



218096
APO

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NATURAL & HISTORIC RESOURCES
OFFICE OF THE ASSISTANT COMMISSIONER
MAIL CODE 501-03A
P.O. BOX 420
TRENTON, NJ 08625-0420
TEL: # 609-292-3541 FAX: # 609-984-0836

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CATHERINE R. McCABE
Acting Commissioner

May 24, 2018

Mr. Richard T. Smith
President
NAACP New Jersey State Conference
4326 Harbor Beach Boulevard #775
Brigantine, New Jersey 08203

Dear Mr. Smith:

At the request of Acting Commissioner McCabe, I am responding to your April 11, 2018, letter about the potential eligibility of 753 Walnut Street for listing in the New Jersey and National Registers of Historic Places because of an association with the Rev. Dr. Martin Luther King Jr. I would like to address your concerns about the course of our evaluation so far.

To date, the New Jersey Department of Environmental Protection's Historic Preservation Office has not received a National Register nomination for 753 Walnut Street, only a preliminary application. That application has not yet demonstrated the eligibility of 753 Walnut Street for listing in the State and National Registers.

The preliminary application was developed primarily for situations such as this one, to steer would-be preparers from working on nominations for properties that might not meet the eligibility criteria. We regularly advise preparers to secure a favorable decision on their preliminary application before writing a nomination, but members of the public are welcome to prepare and submit nominations at any time.

When first notified that there may be a New Jersey property with significant associations with Dr. King, our Historic Preservation Office professionals were understandably excited. These colleagues have invested considerable time and effort not only reviewing material submitted to them, but also searching for additional corroborating evidence that would solidify the case being asserted. They have corresponded directly with prominent biographers and conducted primary research at facilities in New Jersey, Pennsylvania and Massachusetts. Unsatisfied with their own results and unable to do more because of other duties, our historic preservation professionals strengthened the state's efforts on 753 Walnut Street by hiring Stockton

University to try to substantiate the preliminary applicant's claim about the property's historical significance.

The time that it takes to evaluate a preliminary application varies widely. The duration relates to justifying the eligibility of the resource and the research to gather the evidence supporting the claim. In this case, the evidence is nuanced, and substantial context must be constructed.

It is important to note that all nominations of properties to the New Jersey and National Registers of Historic Places undergo a rigorous evaluation process when they are received by the Historic Preservation Office. Indeed, our historic preservation experts review each nomination to determine whether it is technically and professionally complete and sufficient. Even when prepared by experienced professionals, nominations often require several staff reviews and revisions by the preparer. Once the draft is ready, the nomination is placed on the agenda of the next regularly scheduled meeting of the State Review Board. It is an appointed board of historians, architectural historians, archaeologists and other professionals and meets the National Park Service requirements for such review boards. After the State Review Board carefully considers the nomination and hears public comment, members vote either to approve the nomination, to approve it with conditions or to table or reject the nomination.

If the nomination is approved and the board's conditions are addressed, it goes to the DEP's assistant commissioner for Natural and Historic Resources for final decision. The assistant commissioner's signature to approve a nomination simultaneously places the property in the New Jersey Register of Historic Places and serves as a recommendation to the National Park Service to place it in the National Register of Historic Places. The Historic Preservation Office then sends the nomination for a review by the National Park Service in the District of Columbia, and it is either signed into the National Register or returned to the state Historic Preservation Office for revisions.

I do hope you can appreciate the serious investment of time, energy and expertise we devote to gathering the evidence needed to support a case that this property meets the required criteria. Not only must our state historic preservation colleagues agree that a satisfactory case has been made and evidenced, that finding also is required from the State Review Board, the National Park Service and ultimately the Keeper of the National Register.

Both the New Jersey and National Registers of Historic Places apply the same four criteria (A-B-C-D) and seven criteria considerations. These are nationally promulgated standards, the application of which is guided by more than 50 years of practice and published guidance. The criteria can be found at www.nps.gov/nr/publications/bulletins/nrb15/nrb15_2.htm. I have also enclosed a copy of the criteria for your information and use.

The preliminary application for 753 Walnut Street asserted a claim of significance under National Register Criterion A for an association with an event on June 12, 1950, with respect to a restaurant known then as Mary's Place in Maple Shade, Burlington County. Criterion A, however, can be applied only for associations with events that took place *at the subject property*.

With respect to National Register Criterion B, it is an undisputed fact that Dr. King is a figure of transcendent significance in American history. The application of Criterion B is fairly complex, so much so that an entire guidance document was issued – National Register Bulletin 32: *Guidelines for Evaluation and Nominating Properties Associated with Significant Persons*, which is available at www.nps.gov/nr/publications/bulletins/nrb32/. Typically, there is *only one place* listed for a significant individual, the place most closely associated with her or him and that illustrates her or his achievements and contributions to history. However, sometimes, for very significant individuals several places are listed, and there are already numerous places nationally listed for their association with Dr. King.

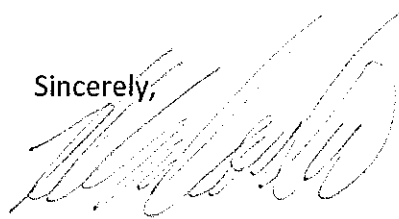
The preliminary application has stated that Dr. King spent substantial time at the house. While there is good evidence he spent *some* time in Camden, there is also a great amount of evidence that he spent the bulk of his time elsewhere during the years in question.

The submitted preliminary application argued that the Maple Shade incident was crucial to Dr. King's intellectual development, but historians do not all agree that significance should be placed on that particular event and point to discussions at Crozier in Pennsylvania as the formative ones. Also, the house in Camden is once removed from the incident.

On December 12, 2017, the Historic Preservation Office transmitted a copy of Stockton University's report to the King Center for Nonviolent Social Justice in Atlanta for review and comment. The King Center is the nonprofit organization dedicated to continuing Dr. King's legacy and the largest repository of primary source materials relating to Dr. King's life and works. The King Center has agreed to review the report and offered to conduct additional research that they think may be necessary based upon their review of the report. When we receive a response from the King Center, the DEP will prepare a formal determination regarding the eligibility of 753 Walnut Street for listing on the New Jersey and National Registers of Historic Places.

Once we have finalized our analysis of the Stockton report and other evidence, I would be pleased to share with you a copy of our response letter to the applicant. In the meantime, I thank for your interest in this property.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ray Bukowski', written over a light blue horizontal line.

Ray Bukowski
Assistant Commissioner

Enclosure

NATIONAL REGISTER CRITERIA FOR EVALUATION

Criteria for Evaluation

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, 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 significant persons in our past; or
- C. That embody 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 history or prehistory.

Criteria Considerations

Ordinarily cemeteries, birthplaces, 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 past 50 years shall not be considered eligible for the National Register. However, such properties *will qualify* if they are integral parts of districts that do 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 primarily significant 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 appropriate site or building associated with his or her productive life; or
- d. A cemetery that derives its primary importance 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 exceptional significance; or
- g. A property achieving significance within the past 50 years if it is of exceptional importance.

National Register of Historic Places, Evaluation Criterion B

Under Criterion B, association with persons significant in our past, an aid to navigation will possess significance if a person's historical prominence is tied directly to the aid. These persons should have a strong tie to the property, such as keepers or politicians who fought for the establishment of the aid. This significance would not, for example, relate to visits to the aid by important people. National Register Bulletin 32, Guidelines for Evaluating and Documenting Properties Associated with Significant Persons, provides further guidance on Criterion B and its applications.

CRITERION B: PERSON

Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

(For further information on properties eligible under Criterion B, refer to National Register Bulletin: Guidelines for Evaluating and Documenting Properties Associated with Significant Persons.)

Understanding Criterion B: Person

Criterion B applies to properties associated with individuals whose specific contributions to history can be identified and documented. Persons "significant in our past" refers to individuals whose activities are demonstrably important within a local, State, or national historic context. The criterion is generally restricted to those properties that illustrate (rather than commemorate) a person's important achievements. (The policy regarding commemorative properties, birthplaces, and graves is explained further in Part VII: How to Apply the Criteria Considerations.)

Several steps are involved in determining whether a property is significant for its associative values under Criterion B. First, determine the importance of the individual. Second, ascertain the length and nature of his/her association with the property under study and identify the other properties associated with the individual. Third, consider the property under Criterion B, as outlined below.

EXAMPLES OF PROPERTIES ASSOCIATED WITH PERSONS

Properties associated with a Significant Person:

- *The home of an important merchant or labor leader.*
- *The studio of a significant artist.*
- *The business headquarters of an important industrialist.*

Applying Criterion B: Person

Significance of the Individual

The persons associated with the property must be individually significant within a historic context. A property is not eligible if its only justification for significance is that it was owned or used by a person who is a member of an identifiable profession, class, or social or ethnic group. It must be shown that the person gained importance within his or her profession or group.

Eligible

- The residence of a doctor, a mayor, or a merchant is eligible under Criterion B if the person was significant in the field of medicine, politics, or commerce, respectively.

Not Eligible

- A property is not eligible under Criterion B if it is associated with an individual about whom no scholarly judgement can be made because either research has not revealed specific information about the person's activities and their impact, or there is insufficient perspective to determine whether those activities or contributions were historically important.

Association with the Property

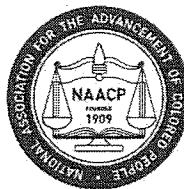
Properties eligible under Criterion B are usually those associated with a person's productive life, reflecting the time period when he or she achieved significance. In some instances this may be the person's home; in other cases, a person's business, office, laboratory, or studio may best represent his or her contribution. Properties that pre- or post-date an individual's significant accomplishments are usually not eligible.

The individual's association with the property must be documented by accepted methods of historical or archeological research, including written or oral history. Speculative associations are not acceptable. For archeological sites, well reasoned inferences drawn from data recovered at the site are acceptable.

Comparison to Related Properties

Each property associated with an important individual should be compared to other associated properties to identify those that best represent the person's historic contributions. The best representatives usually are properties associated with the person's adult or productive life. Properties associated with an individual's formative or later years may also qualify if it can be demonstrated that the person's activities during this period were historically significant or if no properties from the person's productive years survives. Length of association is an important factor when assessing several properties with similar associations.

A community or State may contain several properties eligible for associations with the same important person, if each represents a different aspect of the person's productive life. A property can also be eligible if it has brief but consequential associations with an important individual. (Such associations are often related to specific events that occurred at the property and, therefore, it may also be eligible under Criterion A.)



NAACP New Jersey State Conference

4326 Harbor Beach Boulevard # 775
Brigantine, New Jersey 08203
www.NJSCNAACP.org (609) 310-0211

Richard T. Smith
President

Adrienne Sanders
First Vice President

Bruce Morgan
Second Vice President

Sharon Robinson-Briggs
Third Vice President

Vivian M.J. Darkes
Secretary

Kyra Price
Assistant Secretary

LaTanya Nelson
Treasurer

Francine Cartwright
Assistant Treasurer

April 11, 2018

State of New Jersey
Department of Environmental Protection
Historic Preservation Office
PO Box 420
Trenton, New Jersey 08625-0420

Attn: Commissioner Catherine R. McCabe

Re: 753 Walnut Street, Camden, NJ

Dear Commissioner McCabe:

I bring you greetings on behalf of the NAACP New Jersey State Conference, our Officers, Executive Committee and members of our 41 Branches throughout the 21 counties in the State of New Jersey.

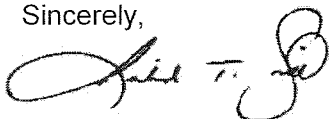
We have been made aware of the study commissioned by your office into the historical significance of 753 Walnut Street, Camden, New Jersey and its conclusions or recommendations. We reject the very formation of such study and their finding. There was no rational reason why this property was subjected to such scrutiny. There have been more than 51,000 properties and sites placed on New Jersey Historic Register without ever having been subjected to any "study" to determine their historical significance. This reason alone causes us serious concern.

There exists hard evidence that Martin Luther King, Jr. lived at 753 Walnut Street, Camden. There exists hard evidence that he while living in Camden he was subjected to racism in Maple Shade. There exists hard evidence that this racism caused him to move to action. There exists hard evidence that he along with notable local civil rights leaders such as Dr. Ulysses S. Wiggins and Attorney Robert Burke Johnson worked together to fight this injustice. All of this occurred before Dr. King became a national figure in the civil rights movement. Thus, it can be reasonably concluded that his stay in New Jersey became the birthplace of his civil rights activism. Such documented events are very significant to American and New Jersey history and thereby must be noted by such official designation.

Therefore, we strongly urge your body to reject the study and designate 753 Walnut Street, Camden, New Jersey for listing in the New Jersey Historic Registry.

Founded in 1909, the NAACP is the nation's oldest and largest nonpartisan civil rights organization. Its members throughout the United States and the world are the premier advocates for civil rights in their communities.

Sincerely,



Richard T. Smith
Member – National Board of Directors – NAACP National Office
President, NAACP New Jersey State Conference
president@njnaacp.org
(609) 310-0211

cc: Governor Phil Murphy
Lt. Gov. Sheila Oliver
Camden County NAACP
Patrick Duff

NAACP New Jersey State Conference

4326 Harbor Beach Boulevard # 775
Brigantine, New Jersey 08203
www.NJNAACP.org (609) 310-0211