United States Department of the Interior

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

IN REPLY REFER TO:

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Memorandum

To: Chrysandra Walter, Acting Regional Director, Northeast Region

From: Janet Snyder Matthews, Keeper, National Register of Historic Places

Subject: Potential New Area of Significance, Dune Shacks of the Peaked Hill Bars Historic District, Barnstable County, Massachusetts

On January 26, 2007, you requested a determination of whether or not the District noted above meets the National Register criteria for recognition as a Traditional Cultural Property (TCP). Based on our review of this issue as summarized below, we have concluded that the District does not satisfy these requirements.

Background

The Dune Shacks of the Peaked Hill Bars Historic District was determined eligible for listing in the National Register of Historic Places on May 12, 1989, under National Register criteria A, B, and C. The District covered approximately 1,500 acres, included both the dune shacks and the dune landscape, and was described as a historic cultural landscape with a concentration of natural and cultural resources. The Determination of Eligibility was based on recognition that the District is significant under criteria A, B, and C for its role in the development of American art, literature, and theater; for its association with the life of American poet Harry Kemp; and for its architecture. In the DOE decision, the Dune Shacks of the Peaked Hill Historic District represents "a historic cultural landscape comprised of a distinctive, significant concentration of natural and cultural resources united by their shared historic use as a summer retreat for the Provincetown colony of artists, writers, poets, actors, and others....the District is significant for the shacks' collective use by the artistic community."

Recently, the National Park Service additionally evaluated the Dune Shacks of Peaked Hill Bars Historic District to establish whether the District may also be identified for its significance as a TCP with reference to Criterion A. To assist in this evaluation, the National Park Service hired, as consultants, ethnographers who prepared the following two studies:

- Robert J. Wolfe, "Dwelling in the Dunes: Traditional Use of the Dune Shacks of the Peaked Hill Bars Historic District, Cape Cod" (August 2005) and

- Robert J. Wolfe and T. J. Ferguson, "Traditional Cultural Property Assessment, Dune Shacks of the Peaked Hill Bars Historic District, Cape Cod National Seashore" (May 3, 2006).

Request from Northeast Regional Office

Your memorandum of January 26, 2007, indicated that the Northeast Regional Office staff, after review of the studies, the original National Register Determination of Eligibility (DOE), and other relevant information, provided the following opinion with respect to this issue:

- The District has historical significance as described in the DOE;
- Members of core families preserve knowledge of shack histories and local traditions of shack use and maintenance that is greatly valued by NPS;
- Agreement with the general assessment by consultants Wolfe and Ferguson that the Lower Cape towns of Provincetown, North Truro, and Wellfleet may well be considered as the "community" for purposes of this determination, but believe that the dune dwellers and their networks of friends are not, as a whole, a segment of the Lower Cape community because significant numbers of them are permanent residents in other, off-Cape communities and thus are not associated with the historic context of the Lower Cape community;
- The dune families and their individualized networks are not a community in the sense used in National Register Bulletin # 38: *Guidelines for Evaluating and Documenting Traditional Cultural Properties* due to their widely dispersed residential patterns, and because many individuals have few associations with each other except during short periods of seasonal dune occupation; they are more properly characterized as a collectivity practicing similar lifestyles while they are in the District; and
- The District should therefore not be considered eligible as a TCP under National Register Bulletin # 38.

Massachusetts SHPO Opinion

In a letter dated October 20, 2006, to George E. Price, Jr., Superintendent of Cape Cod National Seashore, Brona Simon, Deputy State Historic Preservation Officer for Massachusetts, disagreed with the opinion of the Northeast Regional Office staff, indicating that in her opinion, the detailed assessments written by Wolf and Ferguson:

- Rely heavily upon the guidance and definitions provided in National Register Bulletin # 38;
- Provide a reasoned discussion of the definitions of "community," "subgroup," "traditional culture," and "coterie;"
- Identify the long-term families, residents, and caretakers of the Dune Shacks as a subgroup of the Provincetown-Lower Cape Community, and of the Portuguese-Yankee maritime and writer/artists communities;
- Categorize dune shack residents and caretakers as carriers of the cultural traditions associated with living in the harsh conditions and natural setting of the dune shacks; and

- Identify dune shack supporters as a secondary group of tradition bearers who interact within the Provincetown community and help pass on the traditions of dune shack living.

Comments Received

Although not required by law or policy, to ensure an opportunity for adequate public input, our office provided a 45-day public comment period ending on March 17, 2007, regarding this issue. Our office reviewed the complete record associated with the District's 1989 Determination of Eligibility, as well as all materials received by our office regarding whether the District may also be identified for its significance as a TCP with reference to Criterion A. During the comment period, the National Register office received over 100 letters, many of which enclosed photographs, pages from publications, and other memorabilia. In addition, the Peaked Hill Trust submitted a sizeable notebook that included extensive transcribed interviews, letters, and email messages that testified to the importance of the dune shacks to Trust members.

The letters received fell into three distinct groups: 1) letters from long-term users of the dune shacks, whose families had occupied the shacks for extended periods of time on a seasonal basis; 2) letters from short-term users of the dune shacks, whose use was made possible through the lottery of the Peaked Hill Trust; and 3) letters from interested individuals who testified to the importance of preserving the shacks. The Peaked Hill Trust notebook provided substantial documentation that the short-term users of the dune shacks also were an important constituency in defining the dune shack society. (Since the 1989 Determination of Eligibility, the National Park Service has worked with organizations such as the Peaked Hill Trust, to make the dune shacks available to a broad constituency of short-term users.)

Traditional Cultural Properties

National Register Bulletins provide guidance and technical information regarding the evaluation of cultural resources. National Register Bulletin # 38 provides flexible guidance regarding the evaluation and documentation of TCPs. In general, as discussed more fully in the Bulletin, a TCP has the following characteristics:

- A living, traditional group or community;
- The group/community must have existed historically and the same group/community continues to the present;
- The group/community must share cultural practices, customs, or beliefs that are rooted in the group/community's history;
- These shared cultural practices, customs, or beliefs must continue to be held or practiced today;
- These shared cultural practices, customs, or beliefs must be important in maintaining the continuing cultural identity and values of the group/community;
- The group must transmit or pass down these shared cultural practices, customs, or beliefs through the generations, usually orally or through practice; and
- These shared cultural practices, customs, or beliefs must be associated with a tangible place, and the place must be directly associated with the identified cultural practices.

Why the Dune Shacks of the Peaked Hill Historic District Does Not Have Significance as a TCP

Our review of the submitted materials demonstrates that the District should not be identified for its significance as a TCP with reference to Criterion A. In this regard, it is particularly important that the District does not meet one of the most important characteristics of a TCP—that "**the group/community must have existed historically and the same group/community continues to the present.**" The groups that claim traditional associations with the Dune Shacks of the Peaked Hill Bars Historic District cover a range of peoples, including long-term occupants of the dune shacks, short-term occupants, transient visitors, residents of the Provincetown-Lower Cape Community, and likely other groups beyond the immediate locality. The groups that are culturally identified with the District were historically (and continue to be) fluid, evolving, and different from one year to the next.

In making this determination, we considered the Wolfe report, "Dwelling in the Dunes" and the Wolfe and Ferguson report, "Traditional Cultural Property Assessment." Our review found that these reports focus on a relatively small component of the multiple groups that claim traditional associations with the Dune Shacks of the Peaked Hill Bars Historic District—the long-term families and their friends who use, care for, and maintain due shacks. In the "Dwelling in the Dunes" report, Wolfe states that "the primary sources of information for this ethnographic report were long-term shack residents." The report lists 47 long-term residents who were interviewed for the report and who were associated with particular principal dune shacks. As a consequence, "Dwelling in the Dunes" provides intensive and detailed information on the long-term residents who value the District and the shacks. The Wolfe and Ferguson report, "Traditional Cultural Property Assessment" builds on the Wolfe report and focuses on the significance of the Dune Shacks of the Peaked Hill Bars Historic District to the long-term dune shack families.

This focus on a small component of the multiple groups that claim traditional associations with the District is in marked contrast with a substantial number of letters that were mailed to the National Register office during the 45-day comment period that expressed concern that the reports had defined the associated community too narrowly. Within this group of letters, some respondents did not believe that it was possible to identify a group of people who represented the cultural focus of the shack district because this group was always changing. The groups included long-term as well as casual, transient visitors. The extensive notebook provided by the Peaked Hill Trust, which included transcribed interviews with Trust members, as well as letters, confirmed the character of the associated community. Many members of the Peaked Hill Trust felt that transient users/tenants had not been included in the Wolfe report, but that they constituted an important component to shack culture.

Effects of the Decision

The fact that the Dune Shacks of the Peaked Hill Historic District should not be identified for its significance as a TCP with reference to Criterion A does not materially affect the1989 Determination of Eligibility of the Dune Shacks of Peaked Hill Bars Historic District for listing in the National Register of Historic Places under criteria A, B, and C for its role in the development of American art, literature, and theater; for its association with the life of American

poet Harry Kemp; and for its architecture. The property remains as eligible for inclusion in the National Register and will be treated in accordance with this designation. Nor does it affect the ongoing responsibility of park management to consult with the community and the various groups within the community on its planning and management activities. As the property has been determined eligible for the National Register, we recommend that the park prepare and submit a nomination of the District for listing in the National Register.

Thank you for your cooperation and assistance in providing information on this matter. Please note that a copy of this memorandum will be retained in the permanent National Register file for the Dune Shacks of the Peaked Hill Bars Historic District. If you have other questions regarding this matter, please contact Paul Loether, Chief of the National Register of Historic Places and National Historic Landmarks Programs at (202) 354-2003 or paul_loether@nps.gov.

cc: George E. Price, Jr., Superintendent, Cape Cod National Seashore
Ronald Kaufman, Chairman, Cape Cod National Seashore Advisory Commission
U.S. Senator Edward M. Kennedy
U.S. Representative William Delahunt
Brona Simon, Executive Director/State Historic Preservation Officer, Massachusetts
Provincetown Board of Selectmen
Truro Board of Selectmen
Provincetown Historical Commission
Truro Historical Commission
Kelly Fanizzo, Advisory Council on Historic Preservation
Robert J. Wolfe, Robert J. Wolfe and Associates
T. J. Ferguson
Keith A. Bergman, Town Manager, Provincetown Town Hall
John Thomas, Chair, Cape Cod National Seashore GMP Implementation Advisory Committee