



# Historic Curatorship Program

## *Frequently Asked Questions*

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### **What is the Historic Curatorship Program?**

Within the thousands of acres of the Commonwealth's Forests and Parks are many historically significant buildings with great potential for adaptive reuse. Without direct public funding, these mansions, houses and cottages have fallen prey to the elements and vandalism. Under the Historic Curatorship Program, DCR enters into a long term lease with a Curator who pays rent in the form of services, specifically the rehabilitation and maintenance of the property. The reuse of these significant properties must be compatible with the surrounding community while enhancing the visitor's experience of the public park.

### **Why Become a Curator?**

- Curators have the opportunity to live and/or work in a unique natural setting, often surrounded by acres of undeveloped property.
- Curators with the requisite skills and experience can leverage the value of their "sweat equity" towards rehabilitation costs.
- Curators are part of a one-of-a-kind community and contribute to the preservation of the Commonwealth's rich history.

### **Is a Curatorship *really* "rent free"?**

According to the Historic Curatorship Program's Enabling Legislation, (Section 44, Chapter 85, Acts of 1994 (amended)) DCR must establish a *Fair Market Rent* value for the lease. The Fair Market Rent is determined through a number of methods, including third party appraisals and publically maintained rent indices. Work on the property is then deducted from this rent amount. In most cases, Curators will accrue much of the rent for the term in the first three to five years.

No cash rent is collected during the base lease term as long as the Curator continues to fulfill the obligations under the lease and the Work Plan.

### **Which properties are eligible for the program?**

DCR's Curatorship Program includes properties within the State Park system that have been approved for long term lease through the Historic Curatorship Program by the State Legislature. Properties were selected based on a number of criteria, including its historic / architectural significance, present condition, DCR reuse potential and potential public interest.

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New properties can be added through additional amendments, but they require a 2/3 approval of the Legislature. While a number of properties are eligible for the Curatorship Program, unsolicited applications are not accepted.

### **How do I become a Curator?**

Based on a number of factors, including historic significance, level of threat, and public interest, DCR issues Requests for Proposals (RFP) for one or more eligible properties at a time. The RFP describes the submission requirements and provides detailed information on the property, including a conditions assessment and cost estimates. Interested parties respond to the RFP by submitting a proposal for competitive review by DCR. Successful proposals outline a viable reuse concept, public benefit, rehabilitation approach and implementation schedule and demonstrate relevant experience and sound financial qualifications for tenancy. Submission deadlines are usually 6-8 weeks after the release of the RFP and an open house is held for interested parties to examine the interior of the property. Check the website for notices for new RFPs.

### **What are the criteria for selecting a Curator?**

Selection criteria include:

- Quality of Proposed Reuse
- Scope and Nature of Public Benefit Element
- Strength of Rehabilitation Plan
- Experience and Qualifications
- Financial Capability
- Overall Proposal Presentation and Organization

### **How long is a lease term?**

The most common lease term is twenty-five to forty years. Lease lengths usually are related to the scope of the financial investment required (larger scale projects = longer lease terms) and the Fair Market Rent. An applicant may propose an alternative term if there is a justification for a longer lease.

### **What types of reuses are possible?**

Reuse proposals are judged on their compatibility with the historic property as well as with the context of the park and surrounding community. While many of the current Curators occupy their properties as residences, other Curatorships include a wedding and events center, an artists loft complex, a café and marketplace, vacation rentals and a non-profit education center. DCR encourages reuse ideas that first and foremost provide for the preservation and maintenance of the historic resource and discourages any reuse that could potentially add to DCR's management responsibilities for the park.

### **What are the financial requirements of a Curator?**

The Building Conditions Assessment is the basis for determining the approximate cost of rehabilitating a property. Cash, or sweat-equity, the non-monetary investment of time and labor, are both accepted methods of capital investment and credit towards rent. When submitting a proposal, a confidential statement of financial capacity is required. This should demonstrate the Proponent's ability to carry out the rehab and

future maintenance. A statement describing the expected project costs and the anticipated sources of permanent financing and working capital is also required. Costs should reflect capital investment, as well as the value of any sweat-equity and other confirmed in-kind donation of services.

**Do I have to pay property tax on the Curatorship property?**

The Curator is responsible for paying all applicable taxes and fees which may be associated with the property for the duration of the lease. It is up to the individual city/town in which the property is located to determine whether it will collect taxes. While most cities and towns currently do not levy property taxes on Curatorship properties, DCR cannot guarantee that they will not choose to do so in the future.

**What type of insurance do I have to take out on the property?**

The Curator is responsible for maintaining in full force sufficient fire and casualty insurance to cover costs of rehabilitating any partial damage or destruction of the property. Comprehensive liability insurance must also be maintained for all activities allowed under the lease. Most Curators also carry personal property insurance on those items not secured to the property. In the case of a partial loss by fire or other damage, the Curator has the option to apply insurance proceeds towards rebuilding. In the case of a total loss, DCR reserves the right to determine whether rebuilding is in the best interest of the program.

**What will happen if the Curator is unable to fulfill the requirements of the lease?**

DCR understands that a Curator's life is subject to unforeseen changes which may prevent them from continuing with the Curatorship of a property. In this situation each case will be reviewed on an individual basis with DCR reserving decision making authority. The Curator, however, should not anticipate reimbursement for restoration work already performed on the property under any circumstances. DCR also has the right to terminate the lease if the Curator fails to comply with the terms and conditions of the lease agreement, abandons the premises, or declares bankruptcy. Curators may be liable for the balance of accrued rent minus the value of the investment to that point in the lease term.

**What types of changes can I make to the property?**

In the application process, the prospective Curator submits a proposed Rehabilitation Plan, based on the guidelines of the RFP. In consultation with DCR and the Massachusetts Historical Commission, the plan will become the framework for the rehabilitation. In the occasion of a proposed change outside the agreed-upon scope of work, projects must be reviewed by DCR in consultation with the Massachusetts Historical Commission to determine whether the change is compatible with the historic character of the property. DCR discourages the construction of new substantial buildings. Minor additions to existing buildings and the addition of accessory outbuildings are more commonly approved alterations. Any new construction, exterior alteration or addition must be reviewed and approved by DCR and the Massachusetts Historical Commission.

**Do I have to restore the property right away, or can I phase the work over several years?**

The Rehabilitation Plan schedule does not require a Curator to complete all required work in any specific period of time. However, it is expected that life-safety issues and major work, such as structural stabilization, and exterior improvements be performed early in the lease. The efficiency of the implementation schedule is a factor in the Curator selection process.

### **When can I have access to the property? Can I live in the house while restoring it?**

During under a Provisional Lessee Designation, the selected Curator is required to perform certain tasks, including securing insurance for the property, beginning any necessary permitting processes and confirming financial information. During this period a lease is negotiated. Prior to the execution of a lease, a Curator may work on the property under a Memorandum of Understanding, issued by DCR. Any investment made before a lease is executed, however, is done at the designated Curator's own risk. Once a lease is executed, Curators can live in the house during restoration as long as the property receives a Certificate of Occupancy from the State Building Inspector.

### **How often will the property have to be open to the public?**

As stated in the enabling legislation for the Historic Curatorship Program, [Section 44, Chapter 85, Acts of 1994 (amended)], the property must be opened to the public no less often than twice each year "for the purpose of providing public access to the historic quality of the property." The timing of opening the property as well the determination of which areas would be open for public viewing will be determined by the Curator and laid out in the work schedule attached to the lease.

### **What is meant by "public benefit"?**

As stated above, the Historic Curatorship Program enabling legislation requires a minimum level of public access to the property. One of the criteria for the selection of a Curator is whether the reuse concept will have any benefit to the public beyond the physical rehabilitation of the property. While the preservation of the property is the first priority for a Curator, public benefit can be a service or activity that is compatible with the site and benefits the park visitors or the surrounding community. Additional public benefit above and beyond the two required public access events is used by DCR when evaluating proposals with comparable levels of experience and resources. Some creative examples of possible public benefit include:

- Maintaining trails in and around the property
- Coordinating a senior's garden and farm tour
- Sponsoring tours of the property
- Partnering with the park on a public event or project (Great Park Pursuit, Park Serve Day, etc)
- Holding a demonstration class highlighting preservation carpentry
- Allowing a local group to use the property meeting/event space
- Providing a publicly beneficial service to park visitors