

TOWN OF ORLEANS
HISTORICAL COMMISSION

D. Dowd, Asst.
TOWN OF ORLEANS
TOWN CLERKS OFFICE
10 FEB 26 PM 1:51

MINUTES OF MEETING

Date: Wednesday, January 27, 1:00 PM

Place: Orleans Town Hall

Present:

James Hadley, Chair
Dennis Dowd
Bonnie Snow
Ann Sinclair
Catherine Southworth
Richard Besciak
Carol Haerberli

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

1. 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 12 West Road, Orleans, MA. The structure is listed as having been a tavern in 1812 in Form B on file with the Massachusetts Historical Commission. Mr. Besciak seconded the motion. MOTION PASSED UNANIMOUSLY.

Mr. Landreth conceded that the property is historic but the owner wants the highest and best use for the property which is zoned for business. The lessee is moving out and Mr. Thayer has a "for rent" sign out. He is not planning to demolish anything currently but is trying to plan ahead.

There was discussion about the need to have plans in place before a demolition permit can be issued. Mr. Thayer understands this.

There was also discussion of moving the house. The house is in a good enough state and the conditions of the Demolition Delay Ordinance are set up so that someone might be found who wants to buy and move a structure slated for demolition. Mr. Landreth said that Mr. Thayer might consider selling it to be moved. Mr. Hadley stated that someone has suggested that the town use CPC money to buy land to which historic houses could be moved. Dennis Dowd expressed his concern with the intended course of action proposed by the applicant and his attorney, noting a potential deviation from the intention of the Bylaw – i.e. that the one year delay provided the applicant and the Town with an opportunity for finding an alternate location for the structure for which demolition is proposed. He indicated that his concern stemmed from the applicant's lack of clarity as to what the options were for the house in the 12 month period that follows the Commission's invoking of the delay; that is, that the applicant would not necessarily agree to allowing the structure to be moved during this period. Mr. Dowd stated that he therefore did not believe that the clock should start ticking on a one year delay until there is an end use, or an applicant is willing to sell the house. Mr. Hadley said that the Commission will need to have Mr. Ford, the Town Counsel look at this matter after the Commission makes their decision.

Mr. Landreth stated that his client's decisions have to make economic sense.

Richard Besciak stated that it isn't viable to tear down since that could cost between \$10,000 and \$20,000. Bonnie Snow asked why they were asking for a demolition permit now. Mr. Landreth answered that by doing this now it gives a buyer of the property more options. He further stated that the by-law doesn't say you have to have an end use before applying for a demolition permit, only that there has to be an end use before demolition.

Mr. Hadley asked if there was any possibility that getting documentation of the house – photos and drawings. Mr. Thayer said "Yes," and offered to supply any photos he may have in his possession for copying by the Commission. Discussion with Mr. Thayer indicated that measured drawings would be the responsibility of the Commission.

Carol Haeberli moved and Richard Besciak seconded a motion to invoke the twelve month demolition delay with the condition that the applicant has agreed that if the demolition goes forward, he will provide access so that photos and drawings of the building can be done and that he will provide his own photos and drawings. MOTION UNANIMOUSLY APPROVED

Dennis Dowd moved and Bonnie Snow seconded a motion to close the public hearing at 1:35 PM. MOTION PASSED

2. Mr. Hadley said that we will be meeting again soon because he has a new application from Ryder and Wilcox for demolition of a rear wing of a house at 71 Monument Road.

3. Mr. Hadley told the Commission of a letter he received from a man who is interested in Civil War statues. He visited the statue in Orleans and said that it appears to be leaning backwards. There is a history of the zinc creeping. Both Mr. Hadley and Mr. Besciak know of conservators.

4. Mr. Hadley will ask for Mr. Ford's opinion of the timing issue on Mr. Thayer's demolition application, and will explain the problem to him.

Dennis Dowd moved and Richard Besciak seconded a motion to adjourn at 1:45 PM. MOTION PASSED

Respectfully submitted,

Ann Sinclair, Secretary