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# FALMOUTH HEIGHTS • MARAVISTA IMPROVEMENT ASSOCIATION

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P.O. BOX 43

FALMOUTH, MA 02541

May 6, 1998



Dear Members:

Another summer season has arrived. This is my seventh year of addressing the membership with the annual letter. I want to thank you the Membership and the Directors for your support. I am in hopes that this support will continue in the future and results will continue to be the product of our concerns. Concerns still exist.

Existing concerns include the aftermath of the 12:00 requested closing hour for the Wharf Restaurant/Casino. The Selectmen arranged with the Police Department to arbitrate solutions with the Casino and the Association. To date this meeting has not taken place. Mr. Sweeney was not available in the fall. A committee was formed to carefully select a Counsel from the Boston area familiar with the type of situation we experience here. An appropriate Counsel was obtained. With Counsel, in attendance a meeting will be arranged in the immediate future.

A second major concern is the erosion on the Bluff. Anyone walking the sidewalk on the Bluff can easily see the deterioration and its rapid progression. A formal request was submitted to the Selectmen including photographs that showed how serious the problems were last year. To date nothing has been done to arrest the problem.

Teen Night at the Casino will be taken up again this year. Enclosed is an article from the Boston Globe indicating problems associated with this type of activity. It was mentioned by some members that they thought the Gus Cauty center was built to accommodate that type of activity. Inputs have suggested there is a need for activity of this type for the Teenagers in an environment like the Gus Cauty center if it could be made available.

A Seawall along Menauhant Road was brought to our attention. Last year a request for a Seawall was made by the Acapesket Residents between Maravista Ave. and the Great Pond Bridge. If that were installed, it could follow that a continuation of the sidewalk might be feasible.

Last, but not least, is the coming election of two selectmen. The Association urges all members to vote. Should we make a good showing by voting, it would be more than meaningful to the "powers to be". So when you vote, you are urged to vote carefully. Consider who is running and how much they did for you in the past. Consider their actions on the Association concerns about problems created by the Night Clubs. We still put up with the lack of control on Alcohol consumption excesses and the problems created during sleep hours. The Bluff erosion has not been addressed properly. So Vote carefully and let Downtown know we care about our neighborhood.

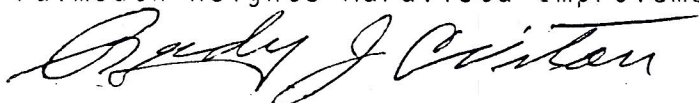
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Again, we are enclosing a stamped envelope to mail your annual dues. As usual, dues are optional for those who enjoy the status of "Life Membership". The dues request is for this year only.

Post cards will be sent to advise the date and location of the Annual Membership meeting.

Sincerely,

Falmouth Heights-Maravista Improvement Association

A handwritten signature in cursive script, reading "Rudy J. Cvitan". The signature is written in dark ink and is positioned above the printed name.

Rudy J. Cvitan-President

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# FALMOUTH HEIGHTS • MARAVISTA IMPROVEMENT ASSOCIATION

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P.O. BOX 43

FALMOUTH, MA 02541



August 3, 1999

Dear Neighbor:

Falmouth Heights is enjoying another great summer season.

The Oak Crest Inn and the group rental cottages are gone. So is the Brothers Four. The streets have all been nicely repaved and the Oak Crest Inn site is now a lovely park.

The Casino, one of our last problems, is changing hands. If permits are granted by the Town, it will probably be replaced by condominiums. If not, it is most likely to continue as a restaurant and noisy drinking and entertainment place.

The Falmouth Heights - Maravista Improvement Association for many years has led the neighborhood in efforts to preserve the Heights, and we have had a good measure of success.

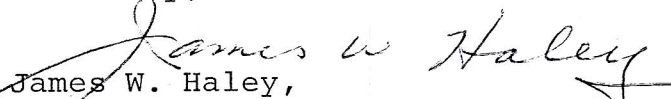
But, we can't sit back. We must continue to be active with the broad support of all the residents and property owners of the area.

At this time, we are writing to invite you to join our organization. We need wide-spread support from all. We need new members, particularly new active members -- younger members who can carry on. If ever a neighborhood needed organization, the Heights did. Now it still does.

Please read and fill out enclosed application form and return it to us.

We look forward to your participation.

Sincerely,

  
James W. Haley,  
Director, Chairman of Membership Committee  
JH:cm  
Enclosures

Board of Directors:

Rudy J. Cvitan, President  
Rod Baltz  
Maureen Houle  
Nancy Kougeas  
Jane Maloney

Betty McKenna  
Mary Morse  
Bill O'Brien  
Mattie Overlan  
Sharon Sinerate

Frances Smith  
Kevin Smith  
Mignon Smith  
Mary Snyder



9-2-99 Upper Cape Codder

# Falmouth Heights weighs 'honor' of National Register status

By Edward F. Maroney

FALMOUTH — Sitting in a building slated for demolition, about 50 residents of Falmouth Heights talked Monday about ways to preserve what may be the oldest summer colony on Cape Cod.

The meeting was held in the auditorium of the Henry Ward Hall School, slated to be torn down for the new Mullen-Hall School complex. Its sponsors were the Falmouth Historical Commission and the Falmouth Heights-Maravista Improvement Association, and its subject was recognition of the Heights on the National Register of Historic Places.

"It's so exciting to think of living in a community where you have (concern) enough to take care of it, to preserve the little bungalows," said Mary Lou Smith, chairwoman of the Falmouth commission. "This is a crisis time. Too many people want to destroy, demolish, and (then) put up condominiums. It's hard to believe, but the Woods Hole Inn could become fancy-dancy condominiums."

In the Heights itself, the landmark Casino building is the subject of a purchase-and-sales agreement by condo developers who plan to tear it down and rebuild. The association has endorsed the project, but others in the neighborhood oppose it.

The Falmouth commission came up with funds to match Massachusetts Historical Commission monies for a survey of the Heights. Candace Jenkins, the preservation consultant who will be creating an inventory of structures and their historic significance over the next year, said the neighborhood was created by businessmen on their way to Martha's Vineyard who were inspired by the view of the Heights from their boat.

Jenkins showed slides to illustrate the character of the Heights, including the "small, fanciful" Gothic revival buildings with steep roofs and decoration best described as "gingerbread." These were followed at the turn of the century by Colonial revival and shingle style houses. Then came the bungalows, some made of rusticated concrete block.

The boundaries of the district have not been drawn, but are likely to follow the original plan, which was encircled by Grand Avenue.

Betsy Friedberg, National Register director for the Massachusetts Historical Commission, noted that Falmouth already has such districts in West Falmouth, North Falmouth and around the town green. Nobska Light is listed individually.

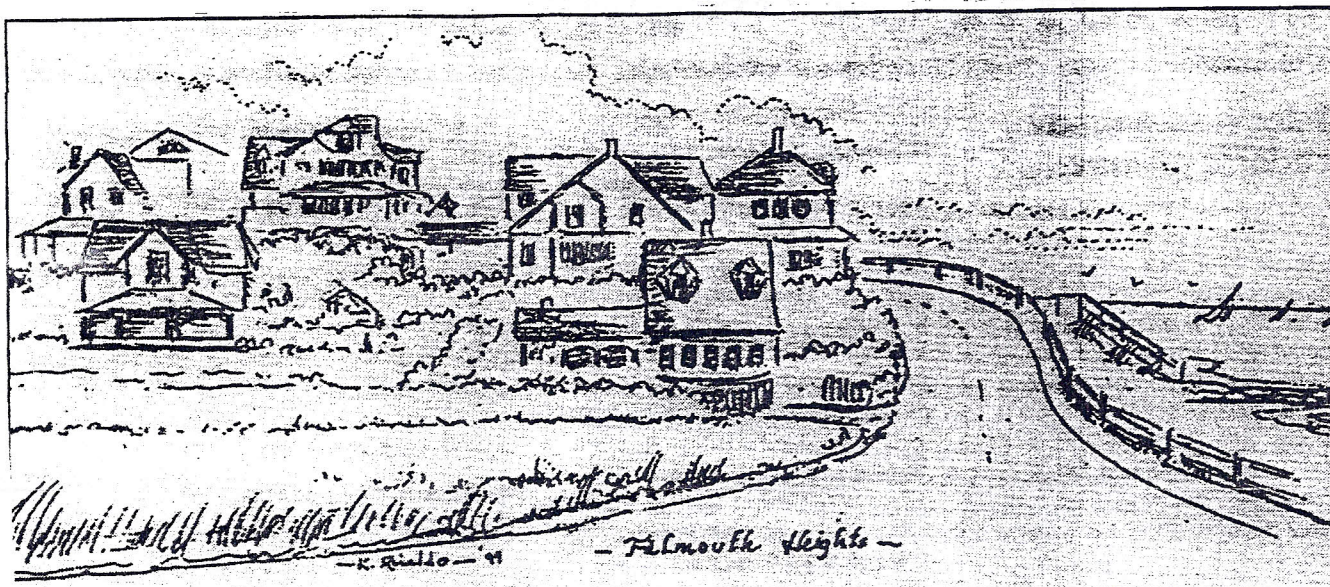
## 'Stop and think'

National Register status "says that your neighborhood is important to the development of Falmouth," said Friedberg. "It's a way of making your community stop and think before you plan for the future."

"Listing in the National Register does not place restrictions on what private property owners can do," she said, adding that such

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districts are not the same as a local historic district commission, which can regulate the appearance of structures.

In Barnstable County, however, the Cape Cod Commission has a measure of control over demolition or substantial alteration (more than 25 percent of the gross floor area) of single-family homes that contribute to the significance of a National Register of Historic Places district.

The commission's enabling legislation exempts single-family homes from its review except in such cases.

Ann Sears, executive director of the Falmouth Historical Society, explained the process a home owner would follow in such cases. Plans would be filed with the building commissioner, who would refer them to the Falmouth Historical Commission. That board would have 21 days to determine whether the change would be substantial, and could meet with the owner to suggest ways in which the alteration could be done to preserve the historic character of the district.

At the end of the three weeks, if the commission had not reached an agreement with the owner, it could refer the project to the Cape Cod Commission as a development of regional impact.

"Most (situations) are resolved locally," Sears said, pointing to the experience of home owners in National Register districts in Barnstable and Provincetown. "Maybe one or two (projects) a year are referred to the Cape Cod Commission."

"The National Register sounds good," said resident Betty Richer, "but my rub is the Cape Cod Commission. I do not want the Cape Cod Commission deciding what I do with my home. I don't want to see the Cape Cod Commission making those decisions for me."

"The Cape Cod Commission is also trying to protect Cape

### **NATIONAL REGISTER STATUS "SAYS THAT YOUR NEIGHBORHOOD IS IMPORTANT TO THE DEVELOPMENT OF FALMOUTH.**

**It's a way of making your  
community stop and think  
before you plan  
for the future."**

—Betsy Friedberg

Cod," Smith said. Richer said the commission could change its rules and decrease the exemption level from 25 percent, but the number is in the enabling legislation and would require Beacon Hill's blessing.

"What are you protecting us from?"

"The Heights area looks terrific," said Phil Richer. "What are you protecting us from?"

When Friedberg called National Register status "an honor," he shot back, "Is it OK if we skip the honor?"

"No one wants to be told what to do with their property," said Christopher Shea, a member of the Falmouth Historical Commission. "We haven't discussed what your neighbor can do to his property. What I see in Falmouth is (more) trophy houses, people

knocking down houses." A National Register district, he said, would allow the community to ask that a project take "a more reasonable approach."

"I'm fully in support of this," resident Audrey Marzano said. "If North Falmouth can do it and West Falmouth agrees, I can't see a single reason the Heights (should) not. It's an honor and a protection."

Resident John Vose said he rejected "having people tell us how to live. Can't we live by ourselves? We don't need these women telling us how to live."

Friedberg said Falmouth Heights property owners would have more opportunities to comment on the nomination over the next two years. Before it would be submitted to the state board, probably in 2001, all owners would be notified and invited to register their approval or objection.

"If it appears clear that the majority of owners does not wish it to happen," she said, the nomination would not go forward." In either event, the documentation of the historic significance of Falmouth Heights and its properties would remain a valuable resource.



## **Is a National Register District the same as a local Historic District?**

No. A National Register District should not be confused with local historic districts, such as on Nantucket or Falmouth's Main Street or Shore Street Historic Districts.

Unlike National Register Districts, local historic districts are established by communities under state law and are administered by a local District Commission appointed by the Selectmen with rules set up by a special state law. These rules require that a certificate of appropriateness be issued for every change to a building that is visible from the street. Although local district designation is an effective preservation tool, the Falmouth Historical Commission believes that in the Heights a less restrictive National Register District will provide much needed protection against unwarranted change and will honor the history and architecture of the community.

## **If there is no design review similar to that of a local historic district, why bother with a National Register District?**

BECAUSE the designation will remind people that the area is important to the history of the community, state, and/or nation.

BECAUSE any state or federally funded, licensed or assisted project will be automatically reviewed by the Massachusetts Historical Commission to insure that it does not adversely affect the historical integrity of the area.

BECAUSE, on Cape Cod, there is a review process for properties within National Register Districts in the case of demolitions or substantial alterations to historic properties.

## **How will this review process affect me personally?**

If your house is not "historic" (see below), there will be NO effect whatsoever. NO special permits, NO hearings, NO applications. You may do anything you want, under the town's existing laws, of course.

If you own a "historic" single family house AND you are planning minor improvements or alterations (new doors, windows, shingling, siding, small additions, dormers, etc.), again, there will be NO effect whatsoever.

If you own an "historic" building which you wish to DEMOLISH or "SUBSTANTIALLY ALTER" (see below), then you would need to present your plans to the Falmouth Historical Commission for review and approval. The Cape Cod Commission oversees this process.

## **What is an "historic property"**

Historic or "contributing properties" within a National Register District are those structures which due to their age, historic architectural qualities, historic association, or archaeological value contribute to the National Register District. Generally they were built before 1930. Early buildings which have been substantially altered since 1930 may not be considered "historic" if the changes mask the original building.



## **How will I know if my property is historic?**

In the process of applying for a National Register designation, a preservation consultant will make a list of all the historic properties which contribute to the district. Generally speaking, since the Heights is historically important as an early planned summer community with houses in the Carpenter Gothic, Shingle and Craftsmen styles, those properties will be deemed the most vital to protect. You will be notified about the designation and may appeal if you wish.

## **What is meant by "substantial alterations"?**

Substantial alterations, for single-family structures means exterior changes which (1) threaten the structure's historic significance by altering the building's key character defining features AND (2) involve over 25 percent of the total floor space.

Changes to multi-family or commercial structures must be reviewed by the Falmouth Historical Commission to determine whether they would jeopardize the building's listing on the National Register. If so, the owner may then work with the Commission to redesign the project to better preserve the historic aspects of the property, or the Commission may refer the project to the Cape Cod Commission. Sara Korjeff at the Cape Cod Commission will be glad to answer questions. (508-362-3828)

## **Who will decide what is a "substantial alteration"?**

If you are over the 25 percent threshold as determined by the building Inspector, the Falmouth Historical Commission will decide if the proposed work is "substantial."

## **So, I'm right in assuming that except for demolition and major external changes to my single family house, I can do whatever I like –within Town bylaws?**

Yes! Paint and hammer away.

The main thrust of these very modest restrictions is not to impede the normal and natural evolution that all properties undergo as owners' needs and tastes change. Instead, the goal is that major changes—particularly demolitions to historic homes will not take place without some thought as to how they will affect the historic character of the neighborhood. We all value the heritage left to us by those who built our community. These measures support our desire to honor their vision.

## **The Process: Setting up a National Register District**

1. Survey all structures in the proposed district.
2. Draw the boundaries of the district.
3. Hold an informational public meeting in Falmouth Heights with a MHC representative.
4. Complete the application and review it with the Falmouth Historical Commission.
5. File the application with MHC for its approval.
6. Notify and hold a final meeting in Falmouth with property owners.
7. Formally present the application for MHC approval.
8. If approved, the MHC will send the application to the National Park Service, and if the application is approved, the most historic area of the Heights will then be included on the National Register of Historic places.

Approximate time for completion: two years.