

Minutes: September 7, 2022

Present: Tag Carpenter, Chair, Ed Mayo, Vice Chair, Chris Andrew, Andrew Burns, Michael Carlson, and Arthur Evans. Brendan Wall was absent.

Note: the numbering below is chronological and may not correspond to agenda item numbering.

The meeting was held remotely via Zoom. Mr. Carpenter called the meeting to order at 7:01 PM and confirmed that members present could be heard by calling for a roll call. He then read the following preamble:

“Pursuant to Governor Baker’s Chapter 20 of the Acts of 2021 dated June 16, 2021, An Act Relative to Extending Certain Covid-19 Measures Adopted During the State of Emergency regarding suspending certain provisions of the Open Meeting Law, G.L. c. 30A, §18, as amended on July 15, 2022, the Town of Duxbury’s Board and/or Committee meetings will be conducted via remote participation to the greatest extent possible with members. For this meeting, members of the public who wish to watch the meeting may do so by following the ZOOM meeting links.”

The meeting was convened via Zoom video conference and recorded.

1. Open Forum. A new 40B type law in Connecticut has been causing a lot of chaos in upscale communities like Greenwich, Westport, etc. as developers move in.
2. Minutes. The August 17, 2022, minutes were approved by a 6-0 vote.
3. New Demolition Delay Application:
 - a. 40 Alden Street, 1935, partial/addition. New owner proposes to demolish the garage, bump-out additions at the front and rear of the main house and replace three dormers with a single Nantucket type dormer. A new garage and addition to the main house would also be added. For the past 30 years the property has been owned by the Eloists, Inc., a religious organization that has relocated to New Jersey. After a brief discussion it was moved and seconded 41 Alden Street does not meet the criteria of the bylaw and should not be considered a regulated structure. Passed 6-0.
4. 761 Temple Street - Isaac Simmons Farm.

A written bid from Brad Norman and Cara Scotto of Kingston was received and is being considered by the Evaluation Committee. The bid proposes three options: purchase the house for \$350K in “as is” condition; purchase the property with some specified upgrades made by Town for \$400k; purchase the property with additional upgrades made by the Town for \$500k. The bidders have experience with house restoration and seem qualified to do what is necessary to restore 761 Temple Street. They would make it their primary home. Some questions lingered: What are the legal implications of receiving only a single bid? What is the tax status of the property? Is it still possible to consider other options? Commissioners agreed the second option – have the Town do \$50k worth of upgrades to the property and sell it for \$400k was best, with the \$50k coming from CPC funds allocated to historic preservation. This would require approval at the Special Town Meeting in October. A motion was made and seconded to allocate up to \$50,000 from CPA Historic Preservation funds to install septic at 761 Temple street and make other improvements necessary to ready it for occupation and sale. Passed 6-0.
5. Historical Commission Preservation Programs.

a. Bylaw Revision. The matter of changing the 75-year rule in the bylaw was discussed with options considered. As it is, any house built before 1947 is considered historic, which all agreed was not the intent when the bylaw was written. The issue is not unique to Duxbury and it was questioned how other towns dealt with it. The MHC may have more information to consider. It was decided to leave the bylaw as is for now and consider the matter again in future meetings.

b. Preservation Easement. Messrs. Carpenter and Burns have completed work on a draft preservation easement agreement. This may need a legal review; it was suggested Historic New England be contacted for advice. Mr. Burns will follow-up, possibly in a Zoom session.

6. Annual Report. Mr. Evans completed a draft of this year's report and will send it to Mr. Carpenter first for review before it is circulated to all commissioners for approval. The final report is due Sept. 30.

7. CPC Update. An increase in the tax surcharge from 1% to 3% is on the Warrant for the Special Town Meeting to be held October. The Commission continues to meet weekly.

8. LHDC Update. It was noted with sadness that Peter Smith, husband of Pam Campbell, who was to chair this commission, died recently. No other news was available.

9. Motion to Adjourn. Made and seconded at 8:18 PM. Passed 6-0.

New Materials Received:

1. Complete Demolition Delay Application dated 29 August for 40 Alden Street.

Minutes Prepared and Submitted by Arthur B. Evans, Clerk