

Guidelines *for the*Westport Point Historic District

TO PRESERVE AND PROTECT

Westport Historical Commission, June 2017



| Looking north to the Cory store, Lees Wharf and the Westport Point Br | idge |
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1. THE WESTPORT HISTORICAL COMMISSION AND THE WESTPORT POINT HISTORIC DISTRICT

These Guidelines are designed to clarify the purposes and procedures of the Westport Historical Commission (WHC) and to provide a guide for Westport Point Historic District (District) owners when considering changes to their properties. In 1973, a Westport By-Law was passed authorizing the creation of the WHC and the District. It was passed pursuant to The Historic Districts Act, Massachusetts General Laws Chapter 40C, which was created to protect and preserve the historic resources of the towns and cities of the Commonwealth by authorizing such towns and cities to establish a local review process to encourage and ensure historically compatible alterations. The WHC has the authority to review changes to all buildings and structures within the District that are visible from a public way and not specifically exempted.

When overseeing the District the WHC has the following mandates:

- To preserve and protect the distinctive characteristics and settings of buildings and structures at Westport Point (the Point) significant to the history of Westport and to the Commonwealth of Massachusetts.
- To assure that alterations and additions to all buildings and structures are not incongruous to the historic aspects or the architectural characteristics of the existing building or structure or its surroundings.
- To assure that new construction is compatible with neighboring buildings and fits into the context of the District.

WHC members and alternates are appointed by the Board of Selectmen. Its seven members represent, wherever possible, different professional abilities and interests, including realtors, architects, and members of the Westport Historical Society, preservationists, and owners from the District. Members serve staggered three-year terms and are supported by seven alternate members.

Westport Historical Commission, June 2017



Lees Wharf from the water

2. HISTORICAL AND ARCHITECTURAL BACKGROUND

The first European explorers to see the Point found it cleared of trees and used as farmland. Evidence suggests that Native Americans summered here, fishing and farming, and that they called the Point "Pacquachuck." This has been interpreted to mean "cleared hill" or "quahog." No Europeans lived at the Point for about one hundred years after the Pilgrims landed. In 1700, Christopher Gifford, a Quaker from Sandwich, purchased 64 acres of land from Daniel Willcox. Willcox had the land from his father-inlaw, John Cooke, the son of Francis Cooke who was a Mayflower passenger and purchaser of one of the original 800-acre parcels of land in Dartmouth acquired from Native American inhabitants. In 1720 the Town laid out a public landing at the Point, and Timothy Macomber ran ferry service from it to the Horseneck Beach area for farmers whose cattle grazed the marsh. The Giffords built a "Great Gate" by their homestead to collect tolls on the road laid out by the Town but built on their land. The gate stood near 1994 Main Road which was the site of the Gifford family cemetery until the 1830s. Until 1770 the only house on the Point, generally land south of Hotel Hill, was on the Christopher Gifford farm.

While small docks had existed for decades along both branches of the Westport River, by 1770 more space for docking and shipping was needed making Point land too valuable for strictly farming. The Point was clearly the best site for the new enterprise of whaling, its peninsular form being perfect for wharves to accommodate docking of whalers. Land adjacent to the wharfs was needed for buildings to store whale oil as well as for shipbuilding, coopering, blacksmithing, and other associated industries. The first to capitalize on the Point's advantages were Stephen Davis and several of his brothers who were shipbuilders and traders from Assonet. They purchased land at the tip of the Point from the Gifford family in 1770 and laid out wharves and seven or eight house lots with water access on the west side of the road. At the same time, the Gifford family sold house lots and "industrial lots" on the east side of the road.

By 1800 the first building phase at the tip of the Point was completed with some fifteen houses on the street or water-front along with new wharves, industrial shops and stores. Included was a windmill for power, a blacksmith shop making ship fittings, a distillery producing the necessary drink



Looking south around 2018 Main Road

for sailors and laborers, several coopering and carpentry shacks, and a number of general stores selling commercial and retail goods. The American Revolution cast off British restrictions against trade in American vessels and opened the Point to general shipping as well as whaling. Many of the small, closely built houses at the tip of the Point were "spec built" that is, erected by a builder to be sold for profit, a certain sign of how inviting a commercial site the Point had become. These houses conveniently boarded sailors making a living by whaling or coastal trading. Others housed merchant families or owners of the mini-industries that whaling and shipping required.

A second building phase followed the War of 1812, the end of which had sparked seafaring and speculative wealth. Captains built larger Federal and Georgian houses along the street to the present Post Office in the 1820s and 1830s. Christopher Gifford III used his land sale profits to erect a rustic Georgian "mansion" in place of the 1720 farmstead.

The third phase of growth occurred during the economic heyday of the 1840s. Enriched sea captains and agents built Greek Revival style homes on lots carved from the dissolved Gifford estate. These two- and three-story, gable-to-street houses differed from earlier styles in their celebration of America's democratic virtues, but they made themselves harmonious with the houses already present. They kept the English tradition of town design that placed houses right on the street instead of far back on a lawn as in modern suburbia. This "built" environment of neighborly houses that focused on the common life of the street reflected the close relations of people who worked together, intermarried, and often worshiped together.

The next phase of development came after the Civil War when the refining of kerosene and the growth of railroads reduced the profits from whaling and coastal trading. The Point began a slow slide into a poverty which persisted for several decades and eventually would be relieved by rumrunning and the advent of summer people. Indeed, summering became an important local industry, continuously enlivening life at the Point even if ambivalently regarded. It provided income for farmers, owners of guesthouses, lot sellers, fishermen, boat builders, and house builders. Summering also bore fruit in local architecture. In 1869 the New York banker, William Valentine, built an Italianate villa in a "park" in the middle of the Point. The scale and



Looking north around 1973 Main Road

siting of this summer residence were unique at the Point. Most summer homes were more modest or off the main road. So, while summerhouses and summer money filled a few empty lots and purses, these intrusions did little to alter the dominant architectural character and culture of the Point. The old Cape, Georgian, and Greek Revival houses retained their original conditions, maintaining the historical character of Westport Point.

In recent years, a new phase of culture has come to the Point and with it a new pressure on its architecture. The rise in property values encouraged many older families to sell their houses, and the unique beauty of the natural and "built" environment attracted many retirees and second homebuyers. A sign of this new culture is that the former orientation of a working neighborhood related to Westport River and Harbor has changed to a recreational orientation by residents for whom the Point may not be their primary residence. This change in cultural orientation has set the challenge for the WHC and residents alike: how best to maintain the beauty, charm, and historic authenticity of the "built" environment while allowing owners to enjoy modern living without sacrificing architectural integrity.

In 1973, buildings and structures at Westport Point were named to the State Register of Historic Places, and the Westport Point Historic District, under the review authority of the Westport Historical Commission, was designated as a local historic district. In further recognition of its unique historical character, buildings and structures in Westport Point along Main Road, some of which are not in the District, were named to the National Register of Historic Places in 1992.

Since then, the WHC has worked diligently to maintain the beauty, charm and historic authenticity of the Point for the benefit of residents and visitors alike, and hopes to continue to do so for the benefit of generations to come.



Fishermen's shacks at Westport Point

3. BASICS FOR OWNERS

A. APPLICATION FOR A CERTIFICATE

No exterior work may be initiated without a Certificate from the WHC. The Westport Building Department will not issue a building permit without a Certificate. Changes initiated without a Certificate may be stopped by the Building Department and the owner may be subject to fines, and to a Superior Court order requiring restoration of work done in violation of this law.

B. TYPES OF CERTIFICATES

Certificate of Appropriateness: Required for exterior alterations, unless specifically exempted under the WHC By-Law and written into these Guidelines.

Certificate of Non-Applicability: Issued for projects exempted from review by the WHC, some of which do not require a building permit.

Projects Exempted from Review by the WHC (as written into MGL 40C and Westport Historical Commission Bylaw):

- Terraces, walks, driveways, sidewalks, and like structures substantially at grade level
- Walls and fences
- Trees, plants, shrubs, hedges, and the like
- Storm doors and windows, screens, window air conditioners, and antennae for radio/television
- Color of paint on doors and shutters
- The color or nature of materials used on roofs
- Additions, alterations, or appurtenant structures (including but not limited to swimming pools and the like), which are not subject to view from a public way
- Ordinary maintenance or repair, or like for like replacement, of any exterior architectural feature or detail of a building, some of which do not require a building permit
- Requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition

Certificate of Hardship: A certificate exempting a project undertaken by a property owner for whom compliance would impose a significant hardship. Requires (a) detailed documentation of specific hardship to the property owner and (b) that the proposed project does not substantially conflict with the intent and purposes of Massachusetts G.L. 40C. This Certificate is rarely issued. Applicants should



View north to the town docks from Westport Point bridge

speak directly with the Chair of the WHC before making this application.

C. APPLICATION PROCESS

Application forms are available on the WHC website, and the WHC bulletin board, second floor, Town Hall. The applicant is strongly advised to read the instructions printed on the reverse of the application before completing the form. Incomplete information and documentation may result in delay of a scheduled hearing.

An application (with required documentation) for a Certificate of Appropriateness or Hardship must be submitted three (3) weeks prior to the hearing date to allow fourteen (14) days for public notification of abutters and posting a legal notice of hearing in a local paper (Shorelines). Such applications must be submitted to and be date-stamped by personnel in the Board of Selectmen's Office to assure timely processing.

For a Certificate of Non-Applicability, an applicant may contact the Chair of the WHC at least seven (7) days prior to a scheduled meeting to be included on the agenda of the meeting, and present an application with supporting documentation at that scheduled meeting. Chair and clerk can issue this certificate without waiting for a full meeting.

The submission of an application expressly authorizes site visits by members of the WHC.

D. REQUIRED DOCUMENTATION TO ACCOMPANY THE APPLICATION FORM

Drawings of the proposed work and site plans

For new construction and additions, an applicant must submit three (3) sets of architectural scale drawings at 1/4 inch scale for both existing and proposed work that include a site plan, exterior elevations, structural and foundation work, window and exterior door descriptions, the types and color of exterior walls and roof material. Architectural details such as window trim, corner boards, and cornices must be specified. An applicant must also submit one (1) set of the architectural drawings reduced to 8.5" x 11". The site plan should be drawn to scale and show grade elevations, existing buildings and structures such as decks, walkways, docks, seawalls, stonewalls, septic mounds, swimming pools, and any proposed changes to the site.



View north around 2028 Main Road

Project checklist

The applicant must submit a completed project checklist, which describes for each element of the proposed project, the material and color, and, where applicable, the dimensions. The checklist, as amended if necessary during the public hearing, will be attached to the approved Certificate and used by the project monitors to verify that the work corresponds to what was approved.

Photographs

Photographs of all elevations of an existing property affected by changes, should be submitted. Photographs must also document any other buildings on the site and on properties abutting the site. Photographs may also be used to illustrate the history of the building and/or show a building in the context of its neighbors.

Minor Alterations

For proposals such as alterations to existing windows or doors, sketches with dimensions of the proposed changes and with photographs of existing elevations may be submitted. Catalog cuts may be used to show style, size, and features of windows, doors, shutters, light fixtures, and other manufactured products.

Fee

A fee of \$50.00 (check or money order payable to Town of Westport) shall be submitted with an application for Certificate of Appropriateness or Certificate of Hardship. The fee may be waived if hardship is determined. There is no fee for a Certificate of Non-Applicability.

E. THE WHC REVIEW PROCESS

The WHC reviews and evaluates each application on its own merits, and strives to balance traditionally appropriate designs with modern living. However, a proposal to add to or to alter an existing building or structure may be limited or denied in order to preserve for current residents and future generations the historical context and significance of the Point.

Preliminary Review

Applicants are strongly encouraged to request a preliminary review of project plans before submitting an application. Request for a preliminary review should be made to the Chair of the WHC no later than one week before the regular meeting day. No fee is charged for a preliminary review.



Main Road view north, note taller steeple on the Methodist Church

Public Hearing

Like other Town Commissions, the WHC conducts open meetings and holds public hearings. WHC meetings are held the first week of each month in the Westport Town Hall. Upon receipt of a completed application with all required documentation, WHC will schedule a public hearing at the next available regular or special meeting, but in all cases, no later than 45 days after receipt of the completed application. WHC posts notices of the hearing and formally notifies the abutters. A copy of the plans submitted with the application will be posted on the WHC's bulletin board, second floor, Town Hall for public viewing prior to the public hearing.

The applicant or his/her representative must attend the public hearing. If neither the applicant nor the representative is in attendance, the WHC will not consider the application. The applicant or the applicant's representative must present the proposed work plan and note all comments and suggestions. Any written messages from people not in attendance regarding the application will be read, and the audience will be invited to comment. WHC members may ask questions and/or suggest design changes which would bring the proposal in line with WHC's criteria.

In most cases, decisions are made at the initial public hearing, but, if the applicant wishes to revise the plans, the hearing may be continued on request of the applicant. If the request for continuation is approved by the WHC, the applicant and WHC shall agree on the time and place when the matter shall be taken up again. No further fees or abutter or legal notices are required.

If the hearing is not continued, the WHC then votes on whether to issue the requested Certificate. Approval requires the votes of at least four of the seven members of the WHC.

If the WHC does not approve an application, the WHC may recommend changes to the applicant's proposal that would make the application acceptable.

Any applicant wishing to contest the decision of the WHC may appeal to the Superior Court of Bristol County within twenty (20) days of the registration of the WHC's decision with the Town Clerk. See MGL 40C:12A.



View north around 2039 Main Road

F. APPROVED CERTIFICATES

If the certificate is approved, the plans will be signed by four WHC members and the Certificate, date stamped by the Town Clerk, issued. The project checklist will be attached to the Certificate.

Once approved by the WHC and signed, one set of drawings is returned to the applicant, one is delivered to the Building Inspector and one set is filed with the application in the WHC's files.

The owner must post a copy of the Certificate at the site.

For each approved Certificate, the WHC shall assign two WHC members to monitor the work in progress throughout the project (Monitors). The applicant must notify the Monitors when work commences, and when any changes to the approved plans are contemplated.

Time Limits

Upon receipt of a Certificate for work that requires a building permit, the applicant must apply for the building permit within twelve (12) months from the date the Certificate is issued or must submit a new application. If a building permit is obtained in that time period, the certificate remains valid for as long as that building permit remains open.

If no building permit is required, the Certificate shall expire 24 months after the issuance of the Certificate or upon the sale or transfer of the property, whichever comes first. Upon request, this expiry date may be extended by the WHC, in its sole determination.

Changes in Approved Plans

Any changes made after the Certificate is issued, however minor, must be approved by the WHC. The applicant should consult first with the Monitors and, if the Monitors determine that the proposed changes require the review of the WHC, present the proposed changes at a WHC meeting. Unapproved work may be subject to penalties and a cease and desist order issued by the Building Inspector, which will remain in effect until approval is obtained, and penalties.

As applicants often must seek approval of their plans from other town bodies such as the Board of Health, the Conservation Commission, or the Planning Board, there is



Wharves and fish houses

the possibility that these authorities may request changes to the plans as approved by the WHC. If changes are required by other town bodies that contradict the approved conditions of the Certificate, the applicant must submit new application for the revised plans to be reviewed by the WHC.

Enforcement

Violations of MGL Chapter 40C may be addressed through the Superior Court and through the District Court as spelled out in the WHC Rules and Regulations Section VII G.

4. CONSIDERATIONS IN DETERMINING APPROPRIATENESS

A. ARCHITECTURAL STYLE

The District includes a variety of architectural styles defined by architectural features—size, shape, roofs, side walls, windows, doors, materials, trim, color—and ornamental details—size and profile of the cornice, vertical treatment of corners of building, arrangement of casings at windows and doors, placement of brackets, dentils, moldings, and decorative shingling.

The purpose of the WHC shall be to assure that alterations or additions to a building should be appropriate to the architectural style and materials of the original building and to those of similar buildings in the District. New construction shall be appropriate to the style of existing buildings on the property, and neighboring buildings, blending with abutting properties and the context of the District.

B. SIZE, SCALE, AND MASS

The WHC shall evaluate proposed additions or new construction for appropriateness of size, scale, and mass relative to land area of the proposed project, to the existing building, to adjacent buildings in the area, and to the density of the site or area.

Additions to the existing footprint should be designed so that the existing building is not rendered subordinate to the addition. An addition taller and/or wider than the existing building would be inappropriate. Additions should be differentiated from the existing building (i.e., set back from the existing wall plane) and not obstruct the visual integrity of the original structure.

Alterations and additions should be in harmony with the original building in size and scale. Second stories may be



View north around 2006 Main Road

considered when they are not incongruous to the historic aspects of the house or the surroundings.

C. ORIENTATION

Orientation is a significant organizing principle within the District. Rooflines and long dimensions of primary buildings fall into a pattern as do many extrusions, additions, and secondary buildings. The WHC shall review the orientation of proposed new construction and additions for appropriateness of length and width and orientation to the site and to the existing "grain" or orientation of rooflines of the District.

The WHC has the authority to impose historic setbacks and dimensions more restrictive than those of local zoning.

D. MATERIALS

Natural materials such as wood, brick, glass, iron, stone, etc. were traditionally used in the construction of historic buildings and are therefore considered appropriate. Owners are encouraged (but not required) to return features and materials original to the building, even when they may have been previously modified or removed. Synthetic materials such as vinyl, plastic, or aluminum are generally not appropriate. For buildings or additions built after 1973, some synthetic materials may be appropriate if the WHC determines that their placement and appearance replicate natural materials traditionally used for such purposes.

5. ARCHITECTURAL FEATURES AND DETAILS

A. WINDOWS

In an existing building it is preferred that old windows are repaired rather than replaced. Muntin size, wavy glass, and bubble glass contribute to the historic character of a building. Replacement windows in an existing building or new windows in new construction or in additions should be doublehung with true divided lights. Windows should be of a size, proportion, and location that is sympathetic to the architectural style of the building. Window divisions should be consistent with that of the existing building. Material should be painted wood. New and replacement windows visible from a public way should not be vinyl or metal clad. However, metal clad and/or SDL windows may be considered if the difference is not discernable from a public way. Picture windows, in most cases, are not appropriate; the WHC recommends ganged window units in their stead.



Wharf building at Point docks

B. ROOFS

A roof is a prominent feature and key element of a building. A variety of roof types in the District include gable, hipped, mansard, and shed. Proposed additions should match or harmonize with roof style and details of the existing building.

The roof pitch of additions should complement the pitch of the existing building. Roofs of ells or additions should successively step down from the main structure's roofline. Roof pitch for new construction should complement the architectural style of adjacent buildings.

Appropriate roofing materials are wood shingles or asphalt shingles of a dark, neutral color such as gray and of standard textures. Variegated shingles are discouraged.

C. SKYLIGHTS

Skylights should be of a traditional, flat type and minimized in number and size. No skylight may be installed in a roof of a primary façade.

D. SOLAR PANELS

Solar panels visible from a public way are subject to review by the WHC.

E. DORMERS

Dormers incorporated into buildings may be considered. Dormers should be of the shed or gable end type. Roof pitch of the dormer must be sympathetic to the style of the existing building and set back substantially from eaves to maintain existing roof lines.

F. CHIMNEYS

The height and original pattern of brickwork in chimneys should be maintained. New or rebuilt chimneys should be detailed out of brick or stone in a manner that is consistent with the architectural style of the building.

G. GUTTERS

Gutters should be of a design and material used on the original building and on similar buildings in the District. Gutter systems of wood, metal or fiberglass that simulates wood, including downspouts should be painted to match the trim. Gutters of wood or copper are preferred.



Westport Point bridge along with Lees wharf built by Thomas Mayhew c.1830

H. SIDE WALLS AND TRIM

Siding materials should be untreated, stained or painted wooden shingles or clapboards. Artificial siding will not be approved. All trim including decorative details must be appropriate to the period of the house and to the District. Intact existing trim and detailing should not be removed. Corner boards, casings, eave and rake trim details, brackets, etc., must be clearly shown on plans submitted for review.

I. SHUTTERS

Shutters and shutter hardware should be retained and/or replicated exactly-in-kind, and if originally operable, be mounted to remain so. Shutters should be of wood and of appropriate size to fit the opening of the window.

J. EXTERIOR DOORS

Exterior doors should be of wood panel design. Existing doors and door openings, including transoms and sidelights, should be repaired, not replaced. If an existing door cannot be repaired, the replacement door should be of similar design as existing and of wood and, if glazed with muntin bars, have true divided lights. Single pane sliding glass doors are inappropriate. French doors may be allowed.

K. GARAGE, BARN, AND SHED DOORS

Garage, barn, and shed doors should be built of wood, not metal or fiberglass.

L. DECKS, PORCHES, PORTICOS, STEPS, BALCONIES, AND RAILINGS/BALUSTERS

The above should be in keeping with the architectural style of the existing building. Ornamental details should be retained; open porches and porticos should not be enclosed or glazed; sleeping porches should be retained. Steps, stairs, porch and deck material should consist of stone or wood. Pressure-treated lumber is appropriate only as part of a concealed structural framework.

M. PAINT AND STAIN COLORS

Paint and stain colors require approval except on doors and shutters. Exterior trim colors must be clearly indicated on plans.

N. FENCES AND WALLS

Fences have traditionally been a significant element in the Point. They form the boundary line between public and private spaces, and provide a continuous edge between



Looking north around 1958 Main Road

buildings. Colonial and Victorian era fences were often designed to complement the style of the house behind.

Original and early fences and stone walls should be retained and repaired or restored if possible.

For new fences and walls, traditional materials (wood, cast or wrought iron, or dry stone) are appropriate, and should be compatible with the existing building materials, height, proportion, style and historic period. Low brick walls, stockade, vinyl, chain link, and wire fencing are not appropriate.

O. SEPTIC MOUNDS AND RETAINING WALLS

The WHC regards septic mounds as structures, not landscaping. Concrete retaining walls are not appropriate.

P. EXTERIOR LIGHTING

All floodlights, walkway lighting and up-lighting fixtures visible from a public way are subject to review by the WHC. Adherence to the following guidelines, however, for floodlights, walkway lighting and up-lighting precludes the need for individual approval by the WHC:

Timing of exterior floodlights should be limited through motion detectors or timers; lights should be placed low without light spillover on adjoining properties. Low-to-the ground, baffled fixtures are allowed for walkway lighting.

Up-lighting fixtures, such as for facades, signs, fountains, and landscaping are not appropriate.

Q. OTHER

Applicants may have questions about architectural features and details not addressed directly in these Guidelines. Those questions may be brought to the WHC at a regular meeting or during a preliminary review.



Valentine house at 1991 Main Road

ANNEX I DEFINITIONS

District - Westport Point Historic District

WHC - Westport Historical Commission

Certificate - a Certificate of Appropriateness, a Certificate of Non-Applicability, or a Certificate of Hardship issued by the WHC (see page 5 for certificate descriptions)

Monitors - two WHC members appointed by the WHC to monitor the work in progress under an approved Certificate

Building - a combination of materials forming a shelter for persons, animals, or property

Structure - a combination of materials other than a building, including but not limited to, walls, fences, signs and raised septic mounds, but excluding terraces, walks, driveways and like structures that are substantially at grade

Exterior alteration - any change to the architectural features or details of any building or structure, including but not limited to addition, rebuilding, reconstruction, restoration, demolition, removal, and change of color or material.

Like for like - the replacement of an architectural feature or detail that does not involve a change in design, material, color, or outward appearance, including, but not limited to, certain duplicative projects, such as replacing shingles, repainting with existing colors, and reglazing of sashes

Public way - includes public streets, public walkways, public parks and cemeteries, and public bodies of water. Vegetation, landscaping, fencing, walls, trellises, and the like are not considered to be a barrier to visibility.

Abutters - all persons owning property within 70 feet of all boundaries of an applicant's property, including abutters across streets

True divided lite - windows with multiple panes of glass in each sash, separated by a grid of solid muntins

SDL - simulated divided lite; windows with a grid strips sandwiched between two large panes of glass which are supposed to simulate muntins



Tripp Brothers general store at 1968 Main Road, built c.1879

REFERENCES:

- The Historic Districts Act, Massachusetts General Laws Chapter 40C and 8D
- Westport Historical Commission Bylaw 1973, last amended 2015
- Westport Demolition Bylaw 2002, amended 2007
- Massachusetts Historical Commission A Guidebook for Historic District Commissions in Massachusetts www.state.ma.us/sec/mhc
- MassHistPres Listserve masshispres-request@cs.umb.edu
- Community Preservation Act www.communitypreservatiion.org
- National Register of Historic Places www.cr.nps.gov/places.htm
- State Ethics Commission www.mass.gov/ethics/ETHICS.htm



Looking north at foot of Main Road at the Cory store

MAP SHOWING BOUNDARIES OF THE WESTPORT POINT HISTORIC DISTRICT



