

DUXBURY HISTORICAL COMMISSION
Minutes: November 4, 2015

APPROVED NOV. 19, 2015

Present: Robert C. (Terry) Vose, Chair, R. Tag Carpenter, Vice-Chair, David Amory, Mark Barry, Arthur Evans, Chris Tice, and Nicole Walters, constituting a quorum.

Note: The public hearing portion of this meeting was originally scheduled for October 14. Because that meeting was not posted 48 hours in advance as required by the Commonwealth's Open Meeting Law, it was cancelled and rescheduled for November 4. The numbering below is chronological and may not correspond to agenda item numbering.

Chairman Vose called the meeting to order at 7:00 PM

1. **Open Forum.** Because public hearings were scheduled, copies of the Mission Statement of the Commission were distributed to the people in attendance (approximately 15-20 people), and the Demolition Delay Bylaw was read at the opening of each respective hearing.
2. **Minutes.** Minutes of the October 21, 2015 meeting were approved as written.
3. **Public Hearing:** 195 Standish Street - *Complete Demolition.*

Attention was called to information previously distributed about this property provided by Tony Kelso, Town Historian; some members in the audience spoke against demolition. Michael Themeli of 195 Standish Street LLC, owner of the property announced that a verbal agreement had been reached to move the main house to a new location at 279 Standish Street, owned by William and Kristen McArdle, and demanded a decision be made on the application immediately or he would allow the bylaw to take effect, wait six months, and "put the house in the dumpster." It was explained that an immediate decision was not possible given the provisions of the bylaw, and that the decision to move rather than demolish the house changed the nature of the application, possibly making it invalid. With no written agreement in place for relocating the house, and Commissioners thought the matter should be taken up with Scott Lambiase, Zoning Enforcement Officer, before any action was taken. A motion was made, seconded, and unanimously approved to support the owners' intention to relocate the main historic part of the house, demolish the newer additions, and move the barn to another location on the property. Chairman Vose agreed to arrange a meeting with Mr. Lambiase early in the morning of Nov. 5 to discuss this further and determine what action should be taken. (Note: in a meeting Nov. 5 with Mr. Lambiase, three members of the Commission prepared a Memorandum of Understanding to be signed by 195 Standish Street LLC and The Duxbury Historical Commission outlining the general agreement to relocate the building)

4. **Public Hearing:** 38 Ocean Avenue - *Complete Demolition.*

Paul Brogna, Engineer acting on behalf of the owners of the property, Gillian and Dickie Dillon, suggested the demolition application was void because the public hearing was not scheduled in the time frame outlined in the bylaw. It was explained that the reason for the delay was that there was not proper notification given for the meeting because the Columbus Day holiday did not

count as a "business day," and the posting process had to start over. There was an extensive discussion about the property, the site on which it is located known as "The Ridge," the history of the area, and the value of historic restoration vs. the need to allow for change. Opinions for and against demolition were offered by several members of the audience. The Commission thanked everyone for their thoughts and time, and promised a decision at its next regularly scheduled meeting, as stipulated in the demolition bylaw. That meeting, originally scheduled for Wednesday, Nov. 18, 2015, was rescheduled to Thursday, Nov. 19 to be in compliance with the bylaw to wait "not less than 10 (business) days" before reaching a decision.

5. Demolition Applications

a. 57 Enterprise Street - Partial Demolition. Moved, seconded and unanimously agreed this was not a regulated structure subject to the provisions of the bylaw.

6. Coordination with Municipal Services Department

Previously discussed at the November 2, 2015 meeting.

7. Other Business

a. Mr. Vose noted the existing cooperation between the DHC and the Local District Historic Commission, and made a motion to use approximately \$50 of DHC funds to make copies of the new LDHC booklet titled *Town of Duxbury, Local Historic District Commission, Chapter 12, Local Historic District Bylaw and Rules and Regulations* for distribution. Moved, seconded and unanimously approved.

b. Commission members were encouraged to send their suggested revisions to the proposed new Demolition Delay Bylaw to Mr. Carpenter before Nov. 9. He will incorporate these into a penultimate draft and circulate them to members for final consideration.

c. Mr. Vose circulated a proposed amendment to the Demolition Delay Bylaw that was presented at the 2007 Annual Town Meeting by the Planning Board for the Historical Commission, which did not pass at that time. Mr. Vose suggested this could be a backup plan and submitted again if for some reason the revision of the entire bylaw is not complete by the December 1 deadline for submission.

Adjournment. Moved, seconded, and voted unanimously to adjourn the meeting at 9:12 PM

Respectfully submitted,

Arthur B. Evans, Acting Clerk