

The Monterey Historic Commission was established by By-Law, under SECTION 8D OF CHAPTER 40 OF THE GENERAL LAWS of the Commonwealth of Massachusetts in May of 1974 for the preservation, promotion and development of the historical assets of the Town of Monterey.

SECTION 8D OF CHAPTER 40 OF THE GENERAL LAWS grants preservation powers to the Historic Commission PURSUANT TO SECTION 27C – CHAPTER 9 of the Commonwealth of Massachusetts, to wit;

1. That the Historic Commission shall be involved in the “Planning process of a project” “As early as possible”.

2. That the “prior” to the permitting process, the owner “shall notify the commission of such project and the commission shall, within thirty days of receipt of such notice, determine whether such project will have any adverse effect, direct or indirect, on any property listed in the state register of historic places” (MACRIS).

3. “That if the commission does not make a determination within thirty days,” “the proponent may proceed with the project”.

4. “Upon determination of adverse effect, the commission” (and the project proponent) “shall immediately consult to discuss ways to eliminate, minimize or mitigate the adverse effects; provided, however, that such property was included in the inventory of the historic assets of the commonwealth prior to the thirtieth day following the submission of an application for building, demolition, special permit...”

Therefore, in accordance with State statute, the following is suggested;

- A. Any property owner, whose property exists of the MACRIS inventory of Historic Assets, shall be required to notify the Monterey Historic Commission in writing prior to any proposed work.
- B. In order to assure compliance with State statute, and avoid legal conflicts after-the-fact, the Monterey Historic Commission asks for the assistance of the Select Board and the Monterey Building Department.
- C. The ‘assistance’ shall include having the Monterey Building Dept supply a copy (to the Historic Commission) of any application for building, demolition, or special permit of any property that exists on the MACRIS inventory of Historic Assets (The Commission also requests copies of permits of any MACRIS projects currently in effect).
- D. Upon receipt of such information, the Monterey Historic Commission will have the State mandated 30 day comment period and in accordance with SEC 27C – CHAPTER 9 and shall provide any ‘comments, concerns or actionable items’ to the Monterey Building Department and work with them (as well as the project proponent) to satisfy State & local preservation requirements.
- E. It is the determination of the Monterey Historic Commission that this procedure is the best way to comply with State statute. Sending letters to property owners in advance of any proposed work, will only serve to “spook” property owners and may result in un-permitted work.

SJ Weisz, Chairman
Monterey Historic Commission

23 June 2014

Research Documents distributed:

Monterey By-Laws Section 12,
General Laws of Massachusetts Chapter 40 Section 8D
General Laws of Massachusetts Chapter 9 Section 27C
MACRIS inventory of historic assets of Monterey

Section 12. Historical Commission

May 4, 1974

Section 12 Historical Commission

The Town voted to accept Section 8D of Chapter 40 of the General Laws so as to establish an Historical Commission for the preservation, promotion and development of the historical assets of the Town of Monterey. The Commission shall consist of five (5) members who shall be appointed by the Select Board for terms of three years each. The Commission shall have all duties and powers conferred upon Historical Commissions by Section 8D of Chapter 40 of the General Laws.

Court Opinions

- US Supreme Court
- US Tax Court
- Board of Patent Appeals

State Laws

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US Code

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- 5 USC - Gov't Organization
- 6 USC - Domestic Security
- 7 USC - Agriculture
- 8 USC - Aliens and Nationality
- 9 USC - Arbitration
- 10 USC - Armed Forces
- 11 USC - Bankruptcy
- 12 USC - Banks and Banking
- 13 USC - Census
- 14 USC - Coast Guard
- 15 USC - Commerce and Trade
- 16 USC - Conservation
- 17 USC - Copyrights
- 18 USC - Crimes
- 19 USC - Customs Duties
- 20 USC - Education
- 21 USC - Food and Drugs
- 22 USC - Foreign Relations
- 23 USC - Highways
- 24 USC - Hospitals
- 25 USC - Indians
- 26 USC - Internal Revenue Code
- 27 USC - Intoxicating Liquors
- 28 USC - Judiciary
- 29 USC - Labor
- 30 USC - Mineral Lands
- 31 USC - Money and Finance
- 32 USC - National Guard
- 33 USC - Navigation
- 34 USC - Navy (repealed)
- 35 USC - Patents
- 36 USC - Patriotic Societies
- 37 USC - Uniformed Services
- 38 USC - Veterans' Benefits
- 39 USC - Postal Service
- 40 USC - Public Property
- 41 USC - Public Contracts
- 42 USC - Public Health
- 43 USC - Public Lands

General Laws of Massachusetts - Chapter 40 Powers and Duties of Cities and Towns - Section 1 Nature and scope

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Section 8D. A city or town which accepts this section may establish a historical commission, hereinafter called the commission, for the preservation, protection and development of the historical or archeological assets of such city or town. Such commission shall conduct researches for places of historic or archeological value, shall cooperate with the state archeologist in conducting such researches or other surveys, and shall seek to coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it deems necessary for its work. For the purpose of protecting and preserving such places, it may make such recommendations as it deems necessary to the city council or the selectmen and, subject to the approval of the city council or the selectmen, to the Massachusetts historical commission, that any such place be certified as an historical or archeological landmark. It shall report to the state archeologist the existence of any archeological, paleontological or historical site or object discovered in accordance with section twenty-seven C of chapter nine, and shall apply for permits necessary pursuant to said section twenty-seven C. Any information received by a local historical commission with respect to the location of sites and specimens, as defined in section twenty-six B of chapter nine, shall not be a public record. The commission may hold hearings, may enter into contracts with individuals, organizations and institutions for services furthering the objectives of the commission's program; may enter into contracts with local or regional associations for cooperative endeavors furthering the commission's program; may accept gifts, contributions and bequests of funds from individuals, foundations and from federal, state or other governmental bodies for the purpose of furthering the commission's program; may make and sign any agreements and may do and perform any and all acts which may be necessary or desirable to carry out the purposes of this section. It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the case of towns in the annual town report. The commission may appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having a city manager form of government, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns they shall be appointed by the selectmen, excepting towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen. When a commission is first established, the terms of the members shall be for one, two or three years, and so arranged that the terms of approximately one third of the members will expire each year, and their successors shall be appointed for terms of three years each. Any member of a commission so appointed may, after a public hearing if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall in a city or town be filled for the unexpired term in the same manner as an original appointment. Said commission may acquire in the name of the city or town by gift, purchase, grant, bequest, devise, lease or otherwise the fee or lesser interest in real or personal property of significant historical value and may manage the same.

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Section 27C	Projects; notice; adverse effect; review	
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Section 27C. As early as possible in the planning process of a project undertaken by a state body, or prior to a state body's funding or licensing, in whole or in part, a private project, the state body undertaking, funding or licensing such project shall notify the commission of such project and the commission shall, within thirty days of receipt of such notice, determine whether such project will have any adverse effect, direct or indirect, on any property listed in the state register of historic places. If the commission does not make a determination within thirty days, the state body or the proponent may proceed with the project. Upon a determination of adverse effect, the commission, the state agency and, in the case of a private project, the project proponent shall immediately consult to discuss ways to eliminate, minimize or mitigate the adverse effects; provided, however, that such property was included in the inventory of the historic assets of the commonwealth prior to the thirtieth day following the submission of an application for building, demolition, special permit, or the submission of a plan under the provisions of section eighty-one O, eighty-one P, or eighty-one S of chapter forty-one, or the application for the required state permits for the project. The state body undertaking the project or the private entity proposing the project shall adopt all prudent and feasible means to eliminate, minimize, or mitigate the adverse effects. The commission's review shall not be limited to the subject matter of the license, but shall extend to the entire project whether licensed or funded in whole or in part. The commission shall have the authority to promulgate rules and regulations necessary to implement the provisions of this section. This section shall be interpreted and administered so as to eliminate, minimize or mitigate adverse effects to properties listed in the state register of historic places.

Any person, corporation, agency or authority of the commonwealth or any of its political subdivisions supervising any survey, excavation or construction on any lands of the commonwealth, its agencies or political subdivisions shall report to the state archeologist the existence of any archeological, paleontological or historical site or object discovered in the

subdivisions who shall discover unmarked human burial or skeletal remains suspected of being one hundred years of more pursuant to section six C of chapter thirty-eight, shall immediately cease any activity, including but not limited to, construction and agricultural activity, which would deface, alter, destroy or otherwise impair the integrity of the site until such time as the state archeologist has completed a site evaluation pursuant to paragraph six of section twenty-six A of chapter nine of the General Laws and until disposition of the remains has been agreed upon pursuant to either section thirty-eight A of chapter seven or pursuant to paragraph seven of section twenty-six A, of chapter nine.

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Massachusetts Cultural Resource Information System

MACRIS

MACRIS Search Results

Search Criteria: Town(s): Monterey;

Inv. No.	Property Name	Street	Town	Year
MTR.A	Monterey Center		Monterey	
MTR.B	Monterey Old Center		Monterey	
MTR.C	Chestnut Hill		Monterey	
MTR.D	Beartown State Forest - Benedict Pond Area		Monterey	
MTR.3	Hale, Dea, William House	4 Art School Rd	Monterey	1747
MTR.2	Bidwell, Rev. Adonijah House	100 Art School Rd	Monterey	1750
MTR.914	Beartown State Forest - Benedict Pond	Beartown Forest	Monterey	1933
MTR.800	Old Center Cemetery	Beartown Mountain Rd	Monterey	1799
MTR.802	Woods Cemetery	Beartown Mountain Rd	Monterey	1757
MTR.900	Parade Common Monument	Beartown Mountain Rd	Monterey	1966
MTR.65		21 Beartown Mountain Rd	Monterey	1858
MTR.67	Bidwell - Goewly House	21 Beartown Mountain Rd	Monterey	1858
MTR.66	Old Twine Factory	22 Beartown Mountain Rd	Monterey	1835
MTR.11	Smith, Herbert House	60 Beartown Mountain Rd	Monterey	
MTR.10	Our Lady of the Hills Chapel	70 Beartown Mountain Rd	Monterey	1930
MTR.9	Burn Brae	99 Beartown Mountain Rd	Monterey	
MTR.8		104 Beartown Mountain Rd	Monterey	1858
MTR.6	Bidwell, Marshall House	113 Beartown Mountain Rd	Monterey	1825
MTR.5	Old Beartown School House	117 Beartown Mountain Rd	Monterey	1858
MTR.1	Taylor - Aiteal - Fairbanks House	350 Beartown Mountain Rd	Monterey	1800
MTR.71	Beartown State Forest Superintendent's House	Blue Hill Rd	Monterey	1800
MTR.909	Beartown State Park Superintendents House Grounds	Blue Hill Rd	Monterey	1775
MTR.910	Beartown State Park Superintendents - Well House	Blue Hill Rd	Monterey	1985
MTR.911	Beartown State Park Superintendents - Tool Shed	Blue Hill Rd	Monterey	1945
MTR.912	Beartown State Park Superintendents - Barn	Blue Hill Rd	Monterey	1800

Sunday, June 22, 2014

Inv. No.	Property Name	Street	Town	Year
MTR.913	Beartown State Park Superintendants - Fireplace	Blue Hill Rd	Monterey	1932
MTR.78	Beartown State Forest - Stafford, Earle Barn	Brett Rd	Monterey	1830
MTR.908	Site of the First Meeting House Marker	Carrington Battaille	Monterey	1743
MTR.7	Leary, Dan Farm	24 Carrington Battaille	Monterey	1800
MTR.903	Bidwell, J. B. House Marker	Carrington-Battaille	Monterey	1858
MTR.49	Fargo, Moses House	Chestnut Hill Rd	Monterey	1780
MTR.803	Chestnut Road Cemetery	Chestnut Hill Rd	Monterey	1791
MTR.51	Spencer - Hall House	16 Cronk Rd	Monterey	1830
MTR.50	Twing House	46 Cronk Rd	Monterey	1845
MTR.63	Brewer - Langdon - Taylor House	20 Curtis Rd	Monterey	1858
MTR.17	Townsend, S. House	8 Fairview Rd	Monterey	1776
MTR.62	Gould, William J. Farm - Echo Stock Farm	Gould Rd	Monterey	1858
MTR.79	Gould, William J. Farm - Red Barn	Gould Rd	Monterey	1907
MTR.902	Gould Road Bridge over Rawson Brook	Gould Rd	Monterey	1935
MTR.906	Langdon Mill - Brewer Marker	Main Rd	Monterey	1739
MTR.13	Stephens, Gardner House	171 Main Rd	Monterey	1840
MTR.14	Brochu, Clifford House	200 Main Rd	Monterey	1890
MTR.15	Townsend, Jonathon House	287 Main Rd	Monterey	1776
MTR.16		290 Main Rd	Monterey	1790
MTR.18	Doolley, Rev. House	414 Main Rd	Monterey	1850
MTR.20	Monterey Congregational Church Parsonage	418 Main Rd	Monterey	1915
MTR.19	Webb, L. House and Farm	419 Main Rd	Monterey	1850
MTR.22	Dunham - Gibbs, L. House	420 Main Rd	Monterey	1850
MTR.21	Langdon, Wilbur C. House	423 Main Rd	Monterey	1850
MTR.23	Clark, London House	425 Main Rd	Monterey	1850
MTR.24	Gibbs, Levi - Milner, Wilbur House	426 Main Rd	Monterey	1850
MTR.25	Gregory, John House	431 Main Rd	Monterey	1918
MTR.26	Monterey Grange Hall	435 Main Rd	Monterey	1920
MTR.76	Monterey Center Old Post Office	437 Main Rd	Monterey	1933
MTR.27	Steadman, Anson House	439 Main Rd	Monterey	1840
MTR.75	Tyon, Albert Wallace Garage	441 Main Rd	Monterey	1915
MTR.74	U. S. Post Office - Monterey Center Branch	444 Main Rd	Monterey	1960
MTR.28	Ticknor, Dr. A. P. House	445 Main Rd	Monterey	1775
MTR.70	Tyon's Tea Room	445 Main Rd	Monterey	1927
MTR.31	Monterey Center General Store	448 Main Rd	Monterey	1780
MTR.29	Monterey Congregational Church	449 Main Rd	Monterey	1847
MTR.32	Monterey Library	452 Main Rd	Monterey	1931
MTR.35	Bentley, W. M. Hotel	453 Main Rd	Monterey	1850

Sunday, June 22, 2014

Inv. No.	Property Name	Street	Town	Year
MTR.33	Brewer, J. - Langdon, J. House	454 Main Rd	Monterey	1750
MTR.36	Langdon, Wilbur House	455 Main Rd	Monterey	1850
MTR.37	Langdon, H. Barn	457 Main Rd	Monterey	1855
MTR.38	Monterey Village Schoolhouse	459 Main Rd	Monterey	1845
MTR.901	Knox Trail Marker	459 Main Rd	Monterey	1927
MTR.39	Langdon - Kenne House	460 Main Rd	Monterey	1855
MTR.73		462 Main Rd	Monterey	1907
MTR.72	Monterey Village Fire Station	465 Main Rd	Monterey	1913
MTR.40	Brewer, Capt. John House	471 Main Rd	Monterey	1750
MTR.41	Fargo - Bills - Parker House	495 Main Rd	Monterey	1852
MTR.42	Somers, Arthur House	535 Main Rd	Monterey	1918
MTR.43	Horn, Dr. John House	547 Main Rd	Monterey	1910
MTR.44	Fargo - Sears House	566 Main Rd	Monterey	1858
MTR.46	The Sears & Roebuck Pre-Fab Lake Cottage House	600 Main Rd	Monterey	1900
MTR.45		617 Main Rd	Monterey	1858
MTR.801	Mount Hunger Cemetery	Mount Hunger Rd	Monterey	1774
MTR.47	Thompson - Pomeroy - Rodgers House	58 Mount Hunger Rd	Monterey	1858
MTR.48	Brewer, Joseph House	100 Mount Hunger Rd	Monterey	1830
MTR.4	Garfield, Lt. Isaac House	244 Mount Hunger Rd	Monterey	1739
MTR.904	Beartown State Forest - CCC Roads and Trails	Mount Wilcox Rd	Monterey	1933
MTR.55	Old Harmon School	New Marlborough Rd	Monterey	1815
MTR.59	Phelps, Rev. House	9 New Marlborough Rd	Monterey	1830
MTR.58	Brookmead Farm	22 New Marlborough Rd	Monterey	1800
MTR.57	Brewer - Miner - Hall House	53 New Marlborough Rd	Monterey	
MTR.56	Langdon - Hyde House	94 New Marlborough Rd	Monterey	1858
MTR.54	Harmon, Philando Farm	129 New Marlborough Rd	Monterey	1750
MTR.53	Hyde, Slias Farm	231 New Marlborough Rd	Monterey	1876
MTR.52	Wheeler, J. - Thomson, Martin Farm	149 Sandisfield Rd	Monterey	1858
MTR.30	Tyon, Albert Hotel	3 Tyringham Rd	Monterey	1830
MTR.77		4 Tyringham Rd	Monterey	1920
MTR.34	Bidwell, William House	6 Tyringham Rd	Monterey	1820
MTR.69	Rock Ridge	48 Tyringham Rd	Monterey	1897
MTR.68	Bidwell House	61 Tyringham Rd	Monterey	1858
MTR.12	Gifford - Scott House	99 Tyringham Rd	Monterey	1840
MTR.60	Townsend, Dea. Jonathan House	36 Wellman Rd	Monterey	1858
MTR.61	Fargo, Rubin Farm	39 Wellman Rd	Monterey	1830