budget by purchasing a share of the season's harvest. This relationship guarantees farmers a reliable market, while assuring the members high quality produce, often below retail prices.

### Scenic Roads

Scenic roads are an integral part of the historic fabric of the community. They are highly valued by Dudley residents and visitors alike and were listed as a heritage landscape theme during the public meeting. Roads must also accommodate modern transportation needs and decisions regarding roadways are often made with travel and safety requirements as the only considerations. Dudley has voted on individual roads to be designated as Scenic, but has not yet adopted the Scenic Roads Act (MGL Chapter 40-15C). In addition to roadway issues, much of what we value about scenic roads – the stone walls, views across open fields and the many scenic historic buildings – is not within the public right-of-way. The preservation and protection of scenic roads therefore requires more than one approach.

1. Complete an inventory with descriptions and photo documentation of each of the roads in Dudley considered to be scenic, including the character-defining features that should be retained.
2. Adopt a Scenic Road Bylaw and designate specific town roads protected by the bylaw. (The designation cannot be applied to state numbered roadways.) Add design criteria to be considered when approving removal of trees and stone walls.
3. Post attractive road signs that identify the scenic roads in town.
4. Coordinate procedures between Highway Department and Planning Board or Historical Commission.
5. Consider a Scenic Overlay District which may provide a no-disturb buffer on private property bordering on scenic roads or adopt flexible zoning standards to protect certain views. Such bylaws would apply to the landscapes bordering state numbered roadways, which would not be protected under the scenic roads designation, as well as to landscapes bordering town roads.
6. Develop policies and implementation standards for road maintenance and reconstruction, including bridge reconstruction, which address the scenic and historic characteristics while also addressing safety. This is an important public process in which the community may have to accept responsibility for certain costs to implement standards higher than those funded by Mass Highway Department. Such standards should have a section addressing the way in which the local Highway Department maintains roads; for example, requiring a public

hearing if any new pavement width is to be added to a town road during reconstruction or repair. Policies can be adopted by local boards having jurisdiction over roads, or can be adopted at Town Meeting through a bylaw. In developing policies consider factors such as road width, clearing of shoulders, walking paths and posted speeds. A delicate balance is required.

### **7. Utilize the Experts: Technical Assistance**

A list indicating the full range of available governmental and non-profit sources of technical assistance can be found in Appendix B.

### **8. Pay the Bill: Funding Preservation**

A list indicating the full range of available governmental and non-profit sources of funding can be found in Appendix B.



## CONCLUSION AND IMPLEMENTATION

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Dudley's residents have a strong sense of place, defined by the town's varied natural features and the historic land use patterns that grew out of them. The town has already begun to document and evaluate its most significant buildings and natural areas. It must now also look beyond these traditional resources to the landscapes, streetscapes, rural roads, neighborhoods and other natural and cultural assets that define the community's character. Like most municipalities, Dudley is facing multiple pressures for change that will have permanent impact on land-based uses and natural resources, especially its remaining farming areas. Special places within the community that were once taken for granted are now more vulnerable than ever to change.

The Dudley Reconnaissance Report is a critical tool in starting to identify the rich and diverse heritage landscapes in Dudley and in developing creative preservation strategies and partnerships. Dudley will have to determine the best ways and sequence in which to implement the recommendations discussed above. The town would do well to form a Heritage Landscape Committee, as described in DCR's publication, *Reading the Land*.

Landscapes identified in this report, especially the priority landscapes, will benefit from further documentation in accordance with MHC guidelines. The documentation in turn will provide an information base for the local publicity needed to build consensus and gather public support for landscape preservation. Implementing many of the recommendations in this report will require a concerted effort by and partnerships among municipal boards and agencies, local non-profit organizations, and regional and state agencies and commissions.

There are no quick fixes for the challenges of managing growth and funding preservation. Many of the recommended tasks and approaches will require cooperation and coordination among a number of municipal, regional and state partners to be successful. They will require time and a good dose of patience, as volunteer schedules, legislative procedures, and funding cycles try to mesh.

Circulating this Reconnaissance Report is an essential first step. The recommendations should be presented to the Board of Selectmen, who represented Dudley in its application to the Heritage Landscape Inventory program. Copies of the report should be available on the town's web site and distributed to town departments and boards, particularly Dudley's Historical Commission, Planning Board, and Conservation Commission and will also be useful for the Dudley Historical Society, neighborhood associations, local land trusts, and other preservation organizations. Finally, a reference copy belongs in the town library. All of these circulation efforts will broaden citizen awareness, and result in increased interest and support for Dudley's heritage landscapes.

**Finally, the project team suggests that the following recommendations be the top three priorities for Dudley as the town works to protect the character of its community:**

1. Pursuit of a Local Historic District for Dudley Center.
2. Nomination of sites for National Register designation.
3. Adoption of the French River Greenway Plan as it is developed and finalized.

## APPENDIX A

### DUDLEY'S HERITAGE LANDSCAPES

This list was generated by local participants at the Heritage Landscape Identification meeting held in Dudley on March 7, 2007 and follow-up fieldwork on April 11, 2007. **There are undoubtedly other heritage landscapes that were not identified at the HLI meeting noted above.** The chart has two columns - the name and location of the resource are in the first; notes about the resource are in the second. Landscapes are grouped by land use category. Abbreviations used are listed below.

APR = Agricultural Preservation Restriction  
LHD = Local Historic District  
NRHD = National Register Historic District  
NRI = National Register Individual Property

CR = Conservation Restriction  
PR = Preservation Restriction  
TTOR = The Trustees of Reservations

**Bold** = Priority Landscape

#### Summary of Priority Landscapes:

**Dudley Center**

**Old Stagecoach Road**

**Zajac Farm**

**French River Corridor (Railroad Bridge, Boston and Albany Railroad,**

**Stevens Linen Mill, Chase Woolen Mill, Perryville Dam and Perry Mill Site)**

**Northeast Corner of Dudley**

<b>Agriculture</b>	
<b>Zajac Farm</b> Town Farm Rd.	411 acres; site of the former town poor farm; hayfields and market gardening for farmstand; Grand Trunk Railway runs through it, beautiful vistas, diverse land
Bonnie View Farm	
Keekamoochaug Farm	
Gomes Farm	
Easterbrook Farm	
Pikuel Farm	
DeWolfe Farm	
Meyers Farm	
Bates Farm Airport Rd.	
Chickering Farm	
Howe Farm	
Schmidt Farm	
Hall Farm	
Dziembowski Farm	
Koebke Farm off Rt. 31	last dairy farm
Pleasant View Farm Ramshorn Rd.	
Axel Johnson Farm	and landing area
Wood Farm	
Tracy Farm	and vista

Schmidt Farm Rd. 31	horse farm
Elwell Farm Center Rd.	NR eligible
Kulisa Farm Dudley-Oxford Rd.	NR eligible
Vinton Farm Dudley Southbridge Rd.	NR eligible
Upham Farm Marsh Rd.	NR eligible
Healy/Tobin/Hillcrest Farm Dudley-Oxford Rd.	
<b>Archaeology</b>	
Tufts Brook Village corner of Baker Pond Rd. and Ramshorn Rd.	early mill site; foundations of mill, tenements, bridge
<b>Burial Grounds and Cemeteries</b>	
Durfee Cemetery	
Old Settlers Cemetery on Quinebaug River	
Walden Cemetery	
Carter Cemetery Carpenter Rd.	
Corbin Cemetery	Included in Preservation Guidelines for Municipally Owned Historic Burial Grounds and Cemeteries, initiative of MA DEM (now DCR)
Village Cemetery	on Dudley Hill
Blackmere Cemetery	
<b>Civic / Institutional</b>	
<b>Dudley Center</b>	on Dudley Hill; includes Black Tavern (NR); Center Rd.; Nichols College; Grange; Congregational Church; observatory; Village Cemetery; 2 dodecagon houses (private) on Rams Hill Rd.; William Carter House, 1723, first town meeting site
community schools	7 schools, including 1 on Rams Horn Rd.; 1 in West Dudley
<b>Commercial / Industrial</b>	
<b>French River Corridor</b>	Chase Mill, Perryville Dam and Perry Mill site, Stevens Mill and stone arch bridge, Railroad trestle bridge (Boston and Albany Railroad), rich natural resource area
Dye House	on Merino Pond, below the dam
West Dudley Paper Mill	Intervale Mill on Quinebaug; dam still generating electricity

Chase Woolen Mill	NR eligible
J. and D. Perry Yarn Factory Schofield Ave.	NR eligible
<b>Miscellaneous</b>	
theme: stone walls	found throughout town
<b>Open Space/ Recreation/ Parks</b>	
<b>Northeast Corner of Dudley</b>	5 1/2 miles across, 8 miles long; hills above Peter Pond; wild, holly; old deeds refer to land as Thomas Dudley's Farm; subdivision laid out for land
Ardlock property	90 acres of conservation land; another 20 acre town property mentioned; Grand Trunk Railway goes between the two
Pierpont Meadow Pond	has dike on it
Shiners Ponds	4 square manmade ponds, to raise shiners in for bait
Tufts Branch Valley Green Corridor	central part of Dudley, running north and south between Rt. 31 and Center Rd.; includes patches of APR land; scenic vistas; goes up into Charlton; encompassed Old Stagecoach Rd.; trying to delineate as wildlife corridor
<b>Residential</b>	
stone tenement	
<b>Transportation</b>	
<b>Old Stagecoach Rd.</b>	in Tufts Branch Valley; laid out in 1740, abandoned in 1857 (walkable); 5' high stone walls, bridge; part of it called Rattlesnake Rd.; includes stone known as "Durfee Monument", boundary with Indian land
Quinebaug Rail Trail	2 cattle passes (underpasses)
Grand Trunk Railway	
Trolley line	
theme: Scenic Roads: - Baker Pond Rd. - Marsh Rd. - Hayden Pond Rd.; -	Portions of these were voted as scenic roads in Town Meeting
Healy Rd.	
Farley Rd.	
Fabian Rd.	nice tree canopy
Rams Horn Rd.	
Center Rd.	
Dresser Hill Rd.	Route 31
<b>Village</b>	
Tufts Brook Valley	Tufts Brook mill site and bridge and houses on Stagecoach Rd. Tufts Brook
Perryville	southeast corner of Dudley, part of French River corridor;



	intact industrial village of fifteen 19 <sup>th</sup> century structures including mill housing
Merino Village bordered by Mill St., Pine St. and French River	area also historically called Jericho; 27 structures related to Stevens Mill (mill housing)
Quinebaug Village Mill Rd./Rt. 131 intersection	Intervale Mill housing

## APPENDIX B

### GUIDE TO PRESERVATION AND PLANNING TOOLS FOR HERITAGE LANDSCAPES

Preservation planning is a four-step process: **identification, evaluation, education** and **protection**. Within the realm of protection, there is a vast array of tools that communities can call upon and that are most effective when used in combination with one another. Stewardship of these resources involves education and community support, planning with a clear set of goals, and regulatory mechanisms.

Three useful documents to consult when planning preservation strategies are:

- Department of Conservation and Recreation, *Reading the Land*
- Massachusetts Historical Commission, *Survey Manual*
- Massachusetts Historical Commission, *Preservation through Bylaws and Ordinances*

The following eight sections – based on the Toolkit Basics – detail the resources and strategies available for heritage landscape preservation—from documentation and evaluation, to public education, to regulating activities and finding the revenue necessary to fund the effort.

#### 1. KNOW THE RESOURCES: INVENTORY

The vital first step in developing preservation strategies for heritage landscapes is to record information about the resources on MHC inventory forms. One cannot advocate for something unless one knows precisely what it is – the physical characteristics and the historical development.

Survey methodology has advanced since the early work of the 1980s. If a community had survey work done during that time period, it is time for an inventory update, looking at resources in a more comprehensive and connected way than may have been done at that time. Even if survey work is more recent, there may be a need to document more resources throughout the community.

Using the Massachusetts Historical Commission survey methodology:

- a. Compile a list of resources that are under-represented or not thoroughly researched, beginning with heritage landscapes.
- b. Document unprotected resources first, beginning with the most threatened resources.
- c. Make sure to document secondary features on rural and residential properties, such as outbuildings, stone walls and landscape elements.
- d. Record a wide range of historic resources including landscape features and industrial resources.
- e. Conduct a community-wide archaeological reconnaissance survey to identify patterns of prehistoric and historic occupation and to identify known and probable locations of archaeological resources associated with these patterns. Known and potential precontact and historic archaeological sites should be professionally field-checked to evaluate cultural associations and integrity. A professional archaeologist is one who meets the professional

qualifications (950 CMR 70.01) outlined in the State Archaeologist Permit Regulations (950 CMR 70.00).

**NOTE:** The Inventory of Archaeological Assets of the Commonwealth contains sensitive information about archaeological sites. The inventory is confidential; it is not a public record (G.L. c. 9, ss. 26A (1)). Care should be taken to keep archaeological site information in a secure location with restricted access. Refer to the MHC article "Community-Wide Archaeological Surveys" which appeared in Preservation Advocate, Fall 2005, and which can be found at the following MHC link: <http://www.sec.state.ma.us/mhc/mhcpdf/pafall05.pdf>.

## **2. GAIN RECOGNITION FOR THEIR SIGNIFICANCE: NATIONAL REGISTER LISTING**

Survey work includes evaluation of whether resources meet the qualifications for National Register listing. This will provide new information about the eligibility of properties. Using the information generated in the survey work and the accompanying National Register evaluations, expand your town's National Register program.

- Develop a National Register listing plan, taking into consideration a property's or area's integrity and vulnerability. Properties in need of recognition in order to advance preservation strategies should be given priority.

## **3. ENGAGE THE PUBLIC: OUTREACH, EDUCATION AND INTERPRETATION**

The best stewards and advocates for heritage landscape protection are members of the community. There are many ways to communicate the importance of these special places to the public, and to connect their preservation with the shared values and goals that community members have already expressed in various planning documents and forums.

Think creatively about how to educate the community about the values and threats to heritage landscapes, and how each town resident benefits from these special places. Use a combination of strategies to get the word out about heritage landscapes and preservation of community character, including:

- **Festivals and Tours** – Tours are a great way to draw attention to the history around us, and to engage more people in caring for it. Consider hosting a Heritage Celebration Day including tours and family-friendly activities, or plan a celebration around a particular place or area on a meaningful date. Make sure events are well publicized.
- **Signage and Banners** – Signs are a very effective way to announce special historic sites and districts. Banners can also bring attention to the significance of an area and make a celebratory statement about its contribution to the town.
- **Written Materials** – Clear, concise and engaging written material with engaging illustrations is a reliable way to relay information about community character and heritage landscapes. Make use of fact sheets and flyers to get the word out on particular issues such as a town ordinance that protects heritage landscapes, a threat that needs to be addressed, or an upcoming event.
- **School Curricula** – Start teaching at a young age. Children are very receptive to engaging stories, and there are no better stories to excite childrens' imaginations and build pride of place than stories of their town's past and present. Teachers have an opportunity to connect history

with environmental issues through classroom study, hands-on history projects, and field exploration of a town's heritage landscapes. Subsequently, students have an opportunity to teach their parents that preservation is everybody's business.

- **Lectures and Workshops** – Use these forums to raise awareness, educate at a deeper level about the community's history and its resources, and broaden the base of interest.
- **Website** – Keep Historical Commission and local historical organizations' entries on the town's website current, and include information about issues, proposals for preservation strategies, and upcoming events.
- **Press Releases** – Use all avenues including press releases to keep the public informed when a meeting or event is about to occur. Work with local reporters to develop special interest articles that highlight landscape resources.

Remember that bringing an issue or a heritage landscape to people's attention once will have only short-term effect. Outreach, education and interpretation must be ongoing concerns that involve preservation and conservation interests, teachers and community organizations in repeated projects to attract and engage the general public.

#### **4. THINK IN CONTEXT: COMPREHENSIVE AND OPEN SPACE PLANNING**

Communities use a variety of planning exercises and documents to define their goals and vision of the future, address community-wide issues, and recommend measures to respond to them. There are state mandates for towns to prepare Comprehensive or Master Plans and Open Space and Recreation Plans.

- Comprehensive or Master Plans provide an important frame of reference for land use decisions, and incorporate all of a community's issues including economic development, housing and transportation into an integrated plan. Heritage landscapes need to be seen through the lenses of community character, historic preservation, environmental health, and economic viability and growth. Their future and the values they contribute should be addressed within these multiple perspectives, not solely as historical assets of the community.
- Like Comprehensive Plans, Open Space Plans look holistically at the community—its history, demographics and growth patterns, and current conditions—to make recommendations that protect open space and natural resources for ecological health and public benefits. The Heritage Landscape Inventory Program provides a framework for looking at these important resources, and this new understanding should be incorporated into Open Space Plans.

#### **5. DEVELOP PARTNERSHIPS: THE POWER OF COLLABORATION**

Because heritage landscapes encompass such a broad range of resources and issues—from preservation of town centers, scenic roads and river corridors to promotion of smart growth and economic development – stewardship of these resources involves many interests in a community. It is essential that there be good communication between the many departments and committees that address issues related to heritage landscapes. Collaboration between public and private partners is also an essential element in a successful preservation strategy. National Heritage Corridor personnel are helpful guides to partnership opportunities for projects you may have in mind.

- Broaden the base. Preservation, particularly preservation of landscapes, is not just for the Historical Commission. It is important that the cause not be marginalized by those who view preservation as opposed to progress, or to personal interests. A look at DCR's *Reading the Land* shows the range of organizations and viewpoints that value heritage landscapes.
- Nurture public-private partnerships. Friends groups, neighborhood associations, and local land trusts all have important roles to play to spread the word, and to expand the capacity of the public sector to care for heritage landscapes.
- Take advantage of forums created to share issues and ideas. For instance, the Massachusetts Department of Agricultural Resources offers a "cluster" format for monthly discussion and information exchange meetings among area farmers.
- Share resources across communities. Towns that lack funding for a town planner position, for instance, have found that "sharing" a planner with another community can be quite effective.

## 6. DEFEND THE RESOURCES; LAWS, BYLAWS AND REGULATIONS

A wide range of laws, bylaws and regulations is available to protect heritage landscapes. Following are brief descriptions of some of the most widely used and/or most effective of these tools, arranged alphabetically.

### **Adaptive Reuse Overlay District**

An Adaptive Reuse Overlay District is superimposed on one or more established zoning districts in order to permit incentive-based reuses of existing built properties. These districts can be created to allow for the adaptive reuse of properties of a certain kind, or within a specified area within a community. As an overlay zone, all regulations pertaining to the underlying zone apply, except to the extent that the overlay zone modifies or provides for alternatives to the underlying requirements.

### **Agricultural Preservation Restrictions (APR)**

This program, managed by the Department of Agricultural Resources, offers to pay farmers the difference between the "fair market value" and the "agricultural value" of farmland located on prime agricultural soils, in exchange for a permanent deed restriction which precludes any use of the property that will have a negative impact on its agricultural viability. This program is different from the *Chapter 61* program, which provides tax incentives for short term restrictions.

### **Community Preservation Act**

The Community Preservation Act is statewide enabling legislation that allows communities to assemble funds for historic preservation, open space protection and affordable housing through a local property tax surcharge (up to 3%, with some allowable exemptions) and state matching funds. These funds can support a wide variety of activities, including inventory and documentation of historic resources, restoration and acquisition.

### **Conservation Restrictions (CR)**

A permanent deed restriction between a landowner and a holder - usually a public agency or a private land trust; whereby the grantor agrees to limit the use of his/her property for the purpose of protecting certain conservation values in exchange for tax benefits. EOEEA's Division of Conservation Services provides assistance to landowners, municipalities, and land trusts regarding conservation restrictions and has produced *The Massachusetts Conservation Restriction Handbook* as a guide to drafting conservation restrictions.

### **Corridor Protection Overlay District**

A Corridor Protection Overlay District is intended to promote appropriate development within a given corridor, serving to protect natural (and sometimes cultural) resources. As an overlay zone, all regulations pertaining to the underlying zone apply, except to the extent that the overlay zone modifies or provides for alternatives to the underlying requirements. The Corridor Protection Overlay District can be used cooperatively by adjoining communities to help maintain continuous protection across town lines.

### **Demolition Delay Bylaw**

With a Demolition Delay Bylaw, requests for a permit to demolish a historic building must first be reviewed and approved by the local historical commission. Demolition Delay Bylaws are either list-based (applying only to a specific list of buildings that have been previously identified), age based (applying to all buildings that are older than a certain age – typically 50 years), or categorical (applying only to resources that meet a specific criteria, such as having been documented on Massachusetts Historical Commission forms). If the historical commission does not approve of the demolition and deems a structure significant, it can impose a delay period, during which time the property owner is encouraged to explore alternatives to demolition. Delay periods of 6 months are common, although communities are increasingly adopting delay periods of up to one year.

### **Design Review**

Design Review is a non-regulatory process that is undertaken by a town appointed Design Review Board. The board reviews the design of new construction and additions – typically those taking place in already built-up areas. Recommendations are made to the planning board to help preserve appropriate building patterns and architectural styles, with the goal of maintaining the overall character of a given area. Design Review Boards often limit their review to exterior architectural features, site design and signage.

### **Downtown Revitalization Zoning**

Downtown Revitalization Zoning seeks to encourage businesses to locate in downtowns. Zoning of this nature is typically written to be attractive to businesses of a certain kind that would work well within the given infrastructure and transportation needs, but can also incorporate some of the same elements as Village Center Zoning (see below), such as encouraging mixed use development at a pedestrian-friendly scale, with minimal setbacks and offsite parking.

### **Flexible Development Zoning**

Flexible Development Zoning allows for greater flexibility and creativity when subdividing land, to conform and work with the natural and cultural resources of a site and minimize alteration or damage to these resources, rather than follow standard requirements of subdivision regulations. While this does not prevent land from being subdivided, it does allow for the protection of some features, serves to preserve some undeveloped land, and promotes better overall site planning.

### **Local Historic Districts (LHD)**

LHDs recognize special areas within a community where the distinctive characteristics of buildings and their settings are preserved. They offer the strongest form of protection available for historic resources. LHDs are administered by a Local Historic District Commission (distinct from the community's Local Historical Commission), which reviews proposed exterior changes to buildings within the district. The kinds of changes that are reviewed vary according to the terms of the local bylaw.

### **Neighborhood Architectural Conservation Districts (NCD)**

Neighborhood Architectural Conservation Districts (sometimes known as Neighborhood Conservation Districts) are local initiatives that recognize special areas within a community where the distinctive characteristics of the neighborhood are important. They are less restrictive than Local Historic Districts in

that they focus on a few key architectural elements and massing, scale, and setback in an effort to embrace overall neighborhood character. As in Local Historic Districts, changes are reviewed by a Neighborhood Architectural Conservation District Commission.

### **Open Space Zoning**

Open Space Zoning – also known as Cluster Development Bylaw, Open Space Communities Zoning, Open Space Development Overlay District, Open Space Preservation Subdivision, or Open Space Residential Development – allows greater density than would otherwise be permitted on a parcel, in an effort to preserve open space. Typically, construction is limited to half of the parcel, while the remaining land is permanently protected under a conservation restriction.

### **Rate of Development Bylaw**

A town may slow the rate of its growth within reasonable time limits to allow the community to engage in planning and preparation for growth. This measure must be used for the purpose of conducting studies and planning for rational development, and not for restraining the rate of growth for a period of unlimited duration.

### **Right to Farm Bylaw**

A Right to Farm Bylaw asserts the rights of farmers to pursue agricultural activities, provides community support for farming activities and requires dispute resolution so that abutters cannot make nuisance claims. Agricultural landscapes are widely considered to be significant heritage landscapes for which there is constant concern of potential development. This bylaw serves to help active farmers remain just that - active.

### **Scenic Overlay District Zoning**

Scenic Overlay District Zoning protects scenic vistas by providing for a no-disturb buffer on private lands, thereby helping to maintain specific viewpoints. This type of zoning is more far-reaching than a Scenic Roads Bylaw (see below) and may be applied to numbered routes.

### **Scenic Roads Bylaw**

The Scenic Roads Bylaw requires that a public hearing be held prior to the removal of any trees or stone walls that fall within the public right of way on a designated scenic road. Depending on how it is written, the bylaw may apply to a predetermined list of roads or encompass all roads in a community (other than numbered routes). The bylaw applies whenever there is any public or private impact to trees or stone walls within the right of way, including activities such as road widening, utility company work or creating private driveways.

### **Scenic Vista Protection Bylaw**

Scenic Vista Protection Bylaws require additional design criteria for any proposals for new construction in areas that are determined by the town to be a scenic vista. Vistas may encompass natural, cultural and historic features.

### **Shade Tree Act**

The Shade Tree Act is a part of MGL Chapter 87, which defines all trees within the public way as public shade trees. The municipal Tree Warden is responsible for the care, maintenance and protection of all public shade trees (except those along state highways). Trimming or removal of any public shade trees greater than 1.5” in diameter requires a public hearing. Chapter 87 applies to all communities; however, some communities have adopted their own Shade Tree Act Bylaws that provide stricter regulations than those mandated in Chapter 87.

### **Site Plan Review**

Site Plan Review provides the planning board (and other boards and committees, depending how the bylaw is written) with an opportunity to consider a variety of community concerns – such as impacts to vehicular circulation, scenic vistas, topography and natural resources – during the permit process. Boards may comment on site plans and request changes to the design. Site Plan Review is typically limited to large scale projects and tied to the special permit process.

### **Smart Growth Zoning – Chapter 40R**

Smart Growth Zoning (Chapter 40R) provides financial rewards to communities that adopt special overlay zoning districts allowing as-of-right high density residential development in areas near transit stations, areas of concentrated development, or areas that are suitable for residential or mixed use development. Such zoning can help direct compact growth to areas that are already developed – such as historic village centers – thereby discouraging growth in less suitable areas.

### **Transfer of Development Rights (TDR)**

TDR is a regulatory technique that allows a landowner to separate building or development rights from the property and sell them, receiving compensation for preserving land and allowing for the development to occur in areas selected for higher density projects. In essence, development rights are "transferred" from one district (the "sending district") to another (the "receiving district"). As a result, development densities are shifted within the community to achieve both open space preservation and economic goals without changing overall development potential.

### **Village Center Zoning**

The goal of Village Center Zoning is to meet the needs of a small-scale, mixed-use, pedestrian-friendly area by encouraging compact development. New construction is required to be built at a scale that is compatible with the neighborhood and to have a reduced (or no) setback from the street. Parking may be directed to discourage large lots in front of buildings. Village Center Zoning shares many similarities with Traditional Neighborhood Development, and the terms are sometimes used interchangeably.

### **Wetlands Protection Act and Bylaws**

The Wetlands Protection Act (MGL Chapter 131, Section 40) protects wetlands by requiring a careful review by local conservation commissions of proposed work that may alter wetlands. The law also protects floodplains, riverfront areas, land under water bodies, waterways, salt ponds, fish runs and the ocean. Communities may also adopt their own Wetlands Protection Bylaw, providing stricter regulations than those mandated in Chapter 131.

## **7. UTILIZE THE EXPERTS: TECHNICAL ASSISTANCE**

Beyond DCR and the Heritage Corridor, technical assistance is available from many governmental and non-profit sources, most often free of charge to municipalities and non-profit organizations.

- [American Farmland Trust](#): Clearinghouse of information supporting farmland protection and stewardship.
- [Central Massachusetts Regional Planning Commission](#): The regional planning agency charged with assisting communities with local planning efforts in this region.
- [Citizen Planner Training Collaborative](#): Provides local planning and zoning officials with training opportunities and online information; they also hold an annual conference to support land use planning.



- [Green Valley Institute](#): Provides technical assistance about land use planning to communities within the Quinebaug-Shetucket Heritage Corridor. Web site and publications contain information of use to communities throughout the region.
- [Massachusetts Historical Commission](#): Provides technical assistance as well as grants to municipalities and nonprofits for preservation planning and restoration projects.
- [New England Small Farm Institute](#): A non-profit dedicated to providing technical assistance, information and training to farmers.
- [The Trustees of Reservations](#): Offers conservation and landscape protection workshops, publications and connections through the **Putnam Conservation Institute**. The Trustees also manages a unique **Conservation Buyer Program** that links interested sellers with conservation-minded buyers and assists with establishing permanent property protection mechanisms.
- [Massachusetts Department of Agricultural Resources](#) is the state agency dedicated to supporting the agricultural activities in the state through special initiatives, programs and technical assistance.
- [The Trust for Public Land](#) is a national non-profit that assists municipalities with land conservation efforts.
- University of Massachusetts Extension
- DCR's [Lakes and Ponds Program](#) works with local groups and municipalities to protect, manage and restore these valuable aquatic resources. They provide technical assistance to communities and citizen groups, help to monitor water quality at various public beaches to ensure public safety, and provide educational materials to the public about a range of lake issues.
- [Massachusetts Agricultural Commissions](#) has recently launched a new website that includes helpful information both for communities with Agricultural Commissions and for those learning more about forming one.
- **UMASS extension (NREC)** – Natural Resources and Environmental Conservation) can provide assistance on issues related to land and water resource protection, smart growth/sustainability measures and forestry and farming management,

## 8. PAY THE BILL: FUNDING PRESERVATION

Funding for preservation projects is an important aspect of implementing strategies to protect heritage landscapes. There are local, state, regional, national and non-profit funding programs and resources that can assist communities in preservation and land conservation-related issues. The availability of such assistance varies from year to year and private property is not always eligible for funding. Examples include:

### Local Funding Assistance

- Towns that have adopted the **Community Preservation Act (CPA)** find it to be an excellent funding source for many heritage landscape projects. While tricky to pass in lean economic times, the number and types of projects that are benefiting across the Commonwealth makes the CPA worthy of consideration. Such projects include MHC inventory, National Register nominations, cemetery preservation, open space acquisition and preservation and restoration of public buildings. The CPA (M.G.L. Chapter 44B) establishes a mechanism by which cities and towns can develop a fund dedicated to historic preservation, open space and affordable housing. Local funds are collected through a 0.5% to 3% surcharge on each annual real estate tax bill. At the state level, the Commonwealth has established a dedicated fund which is used to match the municipality's collections under the CPA. The amount of the surcharge is determined by ballot vote at a local election.

Adoption of the Community Preservation Act, by a majority vote on a ballot question, fosters **partnerships** among historic preservationists, conservationists and affordable housing advocates. At least 10% of the funds must be used to preserve historic resources; at least 10% must be used to protect open space; and at least 10% must be used to advance affordable housing. The remaining 70% must be used for one of these three uses as well as recreational needs and can be distributed in varying proportions depending upon the projects that the city or town believes are appropriate and beneficial to the municipality. Additional information about the CPA can be found at [www.communitypreservation.org](http://www.communitypreservation.org).

- Municipalities can establish **land acquisition funds**, increasing their revenue from sources such as an annual fixed line item in the municipal budget; income from forestry, farming and leasing of town-owned land; gifts and bequests; grants and foundation funding; and passage of the CPA, detailed above.

## State Funding Assistance

Funding for a variety of preservation projects, primarily for municipalities and non-profit, is available through the [Massachusetts Historical Commission \(MHC\)](#), the EOEEA [Division of Conservation Services](#) (DCS), the [Department of Conservation and Recreation](#) (DCR) and other state agencies. Further information on these programs is available on the agency websites.

- **MHC Survey and Planning Grants** support survey, National Register and a wide variety of preservation planning projects.
- The **Massachusetts Preservation Projects Fund (MPPF)**, administered through the MHC, funds restoration and rehabilitation projects.
- Towns that have a local historic district bylaw may apply for **Certified Local Government (CLG)** status which is granted by the National Park Service (NPS) through the MHC. At least 10% of the MHC's yearly federal funding allocation is distributed to CLG communities through Survey and Planning matching grants. To become a CLG, the town completes an application; after being accepted as a CLG, it files a report yearly on the status of applications, meetings, and decisions; in return the town may apply for the matching grant funding that the MHC awards competitively to CLGs annually. Presently 18 cities and towns in Massachusetts are CLGs. **NOTE:** CLG status is dependent in part on a municipality having at least one [Local Historical District](#) as evidence of the community's commitment to historic preservation.

Open Space Plans, with a requirement of updating the plan every five years, make a community eligible for **Executive Office of Energy and Environmental Affairs (EOEEA) grants** and technical assistance programs through the Department of Conservation Services.

- The [Massachusetts Self-Help Program](#) of DCS assists local conservation commissions in acquiring land for the purposes of natural and cultural resource protection and passive outdoor recreation.
- The [Massachusetts Urban Self-Help Program](#), another DCS initiative, is geared toward assisting towns and cities in acquiring and developing land for park and outdoor recreation purposes.

- DCS [Conservation Partnership Grants](#) assist non-profits in acquiring interests in land for conservation or recreation, and have also been used in the past to help protect active agricultural lands.
- The [Federal Land and Water Conservation Fund](#), distributed through the DCS, can support heritage landscape protection by providing up to 50% of the total project cost for the acquisition or renovation of park, recreation or conservation areas. Municipalities, special districts and state agencies are eligible to apply.

The **Department of Conservation and Recreation (DCR)** administers a variety of grant programs that can help with heritage landscape preservation:

- [Urban and Community Forestry](#) grants fund projects which will result in sustained improvements in local capacity for excellent urban and community forestry management.
- The [Recreational Trails Grant](#) Program provides funding on a reimbursement basis for a variety of recreational trail protection, construction, and stewardship projects.

The **Department of Agricultural Resources** [Farm Viability Enhancement Program](#) works with farmers to develop sound business plans and funding assistance to implement them.

### **Regional and Non-Profit Funding Assistance**

- The [John H. Chafee Blackstone River Valley National Heritage Corridor Commission's Heritage Partnership Program](#) supports projects in corridor towns that further the Corridor goals of historic preservation, community revitalization, ecological restoration, land use planning, riverway development and educating people about the Valley's heritage. Communities and organizations located within the Corridor are eligible to receive funding, subject to availability.
- [Quinebaug and Shetucket Rivers National Heritage Corridor](#) provides mini-grants to member towns, supporting preservation of heritage landscapes including projects involving sustainable agriculture, river clean-ups, open space planning and natural resource conservation.
- The [Greater Worcester Community Foundation](#) provides grants to non-profit organizations for community enhancements.
- [The Trust for Public Land](#) (TPL) is a national, nonprofit, land conservation organization that conserves land for people to enjoy as parks, community gardens, historic sites, rural lands and other natural places. TPL helps communities identify and prioritize lands to be protected; secure financing for conservation; and structure, negotiate and complete land transactions. TPL's New England Office recently launched the [Worcester County Conservation Initiative](#), to accelerate the pace of land conservation in central Massachusetts by helping communities plan and finance conservation projects.
- The [National Trust for Historic Preservation](#) offers a variety of financial assistance programs. Based on the availability of funding, the National Trust awards more than \$2 million in grants and loans each year for preservation projects nationwide.

- The [Central Massachusetts Regional Planning Commission \(CMRPC\)](#) does not administer grants, but can work with communities to write grants or help them find funding.

### **Federal Funding Assistance**

- The [Farmland and Ranchland Protection Program](#) of the U.S. Department of Agriculture has protected 85 farms to date in Massachusetts on 6,335 acres with matching funds. Eligible organizations are federally recognized Indian tribes, states, local government, and non-governmental organizations. They are required to provide 50-50 matching funds for purchase of conservation easements in land with prime, productive soils that are subject to a pending offer, for the purpose of limiting conversion to non-agricultural uses of the land.
- All of the communities within the Blackstone Heritage Corridor have been designated [Preserve America](#) communities, making them eligible to receive technical assistance and matching grants related to heritage tourism. Eligible grant activities include research, documentation (e.g., historic resource surveys and National Register nominations), interpretation and education (e.g., signage, exhibits and itineraries), planning, marketing and training. (Communities within the Quinebaug and Shetucket Rivers Valley National Heritage Corridor may want to pursue Preserve America designation in order to take advantage of these funding opportunities.)
- The National Park Service's [Rivers & Trails Program](#) provides technical assistance to community groups and government agencies so they can conserve rivers, preserve open space, and develop trails and greenways. The program does not offer grants, but can provide staff to help identify needs, assist partners in navigating the planning process, and help with organizational development and capacity building. The program can serve as a catalyst for successful trail development and conservation efforts.