



JANET T. MILLS
GOVERNOR

MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

KIRK F. MOHNEY
DIRECTOR

May 25, 2023

Portland City Council
389 Congress Street
Portland, Maine 04101

RE: Franklin Towers, 61 Wilmot Street, Portland, tax parcel 026 P004001

Dear Councilors:

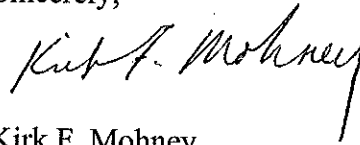
We are pleased to inform you that the above property will be considered by the Maine Historic Preservation Commission for nomination to the National Register of Historic Places. The National Register is the Federal government's official list of historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our Nation's heritage. Enclosed is a copy of the criteria under which properties are evaluated as well as a fact sheet which discusses the effects of listing.

Owners of private properties nominated to the National Register have an opportunity to concur in or object to listing in accord with the National Historic Preservation Act and 36 CFR 60. Any owner or partial owner of private property who chooses to object to listing may submit to the State Historic Preservation Officer a notarized statement or a statement consistent with 28 U.S.C. § 1746⁵ certifying that the party is the sole or partial owner of the private property and objects to the listing. Each owner or partial owner of private property has one vote regardless of what part of the property that party owns. If a majority of private property owners object a property will not be listed; however, the State Historic Preservation Officer shall submit the nomination to the Keeper of the National Register for a determination of the eligibility of the property for listing in the National Register. If the property is then determined eligible for listing, although not formally listed, Federal agencies will be required to allow the Advisory Council on Historic Preservation an opportunity to comment before the agency may fund, license, or assist a project which will affect the property. If an owner chooses to object to the listing of his property, the notarized objection or objection made consistent with 28 U.S.C. § 1746 must be submitted to Kirk F. Mohney, S.H.P.O., Maine Historic Preservation Commission, 55 Capitol Street, 65 State House Station, Augusta, Maine 04333-0065, by July 27, 2023.

⁵ Sample wording consistent with 28 U.S.C. § 1746 to be submitted with objection statement: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)".

If you wish to comment on whether the property should be nominated to the National Register, please send your comments to the S.H.P.O. before the Maine Historic Preservation Commission considers this nomination at its meeting to be held on July 28, 2023. You are cordially invited to attend this meeting, which will be held at the Maine State Library, 242 State Street, Augusta, Maine 04330, beginning at 10:30 a.m. If you cannot attend the meeting in-person and would like to attend remotely, please email MHPC.Info@maine.gov or call (207) 287-1453 to receive video or phone access links. A copy of the nomination and information on the National Register and Federal tax provisions are also available from the above address upon request.

Sincerely,

A handwritten signature in black ink that reads "Kirk F. Mohney". The signature is written in a cursive style with a large, sweeping "K" and "M".

Kirk F. Mohney
State Historic Preservation Officer

Enc.



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NATIONAL REGISTER CRITERIA

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, material, workmanship, feeling, and association, and:

- A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. that are associated with the lives of persons significant in our past; or
- C. that reflect in an outstanding manner the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. that have yielded or may be likely to yield information important in prehistory or history.

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the last 50 years shall not be considered for the National Register. Such properties will qualify if they are integral parts of districts that meet the criteria or if they fall within the following categories:

- A. a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- B. a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- C. a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or
- D. a cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- E. a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- F. a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- G. a property achieving significance within the past 50 years if it is of exceptional importance.



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FACT SHEET

Listing of historic properties in the National Register results in the following:

1. Official recognition of the historic and cultural importance of a property as part of the Nation's heritage which ought to be preserved.
2. Control and authority over the use and disposition of a property listed in the National Register or deemed eligible for such listing remain solely with the owner unless he or she has applied for and received a matching grant or other Federal funding, or is participating in a rehabilitation tax credit project. Listing in the National Register does not mean that limitations will be placed on the property by the Federal government. Public visitation rights are not required by the owner.
3. Consideration in planning for Federal, federally licensed, and federally assisted projects. Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment on all projects affecting historic properties listed in the National Register. For further information please refer to 36 CFR 800.
4. Eligibility for Federal tax provisions. If a property is individually listed or contributes to the historic significance of a listed National Register district, certain Federal tax provisions may apply. The Tax Reform Act of 1986 provides a 20% investment tax credit for certified rehabilitations of historic commercial, industrial and rental residential buildings. The Tax Treatment Extension Act of 1980 provides Federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether such provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Because tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information please refer to 36 CFR 67.
5. Qualification for Federal grants for historic preservation when funds are available. Presently funding is unavailable. Contact (S.H.P.O.) to determine the present status of such grants.