



United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240




September 2, 2020



PROPERTY: **General Cigar Factory, 65D Elm Street, Hatfield, MA**
PROJECT NUMBER: **40446**

Dear 

I have concluded my review of your appeal of the November 15, 2019 Decision of Technical Preservation Services (TPS), National Park Service, denying certification of the Part 2 –Description of Rehabilitation application for the property cited above (the Decision). The appeal was initiated and conducted in accordance with Department of the Interior regulations [36 C.F.R. part 67] governing certifications for federal income tax incentives for historic preservation as specified in the Internal Revenue Code. I thank you and  for meeting with me via conference call on February 3, 2020, and for providing a detailed account of the project.

After careful review of the complete record for this project, including the materials presented as part of your appeal, and the additional information, including three sets of drawings and a USB drive with digital photographs from before and after the rehabilitation, that you submitted after the appeal meeting, I have determined that the proposed rehabilitation of the General Cigar Factory is not consistent with the historic character of the property, and hereby affirm the denial of certification issued by TPS in the Decision.

The original General Cigar Factory building was a wood frame building constructed circa 1910 to serve the local tobacco growing industry. It had two sections set at a slight angle to each other. The offices were housed in a two-story and attic block on a raised basement with the gable end (called west) facing toward Elm Street to the west. The factory wing, a long rectangle in plan to the east of the office block, was two-stories on a raised basement and with a nearly flat gable roof. There was also a projecting gable-roofed entrance wing on the Little Neponset Road (south) side, covering where the office and factory wings joined. Although the historic record cites a 1910 construction date, the irregularity of the plan and massing suggests the wood-framed building was constructed in several building campaigns. Prior to the rehabilitation, both wood-framed sections had non-historic vinyl windows and vinyl clapboard siding. In 1940, a reinforced concrete, two-story on a raised basement, flat-roofed addition with brick facades and steel windows was constructed on the north side of the factory wing of the earlier building. There were loading docks on the north side of the office block and along the east façade of the 1940 addition. A greenhouse was added on the office block's façade facing Elm Street, probably at the same time as the masonry wing was constructed since the glazed-brick walls and green-painted doors match those in the 1940 wing. The greenhouse glazing was removed and replaced with plywood covered in asphalt shingles, but the supporting roof structure remains intact. The factory continued production until 2007 and retains its industrial integrity on the interior with large open spaces and high ceilings, heavy timber construction in the frame portion, and concrete mushroom columns and floors with glazed-brick walls in the masonry wing. TPS determined that the General Cigar Factory contributes to the significance of the National Register-listed Elm Street Historic District on June 25, 2019. Set back from Elm Street, the gable end of the office block is the primary façade of the overall property in relation to the historic district. When viewed from Elm Street, the original factory wing is hidden beyond the office block and the 1940 wing is mostly hidden from view by other buildings and trees.

The proposed rehabilitation would continue the historic function as a commercial and industrial facility, with vehicular storage added in the basement of the 1940 wing, and self-storage cubicles added in some of the open-plan former production areas. The primary exterior change is to demolish the greenhouse and construct a new two-story addition and main entrance larger than the footprint of the greenhouse, and which covers all but the upper attic window of the west façade of the office block. The new addition has an irregular massing, with an off-center gable with unequal roof slopes, a hip-roofed section above a large two-story window lighting a new stairwell, and an entrance porch above light-colored concrete steps and an ADA-compliant ramp.

TPS determined that the impact of the addition on the historic character of the property caused the project to fail to meet the Secretary of the Interior's Standards for

Rehabilitation (the Standards), stating, “*Obscuring the primary facade and altering its character does not meet Standard #2. The design of the new addition is not compatible in massing and architectural features of the historic building and therefore does not meet Standard #9.*” Standard 2 states, “*The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*” Standard 9 states, “*New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*”

In the appeal, you proposed to replace the two-story window in the addition with two windows the same size as the others in the addition, one set above the other. In my review, I considered the overall impact of the rehabilitation, including your proposed window changes, in the context of the scope of review described in the preamble to the Standards, which states in part that reviews will, “*encompass the exterior and the interior of historic buildings . . . and the building’s site and environment, as well as attached, adjacent, or related new construction.*” [36 C.F.R. § 67.7(a)].

Regarding the primary addition facing Elm Street, I concur with TPS that its overall asymmetrical massing and multiple roof forms, with closely spaced windows, a condition not found elsewhere on the building, and the wood porch gable infilled with fieldstone, an incompatible material with the historic character of the property, does not comply with the Standards. And, the fact that the addition covers the primary façade of the building in relation to the Elm Street Historic District, significantly compromises the building’s ability to convey its historic character to the district and thus does not comply with the Standards. Your proposal to eliminate the two-story window does not mitigate the impact of the addition’s other deficiencies that TPS identified.

In addition to the main addition, there are three other exterior additions that contribute to the denial issues. On the south side of the office block, a gabled hood was added over the stairs and landing of the original office entrance, with fieldstone set in thin courses covering the wall area under the hood, an incompatible material similar to that in the porch gable of the primary addition. To the west of the historic entrance a loading dock with double doors and a shed roof was added to the south facade of the original office block. These two additions further compromise the historic massing of the office block, particularly when viewed from the south and west. At the north end of the masonry wing, a ramp was excavated to provide vehicular access into the basement. The ramp was covered with a gable-roofed enclosure with a metal roof, and clapboard side walls. The gable end, with two industrial roll-up doors, is clad in thin-coursed fieldstone, an

incompatible material. These three additions collectively also contravene Standard 9, quoted above.

On the interior, most of the partition walls in the office block were removed along with two historic stairs. Except for the historic heavy timber columns and some historic flooring, all the visible interior materials in the office block are new, so there is little evidence remaining of the historic interiors in this section of the building. The extensive interior demolition in the office block contravenes Standard 2, quoted above.

Consequently, although you offered to make some changes to the primary new addition, I have determined that the overall impact of the rehabilitation has significantly compromised the historic character of the property on its exterior, its interior, and the environment of the Elm Street Historic District. Accordingly, I affirm TPS's November 15, 2019 Decision.

Although you acquired the property in 2015, and began renovations in the office block entrance area at that time, the vehicular ramp into the basement of the masonry wing and interior alterations in the main office block in 2016, alterations in the frame factory wing in 2017, and constructed the primary addition on the west wall of the office block in 2018, the Part 1 and Part 2 applications were not received by the National Park Service until June 21, 2019. As a result, the work was substantially complete before TPS had a chance to review the proposed work and it appears upon review to have been undertaken without regard to the Standards. The regulations state, "*Owners are strongly encouraged to submit part 2 of the application prior to undertaking any rehabilitation work. Owners who undertake rehabilitation projects without prior approval from the Secretary do so strictly at their own risk.*" [36 C.F.R. § 67.6(a)(1)].

I also note that, although the Massachusetts Historical Commission recommended that the project met the Standards, the National Park Service is not bound by SHPO recommendations. The regulations state that, "*Recommendations of States with approved State programs are generally followed, but by law, all certification decisions are made by the Secretary, based upon professional review of the application and related information. The decision of the Secretary may differ from the recommendation of the SHPO.*" [36 C.F.R. § 67.1].

Accordingly, I have determined that the overall impact of the proposed—and substantially complete—rehabilitation of the General Cigar Factory has significantly compromised the historic character of the property and, secondarily, the environment of the Elm Street Historic District, and thus fails to meet the Standards. I hereby affirm TPS's November 11, 2019 Decision.

As the Department of the Interior regulations state, my decision is the final administrative decision with respect to TPS's November 11, 2019 Decision regarding rehabilitation certification. A copy of this decision will be provided to the Internal Revenue Service. Questions concerning specific tax consequences of this decision or interpretations of the Internal Revenue Code should be addressed to the appropriate office of the Internal Revenue Service.

Sincerely,



John A. Burns, FAIA, FAPT
Chief Appeals Officer
Cultural Resources

cc: MA SHPO
IRS

