

**TOWN OF ORLEANS  
HISTORICAL COMMISSION**

**MINUTES OF MEETING**

**Date:** Friday, November 13, 2009

**Place:** Orleans Town Hall

**Present:**

James Hadley, Chair  
Dennis Dowd  
Bonnie Snow  
Ann Sinclair  
Carol Haeberli  
Richard Besciak

Todd Thayer, property owner  
Duane Landreth, Lawyer for Mr. Thayer

1. The minutes of the meeting of August 26, 2009 were reviewed. Mr. Dowd moved to accept the minutes. Ms. Snow seconded the motion. **MOTION PASSED**
2. Mr. Dowd moved to open the public hearing which is in accordance with Chapter 106 of the Bylaws of the town of Orleans on the request for demolition of a structure at 120 Route 6A (Cranberry Highway) Orleans, MA. The structure is known as the Percival House in Form B on file with the Massachusetts Historical Commission. Mr. Besciak seconded the motion. **MOTION PASSED UNANIMOUSLY.**

Mr. Landreth stated that they were not challenging the historic value of the structure, but that it is too costly to renovate and therefore not economically viable to do so.

Mr. Hadley noted that that is was Mr. Landreth's opinion, and Mr. Dowd noted that there was no condition assessment submitted with the application for demolition.

Mr. Landreth stated that there is no end user in sight but that they want to get the ball rolling for the demolition once they find a user.

Mr. Hadley stated that the goal of the OHC in this matter, and others, is to make it possible to preserve the building.

Ms Snow asked if the property went through to Old Colony Way and was told it does not. She also asked about the chemical plume under the building. Mr. Landreth stated that the owner had completed the 21E process and the site doesn't need further remediation. Mr. Thayer added that the DEP gave it a clean bill of health. He said that the building condition was bad when he bought it in 2004 and he feels the current building is obsolete and he needs a building that he can rent, possibly mixed use.

Mr. Landreth said they have not yet looked into zoning implications for preserving or duplicating the building.

Mr. Hadley noted that the Town is currently doing a market study of the downtown, which could affect the marketability of the property within a revitalized commercial area. He noted that it is in the interest of the OHC to, if all else fails, encourage Mr. Thayer to apply to

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duplicate the building, locating it within guidelines of the new commercial district instead of just demolishing it.

Ms. Snow noted that the building that houses Nonnie's Restaurant is not owned by Nonnie, and that the owner of the restaurant also owns the yellow house next to it. She believes that when Nonnie dies the two buildings will be sold. She asked Mr. Thayer if they had researched the cost to restore/renovate. Mr. Thayer replied, "Yes". Ms. Snow then asked whether his concept was for a new building was a strip mall. Mr. Thayer replied that he wants it to fit in with the town, but the market is slow right now.

Bruce Taub, a person in the audience, asked if when Mr. Thayer bought it he knew it was historic. Mr. Thayer responded that he knew it was old and that it fell within the guidelines to be reviewed if he wanted to demolish it. Mr. Taub asked if the OHC can put limits on proposed construction. Mr. Hadley replied that this was not within the powers of the Historical Commission, however if there are building plans the OHC can comment on them.

Mr. Landreth stated that they were looking into replication of the structure.

Mr. Hadley noted that this request to demolish is not prompted by an imminent threat to the building, because at this time there is no end use. Mr. Landreth replied that they will only get an end user when the economy improves and someone wants to develop the site/building.

Mr. Hadley stated that if we impose a twelve month delay, and in three months they have a development plan the OHC would want to review it and he doesn't know whether that is possible. So, he will talk to Mr. Ford the Town lawyer.

Mr. Landreth stated that if they replicate the structure, it will need site plan review.

Mr. Besciak said that our first choice is to restore the building; next choice is to replicate it.

Ms. Haeberli spoke about towns instituting demolition by neglect statutes. She asked the current condition of the roof. Mr. Thayer stated that it was in bad condition when he bought it in 2004 and that some repair work has been done.

Mr. Landreth said that the owner wants the highest and best use for the property and although there is currently no economic incentive, he wants to start the clock ticking on the demolition.

Mr. Hadley noted that the OHC will have no oversight on any new building. He requested that the OHC comply with the owners request and begin the twelve month delay. as the only course open to the Commission at this time. He noted that he would prefer to look at a continuance of the hearing to allow the owner to examine the possibility of preserving the building. Mr. Dowd then attempted to move to continue the public hearing to allow the owner to find a user for the site. Messrs. Thayer and Landreth objected, stating they were not interested in this possibility. No motion was made.

Mr. Dowd moved, and Mr. Besciak seconded, that the OHC find that the building is a preferably preserved historic building. THE MOTION PASSED UNANIMOUSLY. Mr. Dowd then moved, and Mr. Besciak seconded, that the OHC institute a twelve month delay for demolition with the hope that it will eventually be restored, or if replicated, it will adhere to the Harry Sparrow photo as closely as possible. Ms. Snow noted that photos of the building in original condition were available from the Sparrow Collection of the Orleans Historical Society. MOTION PASSED UNANIMOUSLY

Ms. Snow moved to close the public hearing. Mr. Dowd seconded the motion. MOTION PASSED.

Mr Hadley talked about an economic study being done by the Town. We agreed that we are interested in having input in the project. Mr Hadley was asked to write of our interest to George Meservey.

Mr. Hadley also brought up a concern with the condition of work being done at the Odd Fellows Hall with Orleans Community Preservation money.

Mr. Dowd moved to adjourn the meeting. Mr. Besciak seconded the motion. MOTION PASSED

Respectfully submitted,

Ann Sinclair, Secretary