

Asst.
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Orleans Historical Commission Town Hall, 19 School Road, Orleans, MA 02653 Minutes

June 8, 2022

4:30 PM

Skaket Room/Hybrid Virtual

Webinar ID: 838 1251 5189

Present: Ron Petersen, Joan Nix, Charles Ellis, John Harter, Bill Wibel (alternate) and Edmund Marcarelli (alternate)

Also present remotely: Eric Dray and Kelly Clifford

Chair Ron Petersen called the meeting to order at 4:30PM.

Public Comment

There was no public comment.

Review/Approve Minutes

Minutes of May 11 were prepared by Mr. Marcarelli but not sent to members yet.

Mr. Harter stated he'd catch up with the missing minutes for distribution prior to the next meeting.

CPC and the Academy Playhouse

Mr. Petersen stated that he and Mr. Ellis had a meeting with the Academy Playhouse rep. Mr. Brown. The Academy seems to understand that they need to follow the SOI Standards.

Mr. Ellis reviewed the progress of the project to date. He presented that the Academy had been seeking to know exactly what documentation was required to proceed. The Academy had solicited proposals from qualified architects on the order of \$75,000 to \$80,000 which the Academy does not have and which can't be funded with the current CPC grant. No interior work would be part of the grant-funded work. They are proposing repair the existing windows and repairing and replacing some siding. Work would begin on the front façade. No documentation describing work has been submitted to Mr. North of the CPC or the Historical Commission.

Mr. Wibel asked about the timeline and what happens to the condition of the building if the work is postponed – wouldn't the condition deteriorate and the construction costs increase?

Ms. Nix stated that the Historical Commission want to know the description of the existing windows, siding, trim, etc. and what is being proposed.

Mr. Ellis stated that the grant funding has been encumbered for next year. No quarterly reports have been filed to date. There was a general discussion of the current vinyl siding, and a question to Mr. Dray regarding whether the vinyl could be replaced with new vinyl or whether the sides should be restored to wood siding. Mr. Dray noted that the SOI Standards apply to the entire project. Mr. Ellis stated that the contractor said the wood siding under the vinyl was not replaceable. Mr. Ellis pointed out that the \$250,000 grant would be expended on the front façade and that the sides of the building are unlikely to be a part of the project.

Discussion re: deed restriction - Mr. Ellis stated that a 30-year deed restriction is in place for the work, signed by the CPC and the Academy in July of 2021. Mr. Ellis pointed out that the town attorney and Mr. Dray disagree on the enforceability and terms of the deed restriction.

Review and discussion of proposed Architectural Conservation District

Bylaw -- Ms. Nix relayed that the draft bylaw was sent to the town attorney May 13. Ms. Nix presented an 8-1/2" x 11" map which she'd prepared and attached to the bylaw for the purposes of review by the Attorney General.

There was a discussion about maps. More information is needed for large scale maps which could be used for public presentations. Ms. Nix explained that the town planner had prepared a three-section map in 2020, but didn't have the program now that he could do the same thing. Mr. Marcarelli discussed a map on the website and how the map could be maximized for the website and mobile use.

Mr. Dray suggested that the map could be an aerial map. Ms. Nix pointed out that an aerial map at small scale is hard to read. At a large scale, an aerial would be a good base. Mr. Dray said that his idea of a map prepared by the Cape Cod Commission might take a long time, based upon his current experience.

Mr. Harter asked about sub-contracting out the preparation of maps. Mr. Ellis and Mr. Petersen suggested that a map could be funded through the current public education CPC grant. Mr. Dray suggested that the town planner be asked again about what he could do. Ms. Nix agreed to talk to the planner again. Mr. Marcarelli suggested that he'd talk to the web designer about a map appropriate for the site. Mr. Wibel stated that he'd talk to David Little of Ryder Wilcox about the possible cost of map-making.

Mr. Dray brought up a definitive boundary, and that we don't have one yet. There was discussion about how to treat the boundary line of the district in terms of "flag" or "porkchop" lots – lots with minimal frontage on Main Street but a larger property behind. The boundary also needs to be refined in the eastern and western edges. Mr. Ellis pointed out that the only regulation proposed is to what is visible from the public way. Mr. Dray talked about Chatham pork chop lots, where a proposed HD was cut across pork chop lots. He suggested that pork chop lots could be excluded. He said that we need to develop the reasoning to support

whatever boundary we select. Mr. Dray said that the answer to a question about only the street portion only for a parcel could be to maintain district continuity. Mr. Harter suggested that his slight preference is to include all of a parcel but could be convinced to support only the part along the street.

Re the eastern boundary, Ms. Nix pointed out that the property that houses the Barley Neck Inn also includes the condos. Re the western boundary, Mr. Dray suggested that the district should not include the church or Memorial Park. At the moment the boundary is shown as including both.

It was decided that Ms. Nix would send out maps to all the Commissioners electronically and that the boundaries would be addressed at the next meeting. She further agreed to write out a list of the current issues regarding the boundary and send them along with the maps.

Architectural Conservation District Timeline – Mr. Ellis

Mr. Ellis began with the question is what Town Meeting are we aiming for?, and then work backwards. May 2023 seems appropriate. We'd need to have Bylaw finished by February for a May 2023 Town Meeting. Mr. Petersen had talked to town administrator John Kelly and Mr. Kelly said he'd put us on the earliest possible agenda of the Select Board (SB). Mr. Dray suggested we finalize the map before going before the SB. Before the SB presentation, we need a map, the draft bylaw and a presentation of why it is good for the town, and why an architectural conservation district was selected vs. a 40C district. A SB presentation in August makes sense, with borders finalized in July.

Mr. Dray offered to draft a summary sheet by the July meeting of what is being proposed. This offer was accepted.

Mr. Marcarelli asked how we handle the review by the Attorney General (AG). He suggested that the SB might ask some questions about the potential outcome of the AG's review, and that we should have an appropriate answer. Mr. Dray, Mr. Harter and Mr. Ellis suggested that we answer the SB with the concept that we will keep the SB informed. Mr. Wibel said we might want to know what items will be on the agenda the night of our presentation and where we are on the agenda. It is critical to have their enthusiastic support. Mr. Petersen noted that several of the SB members know in general about the proposal.

Mr. Petersen wants to discuss how and when we present to property owners. Mr. Ellis brought up what other committees and groups we might want to talk to. It was agreed that the Finance Committee will opine prior to the Town Meeting. Ms. Nix suggested that we don't need to talk to the Architectural Review Committee. Mr. Wibel suggested that we might want to talk to CPC. Mr. Ellis suggested that he simply inform CPC of what is being planned.

Mr. Ellis said we should deal with the processes and procedures and how they'll be managed. He is wondering how a property owner will know all the policies and procedures and costs. Residents will surely ask. He recalled a discussion that Dorothy Bowmer had with the building

official Tom Evers years ago, and she was told that there would be no problem, just an item added to a checklist. Mr. Ellis described the current process where the building, zoning, and the health departments can take a long time to rule on permits, and there is some back and forth between the departments.

Mr. Marcarelli pointed out that we need to have an appropriate answer to questions from the public about process as soon as we begin presenting to them.

Ms. Nix volunteered to talk to Tom Evers, the building inspector about how the process might work.

Ms. Nix noted that, as the draft bylaw is written, a commercial property owner will still need to come to both the Historical Commission and the Architectural Review Board. There are at least 6 commercial properties in the proposed district. Mr. Ellis and Mr. Dray pointed out that there is likely not much that would be seen by both groups. Mr. Dray stated that the typical process is that one review group is exempted – for instance, a property that requires Architectural Review Board review might be exempted from Historical District review. He suggested that the bylaw might be altered to eliminate the dual review. Discussion ensued about joint jurisdiction or one group is an advisory role to the other or one cedes authority to the other, all of which seems awkward. In the end it was decided that each group should act separately. Mr. Marcarelli proposed that we talk to the Architectural Review Board simply to explain our proposal.

Mr. Wibel noted that the parking lot next to the Hurd chapel is under consideration by multiple uses.

Public meetings – It was discussed that we need to begin to set up public meetings to those within the proposed district. Mr. Ellis pointed out that we need to have meetings directed to those outside the district. Mr. Dray suggested that we shouldn't expect too many people to attend a meeting, and we should concentrate on public information through the newspapers and other public forums.

Mr. Petersen will ask John Kelly for SB time in August.

Public Education Committee

Mr. Petersen suggested that Mr. Marcarelli, Ms. Nix and Mr. Petersen be the Public Education Committee and recommence work with a meeting the week of June 15.

Past/ Potential Demolition Delay Hearings

Mr. Petersen noted that 22 Beach Road will likely be demolished. The demolition delay was imposed two years ago. Mr. Petersen explained that Ms. Nix knew of the demolition. Mr. Ellis asked if the demolition delay goes with the property or the owner. Mr. Petersen explained that it runs with the property. The delay is one year, then the demolition must be done within two years or a new application must be made.

Orleans Historical Commission
June 8, 2022

Mr. Petersen said that Eastward Development approached him to discuss demolition of 81 Monument Road. The precious and significant residence was the home of the artist Vernon Smith, and also to a science advisor to President Eisenhower. No demolition delay application has been received to date.

Mr. Ellis brought up the issue of incomplete demolition delay applications. It was decided that this issue could be discussed in a future meeting.

Commission Appointment Status

Mr. Petersen noted that Mr. Ellis is not up for reappointment this year, but next year. Mr. Petersen explained that he is already over the limit of service. He noted that, in principle, the SB is unanimous in encouraging rotations of officers and time limits on service. Mr. Petersen said he'd accede to the desire of the commission. Mr. Ellis suggested that Ms. Nix go to the SB meeting and suggest that Mr. Petersen has specific experience and knowledge that the Historical Commission needs, and significant projects are under way where input is needed. Mr. Harter moved that Ms. Nix go to the SB and plead the case for reappointment of Mr. Petersen. Mr. Ellis seconded. The motion passed- 4 in favor, 1 abstain, 1 ineligible to vote.

Adjourn

Meeting adjourned circa 6:40 pm.

Respectfully submitted,
Joan Nix
Vice-chair Historical Commission