

SETH MOULTON
SIXTH DISTRICT, MASSACHUSETTS

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON SEA POWER
AND PROJECTION FORCES

SUBCOMMITTEE ON STRATEGIC FORCES

COMMITTEE ON THE BUDGET



UNITED STATES
HOUSE OF REPRESENTATIVES

Received
SEP 23 2019
Regional Director's Office

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WASHINGTON, D.C. 20515
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21 FRONT STREET
SALEM, MA 01970
978.531.1669

moulton.house.gov
@TEAMMOULTON

Ms. Wendi Weber
Northeast Regional Director
U.S. Fish and Wildlife Service
300 Westgate Center Drive
Hadley, MA 01035

September 18, 2019

Dear Ms. Weber:

I am writing on behalf of Support the Pink House in support of their continued efforts to preserve the Pink House on Parker River Wildlife Refuge in my congressional district. I respectfully request that the U.S. Fish and Wildlife Service review and comment on the preservation proposals presented by Support the Pink House's leadership.

Please find attached the letter I received from Rochelle Joseph, Chair of Support the Pink House. Ms. Joseph prioritizes, in descending order, four options for safeguarding the Pink House:

1. USFWS maintains the property through its own Historic Preservation Program; 2. USFWS executes a long-term land lease to support restoration of the property; 3. USFWS enters into an affordable land-trade agreement with Greenbelt, Essex County's Land Trust; and 4. USFWS declares the property as surplus with a preservation restriction.

My constituents in the Town of Newbury and surrounding communities are committed to preserving the iconic Pink House. The house is a historic and cultural landmark in the 6th Congressional District, drawing visitors from New England and beyond. To many, the Pink House is as emblematic of the Massachusetts coastline as are our most renowned lighthouses.

I encourage the USFWS to work with local officials, community leaders and Pink House advocates to explore all options for protecting the Pink House and seek agreement on a preservation plan that is suitable to all stakeholders. I hope, together, we can find a reasonable solution to protect this iconic landmark.

If you have any questions, please contact my Regional Director, Kelly Bovio, at 978-531-1669. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Seth Moulton".

Seth Moulton
Member of Congress



September 10, 2019

Dear Congressman Moulton,

As you know, for four years Support the Pink House, the grass roots citizens group, has worked on behalf of thousands of constituents and visitors -- who consider The Pink House as much an icon as Motif #1 or the Nubble Lighthouse -- to find a way to keep and restore the house. In that time, her status, media attention and economic draw has only grown.

It was your office, involving Senators Markey and Warren, that made all the difference in keeping the house standing. One call accomplished what a year of our efforts, along with state and local officials, could not. The public we represent was overjoyed and we got to work on our mission on behalf of the greater community.

While there are several viable solutions, for reasons we don't understand we have only been able to work on one, a land swap with Greenbelt. After 2.5 long years of negotiation, the option has only become more prohibitive in time, work and cost -- without guaranteed success -- and with the substantial burden to pay for it put mostly on STPH, which is not our role.

We are now at the critical point of solution, have a window of opportunity for a fresh conversation about other options and are again in need of the kind of help only your office can provide. We'd like your help in directly contacting the federal decision makers to set up a meeting or conference call with you and STPH to explore other reasonable, accomplishable solutions, which, on the heels of the appraisal, should be seriously considered. And have help with the terms of the Land Trade option if it is to be considered realistic. We've attached separate back up back up materials per option.

- 1. FWS keeps PH** - FWS reconsiders TPH value, preserving it like other buildings of cultural/historical significance, via their Historic Preservation Programs. FWS website states it's part of their mission.
- 2. FWS Leases PH** - FWS executes a long-term land lease with a private or non-profit party to keep the asset but have it restored, and liability accepted by the other.
- 2. Land Trade/New Owner** - Help in negotiating 4 terms to make this option accomplishable: a) Reduce PH cost, b) accept only the easily surveyable 164 GB acres, c) accept equalization payment for the full remaining gap, d) FWS pays for full costs for their own needs to re-title and survey the land.
- 4. Declare Surplus** -- Either to a designee (Town of Newbury or the non-profit NBPT Preservation Trust who wants to preserve it and serve the public), or going to public auction, but only with a Preservation Restriction on it.

Our Yellow Book appraiser just confirmed the 3 PH parcels totaling 9.29 acres has far less value if the house is torn down, and that it was evident there'd be public outcry if demolished, as it would if continues to deteriorate. The parcels of salt acres are not even big enough to be hayed and nothing protected or rare nests or grows there. So the value of the property is **in the house**. It's time to find a solution that is reasonable, timely and accomplishable to restore the Pink House.

Sincerely,

Rochelle Joseph

Rochelle Joseph

Chair and Spokesperson

On behalf of the Support The Pink House Steering Committee

Pink House Options and Back Up Materials

FWS Preserves TPH Option

View TPH's value with new eyes before it is lost from their inventory. Because FWS demonstrates substantial commitment to preserving buildings of historic and cultural significance in accordance with the National Historic Preservation Act, this option proposes they keep TPH as part of the Historic Preservation initiatives mentioned in abundance on their website, much like:

- Plum Island Life Saving Station, Green Bay NWR, Wisconsin
- Allee House, Bombay Hook NWR, Delaware
- Whaley Homestead, Lee-Metcalf NWR, Montana

The Pink House is deserving, as much as any of FWS's historic buildings or many lighthouses (a dozen in FWS's Northeast region), having only grown in value as an asset and a draw to the Greater Newburyport economy, community, artists and photographers.

Since it increasingly brings more people to the area year round, it would mean new Refuge members, volunteers, participants in the Center's programs and fundraisers, and hunting/fishing fees. If given a use, it would bring in even more people and self-sustain. As much an attraction as the cranberry bogs, and Sandy Point, TPH could be affordably restored and utilized in several ways to make money and educate.

SUGGESTED USES:

- House tours
- Fundraising space
- Revolving educational exhibits
- Plein air painting events
- Full Moon rise, stargazing events on high ground
- Children's nature activities
- Community eco-gardening --planting things to feed birds on the flight path
- Partnering with community orgs (ie: Greenbelt, Trustees, Audubon, Newburyport Art Association or Preservation Trust) to do educational tours on climate change's effects, safe bird watching, house and land preservation, art contests and exhibits
- Rent office/lab space for NHU's or other universities marine researchers
- Use using it for spillover bunk houses, meetings, photography display etc.

OR, She could become like a lighthouse – seen from the outside only – or even opened for quarterly or seasonal tours, and a fundraising event for the Refuge. A caretaker can live in and care for the house as some lighthouses have.

PARKING:

Low use would have little need for much extra parking. For events, spillover parking is available at the Visitors Center, the airport, or Plum Island lots and ppl can be shuttled as they do for events on PI and at PITTA Hall.

ADA COMPLIANCE: Wheelchair accessibility can be done in the back, and in the already wide door to the restroom off the kitchen.

FRIENDS OF TPH:

There could be a Friends of group, populated from some of the STPH members once our mission is complete, who may do an annual PH art fundraiser, give tours, tend to the grounds, etc... much like the FWS's Friends of Bombay Hook Refuge do for their Allee House.

Note:

The Support The Pink House groups is willing to:

- Participate in raising a portion of the funds needed to restore TPH
- Secure a group or individual that can consult or oversee it's restoration and check in on continued maintenance
- Promote and continue to build the value of the Pink House within the local community and nationally.

On the page detailing their FWS Historic Preservation Award, it says "Every day, National Wildlife Refuge System staff perform outstanding work in support of the *National Historic Preservation Act's objectives that help meet our conservation mission.*"

"Fish and Wildlife Service (USFWS) is **responsible for, and committed to, protecting and managing these irreplaceable resources in a spirit of stewardship for future generations to understand and enjoy.**" – USFWS Cultural Resource Program (CRM)

Allee House, Bombay Hook NWR--The oldest historic house in the FWS.



- NHPA
- ACHP 106 Success Stories
- Historic Places Matter
- Podcasts

Historic Places Matter

FWS is home to many varied and important historical properties. As part of our celebration of the 50th Anniversary of the signing of the National Historic Preservation Act, FWS archaeologists and our field station staff will be sharing pictures of some of our important history. The National Historic Preservation Act reminds Americans that history is important to us as Nation. These pictures will remind everyone that here at FWS Historic Places Matter!!

Check back for more Historic Places That Matter

Plum Island Life Saving Station



FWS Leases PH Option

Due to the cultural and historical significance of The Pink House (the "structure") the Fish and Wildlife Service (the "Lessor") executes a long-term land lease with a private or non-profit party (the "Lessee").¹

This option would allow the Lessor to retain fee-simple ownership of The Pink House, provide for enforcement of the terms and conditions of the lease, and provide for retention and reuse of The Pink House at the end of the lease period.² This option also affords the Lessee to significantly reduce risk through avoidance of any acquisition costs.³

The terms and conditions of the lease would require the Lessee to provide, including but not limited to, the following:

- Construction financing, including all funding sources, to make renovations required for the intended use and occupancy of the structure⁴;
- Adequate insurance to address property damage and full indemnification of the Lessee;
- A comprehensive business plan, including a detailed budget of capital costs, an operating budget, and a timeline that clearly demonstrates the proposed program or use can complete the restoration of the structure and sustain the structure (including any required capital reserve and/or expected maintenance) in order to protect the integrity of the structure over the term of the lease.

The Lessor will record a Preservation Restriction (PR) that permanently protects the exterior of the structure including its restoration and long-term maintenance. Such PR will include restrictions on the landscape as well as the structure and it shall be the responsibility of the Lessee to meet the obligations and requirements of the PR. Enforcement of the PR shall be the responsibility of the Historic Commission for the Town of Newbury.

¹ The long-term lease would likely range from 15-25 years depending on the renovation costs and the proposed operating budget of the Lessee.

² Although federal disposition requirements would still apply, this option also avoids the need for full surplusing of the property and preserves the value of the structure for future use, sale or lease as determined by the Leaser. It also avoids the complexity and significant soft costs associated with a land swap between abutting third parties and the Leaser.

³ For example, if the Pink House has current market value of \$500,000 and expected renovation costs are \$250,000 a sales option would involve a total cost to a buyer of \$750,000 (plus significant soft costs). In the land lease option the Lessee would only be required to finance the renovation costs (and minimal soft costs).

⁴ Occupancy could include any use allowed under the Newbury Zoning Bylaw.

Land Swap Option

For this option to work, the terms need to be accomplishable, the numbers need to come down and the public should not foot the bill for FWS's surveying needs.

We are asking you, perhaps again calling in Sens Warren and Markey, to address these terms with the highest decision makers in the USFWS to:

- Reduce what they'll accept for this acre/house left to fall into disrepair.
- Accept GB's easily surveyed 164 acres – a boon – to reduce surveying issues, keep costs/time down and raise success levels.
- Accept the full remaining gap in equalization payment
- Pay for their own requirements to re-title and survey, not ask that of the public

SUPPORTING DETAILS BELOW:

COMPONENTS:

- The FWs would trade the PH / acre+ in trade for some specific acres nearer their Refuge.
- The GB has those acres but would like to keep as much land as possible to accomplish this. They denoted approx. 164 acres as the easiest to successfully survey, and hoped to trade only those, and make up the rest in cash equalization.
- FWS added a 4 step title/survey process before accepting the acres, considerably increasing time / costs. A trusted GB Surveyor looked at the parcels and titles, and let us all know it would likely be impossible as is, with no guarantees or ceiling to time/money. Adds 2-3 yrs!
- FWS is asking the citizens to pay for most of the surveying bill.
- GB would hold TPH/acre benevolently to transfer to the new owner, quickly as possible.

APPRAISALS:

A Yellow Book Appraisal, (OK'd by FWS, paid by STPH, through GB) was just completed to understand the math:

- Value of TPH/1.36 acres: \$500,000
- Value of the GB Marsh Swap Property: 374 acres = \$485,000
- Gap FWS said they can take equalization payment: \$15,000

ISSUES:

It is close, but it's not good news.

- The 374 acres includes many deeded acres the Surveyor said would be impossible to survey with certainty or affordably (+ weather is an issue).
- GB does NOT want to give away all this land
- The PH value estimate is almost double what we all had been expecting
- We can't start the process until we know all the \$\$ can be raised

- It is nearly impossible to raise public or private funds without a time / cost ceiling and a guaranteed outcome + defined use.
- This option is fraught with ever-changing conditions, each increasing time, complications, and money.
- The lion's share of the funding is being asked of the citizens. While happy to help, this was never the goal and seems an unusual ask. The taxpayers feel they have already paid for the house.
- STPH has asked for each party to come in on their terms in good faith to accomplish this option... without meaningful response.
- STPH was also charged with finding new owners before this begins, and given all kinds of preferences by the stakeholders that made it even more difficult. This is another matter, which we can expand on if you'd like.

** IF GB gave only 164 acres at \$213,000 value, that leaves a \$286,000 gap to be paid...Still very high.

**** STPH is being asked to pay for the value of the house, or find someone who can (who can also afford to refurbish it completely), AND to pay for the 4 steps to Surveying, with FWS giving "up to \$35,000 as available" for something that could cost upwards of \$125,000 and take years, while resisting repeated requests to agree to fortify the house or add simple maintenance plan language to the AIE.**

Letter from GB's Trusted Surveyor on the improbability of success surveying the full Swap Property

DONOHOE SURVEY, INC.
LAND SURVEYING AND MAPPING

363 Boston Street
Topsfield, MA 01983

Telephone: (978) 887-6161
www.donohoesurvey.com

February 28, 2019

Rochelle Joseph

Via email: info@supportthepinkhouse.com

RE: "Support the Pink House"
Plum Island, MA

Rochelle:

I reviewed the title report that you furnished. I am not confident that there is a surveying and mapping solution.

As you know, the subject property consists of many parcels of land, most of which have vague descriptions. I can not even tell if the parcels are contiguous. Many are simply described as bounding on abutters land. In this type of situation, it is necessary to locate the abutting properties first. If those parcels are similarly described then land abutting those parcels must be located and so forth.

Vague boundaries can often be resolved with boundary agreements or a Land Court process. However, determining the current record owner of abutting land would be difficult given that the location on the ground is uncertain, and providing the Land Court with satisfactory boundary evidence in accordance with Land Court survey requirements may not be possible.

It is possible that a considerable amount of research and surveying will not result in a recordable boundary plan.

I hope you can find another method of preserving the "Pink House".

Please call if you have any questions. Thank you.

Very truly yours,


Paul J. Donohoe

PJD/nls

Yellow Book Appraisal Letter

Petersen LaChance Regan Pino, LLC

Real Estate Services

John G. Petersen, MAI, SRA William A.
LaChance, MAI, SRA John A. Regan, MAI
Richard K. Pino, MAI

August 19, 2019
Christopher B. LaPointe
Director of Land Conservation
Essex County Greenbelt Association, Inc.
82 Eastern Avenue
Essex, MA 01929

Re: Two properties consisting of a dwelling upon 1.36 acres located at 60 Plum Island Turnpike in Newbury, and 374.1 acres of salt marsh located nearby in Newbury, Massachusetts.

Dear Mr. LaPointe:

At your request, I respectfully submit the attached Appraisal Report, which sets forth my opinion of the market value of each of the above-referenced subject properties. The property rights appraised are all rights, title, and interest in the properties held by their respective owners.

This report is intended to comply with the 2018-2019 Uniform Standards of Professional Appraisal Practice (USPAP), except as cited below. If the client and intended users agree to further explore a real estate exchange, the client may request that the report be supplemented to comply with the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA).

Based upon my research, analysis, and experience, it is my opinion that as of July 11, 2019, the market value of the each subject property is:

Opinion of Market Value		
Approach to Value	Subject Property	Market Value
Sales Comparison	#1 - 1.36 Acres and Dwelling at 60 Plum Island Turnpike	\$500,000
Sales Comparison	#2 - 374.1 Acres of Salt Marsh	\$485,000

The preceding opinion of value is not premised upon any hypothetical conditions. The two extraordinary assumptions are that the lot size of subject #1 is 1.36 acres and that the intended Conservation Restriction (CR) on 374.1 acres is in effect. Jurisdictional exceptions herein are that the value opinion is not linked to an exposure time (SR 1-2c), and that the public project is not considered (SR 1-4f). There were no legal instructions provided to the appraiser. The client hoped to exchange Subject #2 for Subject #1, assuming their values were similar. The value of the Subject #2 is marginally lower.

Respectfully submitted,



William A. LaChance, MAI, SRA Petersen LaChance Regan
Pino, LLC Massachusetts Certified General Appraiser No.
497

OPTION: DECLARE SURPLUS

If this house holds little or no value to FWS, it would seem amenable to declare it surplus. All have been puzzled as to why this has not been considered.

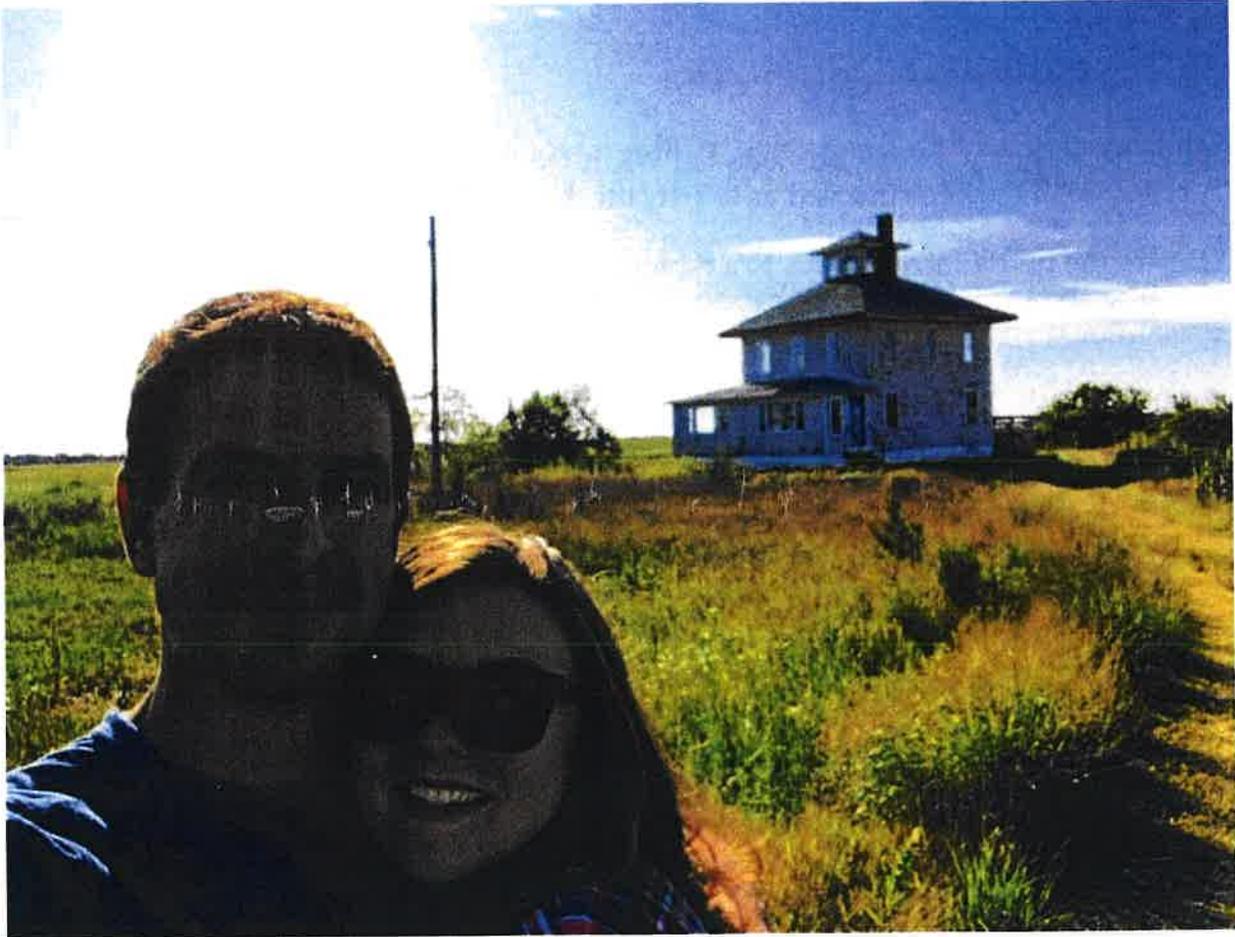
Declare the house/acre surplus to a designee, bypassing federal and public auction, which we have researched can happen in certain circumstances, or to a non-profit we have found to own and restore it, the Newburyport Preservation Trust.

Or give it to the Town of Newbury as a good will gesture, who needs money and can sell it with a Preservation Restriction, or keep it and restore it with local fundraising help, to become self-sustaining.

Both Motif #1 and the Nubble are owned by the town. Nubble does 1 event a year that earns 1.5 million and monthly costs are raised by a gift shop inside.

STPH has done extensive research on what kind of use the property could have to bypass public auction and get directly to a designee. We are happy to provide more on this if you'd like it.

COMMUNITY SUPPORT EXAMPLES:



Joshua Ochal ▸ **Support The Pink House** ⋮

September 4 at 6:50 AM · 🌐

I just wanted to take a moment and thank you for your efforts to save The Pink House. The Pink House means a lot to my girlfriend Megan and I. As we come to the end of our almost two hour drive from south-western NH and see the house standing all by itself it's an indicator that we are only moments away from our favorite summer destination, The Parker River Wildlife Refuge. Whatever our topic of discussion is when passing by it has an instant subject change to The Pink House and it never ceases to put a smile on our faces. I truly hope that your efforts are successful as we would be devastated to drive by and see it no longer standing there. Also, seeing a now dormant structure come back to life rather than being demolished and put into a landfill only increases the fact that it is so important to save it. Thank you again!

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Dear Support The Pink House,

April 9, 2019

With spring approaching, I wanted to share some thoughts, comments & questions that concerned citizens have shared with me over the long winter. Even though, things have been very quiet, they continue to show concern & ask:

What is going on with The Pink House – no one seems to know?!?
Why are we NOT hearing anything – is there any progress?!?
The house appears to be falling into disrepair – does The Refuge NOT care?!?
Will the house still be saved?!?
What can we do to HELP?!?

Like many others who have kept this mission of saving & supporting The Pink House close to their heart – I try to answer in the most positive manner possible. But, as each season changes, & another year goes by, it becomes distressing, frustrating & increasingly difficult to hold onto the public's passionate interest we once captured!

I know we have all come to believe, that the benefits to saving The Pink House are many. Its value as an iconic house, along with its artistic beauty & inspirational qualities are well known, and have gained some national attention via tv coverage and such. It's legend as a local landmark is intriguing & promotes the value of preservation as well.

Recently, we have discovered its beginnings in 1925 & continue to uncover and learn that it has historic value to the community. It is an important piece of our heritage that should be preserved & in fact, could be useful as a learning device, in teaching us about life on the marsh... a vitally important subject in today's world of changes! Thankfully, we all agree – saving The Pink House is a good idea.

But, as my granddaughter asks: Why is it taking so long for government to do the right thing???? Saving something like The Pink House should be so much easier & done so much faster, than tearing it down....s o WHY is it not done yet?? WHY is this so difficult??? My granddaughter has a point, her words provoke more questions.

My own question of late is: Since the USFW & PRNWR are a division of The US Department of Interior, funded by tax dollars and donation, & these funds were used to purchase the property as well as the house...why is there such minimal attention given to The Pink House, since the decision was made to attempt to save it, as the tax payers have requested??

Although I do understand why a huge preservation project has not begun, what I do not understand is why normal maintenance & care is not provided. I am aware that many offers have been made to donate supplies as well as labor, to at least maintain the outward appearance of this iconic house, for the benefit of the public. I do not understand why these donations are not accepted; the public does not understand either. It is puzzling to me, when I see how donations for the planks to repair the boardwalk at Lot #1 and Hellcat Trail are graciously accepted from The Friends of Parker River Wildlife Refuge, and wonder WHY a similar program has not been established for the offers to benefit The Pink House? The positive public attention would be of great benefit to PRNWR, a perk that often peaks the interest of valid donors.

As always, thank you for your devotion to this project. Please feel free to share my thoughts, if you think they would be helpful. I look forward to having some answers to share with the public. As always, let me know of anything I can do to assist you in this matter.

Thanks,
Sandy Tilton, 609-304-8840 (cell#)



PINK HOUSE OVERVIEW

The Pink House is an iconic landmark, not just to New England but to visitors far and wide. Located In Newbury, MA on the road leading to Plum Island on the border of Newburyport, she sits as the only structure in the marshland stretching to the horizon under an endless sky. Highlighting the beauty of her natural setting, the Pink House intrigues and inspires all who see her.

Acquired by The Parker River Wildlife Refuge in September 2011 to be used as a bunk house for visiting rangers and interns, by 2014, the Newburyport Daily News reported the PRWR was thinking of demolishing it – and public outcry began. Support the Pink House arose as a grass roots movement born of that concern, working tirelessly first to stay her demolition, and to find a solution for a new, purposeful owner who will restore her under a preservation restriction to assure her iconic presence in perpetuity.

Stories of the effort to save the Pink House has been well-covered by the media – the NY Times, Boston Globe, North Shore magazine (cover story), WCVB-TV's Chronicle and radio interviews, to name a few. STPH has collected several thousand signatures and hundreds of testimonies reflecting what The Pink House means to the community and that she is an iconic landmark in this area. Many area merchants support TPH as it has brought increasing visitors, especially in the critical off season, who then shop, eat and stay in the area.

In answer to the public desire to find a solution, STPH involved local, state and federal elected officials, many interested organizations, non-profits and advisors to define a path for making TPH and her land available to other ownership, and with it, a vision to have the house serve some purpose for the community, if possible. All agree it can be owned by an individual with a preservation restriction.

Built in 1925, the house was built to last, having very strong bones.. A yearly walk-through with trusted, licensed local builders continually reveal that regardless of what she looks like, she remains sound. We check on her seasonally, as well as before and after any big weather event to ask the FWS to minimally maintain her stability through this process. If she is to remain as this area's Motif #1 or Nubble Lighthouse, an answer must be determined very soon.

Whoever saves the house will be considered nothing short of a hero and widely supported. The house has incredible potential. But nothing can happen until a viable, accomplishable solution is found.

