



**TOWN OF TRURO Truro Historical Commission**

**Truro Historical Commission Hearing**

**12 Ocean Bluff Lane**

Meeting Location: Truro Public Library, Cobb Room

Date & Time: January 20, 2018, 10:30 am  
Preceded by a Site Visit at 9:30 am

Members Present: Matthew Kiefer, Chair, Historical Commission  
Fred Todd, Secretary  
David Kirchner  
Richard Larkin  
Helen McNeil-Ashton  
David Perry

For the Applicant: Regina Binder  
Benjamin Zehnder  
Deborah Paine

Members of the Public: Darcee Vorndran  
Stephen Walker  
Scott Ashley  
Buddy Perkel  
Ed Miller, Provincetown Banner  
Jack Reimer  
Robert Weinstein, Board of Selectmen  
Cally Harper, Town Planner  
Mary Ann Bragg, CC Times

At 10:30 AM, Chairman Matthew Kiefer opened a public hearing regarding an application by Kenneth Kuchin seeking to demolish an existing cottage and build a new single family home on property located at 12 Ocean Bluff Lane. The hearing was preceded by a site visit to view the house in question and the property in general; the site visit was attended by those members listed above as present for the hearing and those representing the applicant.

The application for a demolition permit was referred to the Historical Commission by the Building Commissioner. Chairman Kiefer explained that according to the *Preserving Historic Properties* By-Law, if the Chairman or Vice-Chairman of the THC determine the project is historically significant, a public hearing is scheduled to determine if it is in the public interest to preserve the building and whether a delay in demolition for a period of up to one year is warranted to afford time to explore alternatives to demolition. According to Paragraph 6-2-1 of the By-Law, significance includes age (over 75 years old); listed on or part of a pending application for listing on the National or State Register of Historic Places; historically or architecturally significant; associated with one or more historic persons or events or with the architectural, cultural, political, economic or social history of the Town. Because the existing cottage is more than 75 years old, the proposed demolition was referred to the THC for a public hearing.

Mr. Kiefer said that the role of the Historical Commission is to 'hold public hearings on demolition permit applications to determine if the intended demolition would be detrimental to the historical, cultural or architectural heritage of the Town; whether the work proposed will materially diminish the building or structure's significance to the Town's heritage; and to explore alternatives to demolition.'

Atty. Zehnder explained that the proposed project — demolition of the 1900 (approximate date, sources differ) cottage (689 square feet) and replacement with a larger house (1181 sf) in a similar style along with a separate garage/studio — has been approved by the Truro Zoning Board of Appeals and Planning Board. As a legal non-conforming property due to a side-yard setback and road issue, a special permit from the ZBA was required for the proposed building. As a property within the National Seashore zoning district, the project was subject to Planning Board Residential Site Plan review and in particular the maximum house size requirements; the proposed house size is under the maximum allowable in the regulations. The Planning Board approved the proposed construction pending resolution of a minor property line adjustment that was being negotiated with the National Seashore and subject to approval of the demolition of the cottage by the THC.

Representing the owner, Deborah Paine, contractor for the project, reviewed material previously submitted to the THC regarding the physical condition of the cottage. She said that in her view the cottage had been rebuilt over the years based on the type of framing materials present now and that very little of the original construction remained. She said the fireplace, with its unusual stonework (determined to be not local but from western Massachusetts), had at some point been grouted and capped with concrete and was not usable. The cottage is supported on a variety of stones, concrete blocks, and wood posts and in all cases the framing of floors, walls, and roof is undersized. Given the condition of the cottage, she determined that renovation was not feasible.

Also representing the owner, Regina Binder, a preservation consultant, summarized her report, previously submitted to the THC. She agreed with Paine's judgement that the historic fabric of the house has been compromised. She discussed the National Park Service criteria for significance (associative value, construction value, information value) and in her opinion, the cottage did not meet any of these. She further cited 7 criteria of historic integrity (location, design, setting, materials, workmanship feeling and association). In her terms, the proposed new building was sympathetic to 3 key elements — it was located where the older

structure was, it reflected the setting in terms of its relationship to its surroundings as well as the view of it from adjacent areas, and it was evocative of the original.

Mr. Zehnder reviewed the proposed plan for the new house which although larger and approximately 3 feet higher is similar in style and massing and has the same wrap-around porch. He pointed out that due to the lot configuration, the larger footprint of the new house is mainly on the north side, away from the Highland Historic District and visibility from the lighthouse. He also presented a rendering of the new structures in the landscape as viewed from Highland Road. In summary, he argued that the existing cottage was not significant in that it did not contain original materials, was not an original or rare type, did not contribute to the historic district, was not included in the town survey of historic properties or listed as part of the historic district. In response to Atty. Zehnder, Chairman Kiefer referred back to the language of the ByLaw and the distinction it makes between 'significant' and 'preferably preserved.'

Members of the THC asked follow-up questions. Was renovation of the existing structure (raising it on a foundation, interior renovation, etc.) considered as an alternative to demolition? Ms. Paine said they looked carefully at this option, but bringing the house unto current code compliance would mean loss of any remaining historical feel, loss of headroom due to increased framing sizes, replacement of windows, replacement of the fireplace, etc., and they decided it was not feasible to reuse the structure. Members asked whether parts of the original could be reused in the new structure or made available to the Historical Society or others for reuse. Mr. Zehnder indicated that this would be possible.

Two letters were read into the record by the Chairman. Louise Briggs supported preservation of the existing building. A letter from the National Seashore Acting Superintendent pointed out the prominence of the site as viewed from the lighthouse and the importance the Park Service paid to preservation of scenic views. A letter from Darcee Vorndran was entered in the record but not read because she was present at the meeting and would speak to its contents.

Public comment followed. Darcee Vorndran went over her research into the Small family including their role in Truro going back to the early 1700's. The family gave the land for the original lighthouse and one member served as the first keeper. Later members were active in town government and built the Highland House as well as the cottage in question. In her opinion, the cottage was part of that long stretch of local history and therefore worthy of preservation. She asked whether there were any restrictive agreements in the past deeds or National Seashore regulations that would protect the existing cottage from demolition. Mr. Zehnder said that during the title search back to the 1940's there were no such restrictions found. Steve Walker and Scott Ashley also spoke of the importance of saving the Town's historical properties in general and in favor of preservation of the cottage specifically.

Ms. Vorndran expressed a concern about what could happen in the future — suppose at some point the owner might want to build a much larger, less sympathetic house there, could the THC restrict this from happening? Ed Miller asked for clarification about this. Chairman Kiefer explained that, in this case, the THC's power is limited to the 12-month delay, and that once a historic structure was gone, the basis for protection as historically significant no longer applied. He noted that if the property were in a historic district or individually listed, the Commission would retain more control over proposed changes.

Robert Weinstein cited the enabling legislation for Historic Commissions and indicated it would be helpful if the public had a better understanding of what properties were considered significant before starting the process of applying for a demolition permit. He said the local survey indicated 54 properties that were considered significant enough to warrant protection. He urged the THC to meet with the BOS to explore ways to protect our resources.

Atty. Zehnder asked to be allowed to make a brief rebuttal of points raised. He again argued that the cottage did not warrant a demolition delay based on its significance, and indicated that on behalf of the owner they would be willing to make it available for salvage and would provide a sum of \$5,000 to commission a photographic and written summary of its history for the Town.

The Chair closed the discussion and indicated the Board would deliberate. David Perry said he agreed it was not feasible to rehab the cottage and found the proposed house sympathetic to the site and landscape in general. Fred Todd expressed a similar opinion and the hope that a new use for the cottage could be found on site as the art studio component of the proposed garage. Helen McNeil-Ashton said she would support linking salvage to a reduced delay period.

Mr. Kiefer outlined terms for a possible motion. THC would agree to waive invoking a demolition delay subject to the owner agreeing to sponsor a \$5,000 commemorative photo/written history of the cottage and association with the Small family; to make the building available for moving off-site for \$1 for a period of 60 days; to assess elements suitable for reuse in this or other projects; and to allow the Truro Historical Society to salvage any items it deems suitable for archiving or exhibit.

After discussion, the motion was moved and voted unanimously.

Signed,



Frederick Todd, Secretary

