

Amherst Historical Commission Meeting, September 6, 2007
First Floor Meeting Room, Town Hall
7:15 p.m.

Present: Gai Carpenter, Lyle Denit, Louis Greenbaum, Michael Hanke, Elizabeth Sharpe, James Wald. **Absent:** Lynda Faye **Staff:** Jonathan Tucker, Director of Planning.

Mr. Wald called the meeting to order at 7:22 p.m. and asked for announcements. Minutes of the meeting of August 13 were presented; Mr. Greenbaum requested two amendments; Mr. Denit moved approval of the minutes as amended, Mr. Hanke seconded the motion, and it passed unanimously.

Mr. Tucker and Mr. Wald followed up on the request for a second visit to the Thayer House at the Bay Road intersection; Mr. Tucker will schedule a visit for Friday, September 14 at 8:30 a.m.

In brief committee reports, Mr. Greenbaum indicated that CPAC has not met. Mr. Wald reported that CPC would meet this week with the consultants, and hold an open house on September 27 at the Bangs Center for community input. Mr. Denit reported that the History Subcommittee of the 250th Anniversary Committee has met, but that neither he nor Ms. Sharpe was able to attend.

Mr. Tucker mentioned the letter from Bonnie Parsons regarding prior use of space in the East Village Common. Mr. Tucker also indicated that there was no news on the outlying residential Historic Register nominations. Mr. Greenbaum commented on Ed Wilfert's work on the Gray and Taylor Street neighborhood and Mr. Wilfert's need for assistance in publishing the work. Ms. Carpenter responded that she had met with Mr. Wilfert, seen his work and had some thoughts about how it might fit with the Historical Commission's program of publications. She indicated that it is more scholarly than what Historical Commission has done before and that it might be a candidate for publication by the 250th Anniversary Committee. She also said that she hoped this project could be the subject of further discussion by the Historical Commission.

Mr. Wald welcomed the numerous guests at the meeting, and formally opened the public hearing to allow comments in Demolition Delay Public Hearing DDA2008-00002, 291 North Pleasant Street, Chapin-Ward House relocation.

Guests included Honoré David, Cody Torn and Libby Klekowski, Amherst Woman's Club; Jane Price and Alice Epstein, League of Women Voters; Jane Wald, Ken Rosenthal, and Kent Faerber, Emily Dickinson Museum; Guilford Mooring, Town of Amherst Public Works Department; Jerry Guidera and Ed Wilfert, Gray Street residents.

Mr. Wald reviewed the Kendrick Park plan and the basis for the demolition request, and asked for a report from the applicant for the demolition permit. Guilford Mooring, Director of the Public Works Department, reported that the Town took possession of the Chapin-Ward house at the end of last year. The Town issued an RFP for removal of the house and received eight responses, some a bit outlandish, and finally received only one formal proposal, from Barry Roberts. Mr. Mooring said that the proposed mover would like to get the work done before winter.

Mr. Tucker explained the ownership issues of both the Chapin-Ward house and the destination property and reviewed the town counsel's statements on the extent of the Commission's authority to impose restrictions. Mr. Tucker suggested that the Historical Commission might wish to use other means than restrictions to discuss alternatives with the owner of the destination property. Mr. Wald asked for comments from the Commission; Ms. Carpenter mentioned the Commission's experience of prior reviews involving the owner of the destination property. Mr. Hanke commented on the Kendrick Park project that involved demolition of the entire neighborhood, and on the Hills House and its historic significance within its neighborhood. Mr. Hanke reflected on the prospect of carving up the lot of the Hills House, and said he can't see the Chapin-Ward

house sitting on that property. Mr. Wald acknowledged the larger issue of the destination, but urged that the conversation focus on Kendrick Park. Mr. Tucker observed that the Hills property has already been broken up. Mr. Denit said he had no comment at this time. Ms. Sharpe raised a question about establishing a local historic district and inquired whether doing so could affect the use of the lots on Gray and Main Streets. Mr. Tucker commented on the potential effects of creating local historical districts, but said that doing so would not be retroactive. A pre-existing district could regulate all sorts of things, but would have to be in place to affect current plans.

Mr. Greenbaum said that he was incredulous that it would be possible to create a "subdivision" within the Dickinson Historic District; he regards it as "despoilment" and reminded everyone that it had looked as though the town could not save the Kimball House when that threat to an historic structure had first come to public attention. Mr. Greenbaum said he believes the best course would be for the Historical Commission to impose a delay in order to prevent the use of the Hills property. He reviewed the map of the property and informed the audience that the Zoning Board will be hearing an appeal from the owner for creation of a flag lot at a meeting on September 20. He read sections from the CPC consultants' draft report on historic preservation, emphasizing the lack of local historic districts. Mr. Tucker noted that the special permit being requested is to create a building lot. Mr. Hanke commented on the potential siting of the Chapin-Ward house on the lot. Mr. Tucker doesn't believe that the owner actually intends to build on the frontage lot on Main Street, but there is nothing to prevent his doing so. Mr. Mooring noted that if the Historical Commission blocks relocation of the Chapin-Ward House, the person who has proposed the removal might withdraw his offer, and then it is likely that the Chapin-Ward house would be demolished.

Mr. Tucker reminded the Commission that it could continue the public hearing and possibly engage in a conversation with the property owner. Mr. Wald reminded the Commission and its guests of the procedure for a public hearing, a review of criteria of significance, and then a vote on demolition delay. Mr. Hanke and Mr. Mooring exchanged views on the potential effects of a demolition delay. Mr. Wald and Mr. Mooring shared information on the bidder's right to withdraw his offer.

Mr. Greenbaum spoke about issues of the developer's plans and noted that even if the developer was not born in Amherst, he has to live here, and there are potential consequences to his possible actions. Mr. Greenbaum spoke about his appraisal of the historical importance of the Hills House and the Hills family in Amherst. Mr. Denit asked Mr. Tucker to clarify the significance of a flag lot versus a building lot.

Mr. Greenbaum raised a question about how, if the Hills House address is Main Street, it could become a Gray Street property as a flag lot. Mr. Tucker responded on the assignment of addresses which only follows some action affecting the access to or frontage of a property. Mr. Hanke observed that the outlook for the Chapin-Ward house isn't good and commented on the developer and his other work in town. Mr. Hanke noted that the developer does engage architects and cited the Amherst Cinema and Amity Street projects as examples of his work. Mr. Denit noted the bind that the Commission is in, the leap of trust that could be needed, and the fact that the Historical Commission is bound by the law. Mr. Wald observed that the "solution" on North East Street was complicated and observed ironically that someone could threaten development simply to get the town to acquire land, given the town's prior actions.

Mr. Wald invited public comment. Alan Snow, Logtown Road, (Town of Amherst Tree Warden) questioned Mr. Tucker about the town counsel's opinion, and expressed concern about possible damage to trees on the route if the Chapin-Ward house is moved. Mr. Mooring said that a mover has a right to request that trees be trimmed to allow passage of a structure and that this constitutes a legitimate use of the public way. Elizabeth Armstrong, Amity Place, commented on the possible move, and noted that the garage of the Chapin-Ward house is not to be moved. Mr. Tucker replied that there are actually two garages—one attached and one, older, which started as

a stable. Mr. Tucker observed that depending on how the Chapin-Ward House might be sited, the garage would wind up in the lawn of the Hills house.

Ed Wilfert, 48 Gray Street, said he doesn't understand how the property got broken up without abutters being notified; Mr. Tucker responded that creating a flag lot and similar layouts of lots are "by right" and even if the Planning Board doesn't endorse a plan meeting the minimum criteria, the Town Clerk must permit the lot divisions after a prescribed interval. Mr. Wilfert noted that Barry Roberts also owns the property on the other side of his house. He observed that putting the Chapin-Ward house a bit farther up Gray Street might be the best course. Libby Klekowski, Amherst Woman's Club President, indicated that members have spoken with Mr. Roberts and that there has been no understanding reached with him. Hilda Greenbaum, 298 Montague Road, suggested that the Chapin-Ward House be placed on the northernmost lot and fronted to the south and added that this might be discussed at the Zoning Board of Appeals meeting on September 20.

Kent Faerber, 481 Station Road, Emily Dickinson Museum, would like to see the Historical Commission explore procedural options, their possible impacts and what the law might allow. Faerber posed several questions including whether it were possible to revoke a demolition delay once it had been issued, and wondered why the town would not issue another RFP for removal of the Chapin-Ward house if the current bidder were to withdraw. Mr. Tucker commented on possible effects of any of these actions.

Libby Klekowski asked whether if Mr. Roberts were willing to sell the flag lot property it is possible that the town could purchase it. Mr. Tucker explained the uses of CPAC funds and possible restrictions that could be imposed on development. Mr. Greenbaum asserted the Commission's responsibility for preservation of assets and stressed that the town looks to the Commission for leadership. Mr. Greenbaum said he thinks it is important that the community be aware of what is going on and said he was disappointed that the press was not in attendance. He also commented on the condition of the Hills House and said that there is plenty of value there for Mr. Roberts to develop.

Honoré David asked about the importance of preserving the Chapin-Ward House. Mr. Wald asked Mr. Denit and Mr. Hanke whether they could describe the Chapin-Ward house; Mr. Denit had not visited the house, but Mr. Hanke had and described the interior as quite fine. Guilford Mooring provided additional detail on the structure.

Ken Rosenthal, Sunset Avenue, Dickinson Museum Board, spoke about his experience in working with Barry Roberts, citing his other work in town, and urging the Commission to continue the public hearing in order possibly to engage in some conversation with Mr. Roberts. Ms. Carpenter, Mr. Denit, and Ms. Sharpe commented on the Commission's process, and the possibility of some action other than a demolition delay.

Ms. Sharpe moved that the public hearing be continued until September 24, at 7:30 p.m.; the motion was seconded by Mr. Hanke, and passed unanimously.

Mr. Wald indicated that Mr. Greenbaum had a question about the meeting with the Select Board on September 17. Mr. Tucker suggested that the Historical Commission continue meeting after the joint session with the Select Board to allow conversation on other issues. Discussion turned to clarification of plans for that meeting. Mr. Tucker pointed out several issues about zoning which are likely to be heading for Town Meeting, specifically including Spring Street and South East Street, to be included in future Commission agendas.

Mr. Denit said he would like to understand the South East Street report and conclusions from Bonnie Parsons; Mr. Tucker provided a review of her work and further discussion of the concept of a common.

The Commission agreed to hold times for an October meeting on October 15 and 22, depending on the availability of Commission members.

Ms. Sharpe raised a question about Marla Miller's class and work they might do with or for the Commission. The real issue is what investment of time and energy would be needed from members of the Commission or Mr. Tucker.

Ms. Sharpe moved adjournment, Mr. Denit seconded the motion and the meeting adjourned at 9:34 p.m.

Next Meetings: September 17 with Select Board; September 24, and October 15 or 22.

Respectfully submitted,

Gai Carpenter, Clerk