

KnowHow #3

INFORMATION AND ASSISTANCE FROM THE MASSACHUSETTS HISTORICAL COMMISSION

What You Need to Know about Listing on the National Register

The National Register is the nation's official list of buildings, districts, sites, structures, and objects important in American history, culture, architecture, or archaeology. The National Register program is administered through the Massachusetts Historical Commission on behalf of the National Park Service.

Nominations are based on comprehensive local inventories of cultural resources. Inventories are generally compiled on a communitywide basis by local historical commissions and record basic information about the historic, architectural, and archaeological significance of individual properties and districts in a community. The completed inventory allows preservation decisions to be made within a consistent context, and identifies properties that are eligible for listing in the National Register.

1. How do I get my property listed in the National Register?

Contact your local historical commission or the MHC to determine whether an inventory form has been prepared for your property or if any additional information is required; ask your local historical commission to forward their recommendation to the MHC regarding your property's eligibility for the National Register. The MHC staff will then evaluate your property to determine whether it meets the criteria for listing in the National Register either individually or as part of a National Register District.

Criteria for Listing

The criteria for listing in the National Register are:

- a) association with events that have made a significant contribution to the broad patterns of our history;
- b) association with the lives of persons significant in our past;
- c) embodiment of distinctive characteristics of a type, period, or method of construction, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- d) likelihood of yielding information significant in history or prehistory.

Properties must meet at least one of the above criteria to be eligible for listing in the National Register.

The MHC staff evaluation team meets regularly to evaluate properties for the National Register. The object of the evaluation is to determine whether the property meets the criteria for listing. Decisions are based on MHC's knowledge of the resource and its integrity, and an understanding of the significance of the resource within its context. The inventory serves as the basis for all evaluation decisions. When the evaluation team does not have sufficient information to render a decision, additional information may be requested. When National Register districts are being evaluated, MHC staff may make a site visit prior to completing the evaluation.

If your property is eligible, the MHC will send you a nomination form and an instruction manual. You may wish to work with the local historical commission in completing the nomination or seek the assistance of a professional preservation consultant.

MHC staff will review your nomination submission for completeness and may request additional information. When complete, the nomination will be edited and processed by MHC staff, who will present it to the State Review Board of the Massachusetts Historical Commission at one of its quarterly National Register meetings.

The State Review Board will review the nomination and vote whether or not to nominate the property to the National Register of Historic Places. After being voted eligible, the nomination will then be forwarded to the National Park Service in Washington, D.C., for listing in the National Register of Historic Places.

2. What are the benefits of being listed in the National Register?

Recognition: The National Register recognizes the significance of a property to the community, state, and/or nation.

Tax Incentives: National Register listing allows the owners of income-producing properties certain federal tax incentives for substantial rehabilitation according to standards set by the Department of Interior.

Protection: National Register properties are afforded limited protection from adverse effects of federally assisted projects; and, through automatic inclusion in the State Register of Historic Places, limited protection from state actions.

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Grants: Inclusion in the State Register of Historic Places, which comes automatically with National Register listing, provides eligibility for matching state grants for restoration of properties owned by private nonprofit organizations and municipalities, when such grants are available.

3. Will National Register listing restrict the use of my property?

Listing in the National Register in no way interferes with a property owner's right to alter, manage, or sell the property when using private funds, unless some other regional and/or local ordinance or policy is in effect. If you use state or federal funds to alter your property, or need state or federal permits, the alteration will be reviewed by the MHC staff. Local funding and permitting do not trigger MHC review.

4. What is a National Register District?

Properties may be nominated to the National Register either individually or, if they are located within areas containing other significant properties, as districts. A National Register District may include any number of properties. The benefits and protections afforded by listing are the same.

5. Can my property be listed in the National Register if my community's inventory is not comprehensive?

Yes, in some cases. There are three exceptions to MHC's policy not to consider properties for the National Register in communities without comprehensive inventory.

If you can demonstrate that:

- 1) you, as the owner of income-producing property, are planning to do certified rehabilitation work and need National Register status in order to use the federal investment tax credits;
- 2) your property is in imminent danger of destruction; or
- 3) your property is of demonstrated state or national significance,

you may then submit a letter to MHC requesting a National Register evaluation for your property, stating why you want to have the property listed. However, you should note that without comprehensive inventory information, the eligibility of properties is difficult to establish. You will probably need to conduct supplemental inventory work to provide a context for evaluating the significance of your property.

6. If my house is listed in the National Register, are grant monies available for rehabilitation work?

Unfortunately, at present, the MHC does not administer federal or state rehabilitation funds for private homeowners. State grant monies, when available, are awarded only to properties owned by municipalities and non-profit organizations. Federal tax credits are available for substantial rehabilitation of income-producing and commercial properties.

7. Can I object to having my property listed in the National Register?

Yes. Once you receive notice that your property is being considered for listing in the National Register by the State Review Board, you may submit a notarized letter of objection to MHC. If your property is within a proposed National Register district, you will be invited to a public meeting in your community, prior to the State Review Board meeting, at which MHC staff will be available to answer questions about the listing. If your property is within a proposed National Register district, a majority of property owners (more than 50%) must submit notarized objections in order to prevent listing. If a majority of property owners do not object, the nomination may move forward and the properties for which there are objections will remain in the nominated district. If a majority of owners do object, the National Park Service may still formally determine the property(ies) eligible for listing, although actual listing will *not* occur.

8. Where do I go for assistance in preparing a National Register application?

Your local historical commission, local historical society, and library can provide useful resource material. Professional preservation consultants can assist you or your local historical commission with completion of the National Register nomination form. Also, when funds are available, matching Survey and Planning grants are awarded annually through MHC to fund professional National Register work. For more information, contact the MHC.

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Office for Equal Opportunity, U. S. Department of the Interior
1849 C Street NW, Room 1324, Washington, D. C. 20240

William Francis Galvin
Secretary of the Commonwealth
Chairman, Massachusetts Historical Commission
Massachusetts Archives Building, 220 Morrissey Boulevard, Boston, MA 02125
Phone: (617) 727-8470 Fax: (617) 727-5128
Website: www.sec.state.ma.us/mhc