



Thursday, January 5, 2023

Community Development Department Conference Room, 7:00PM

Present: Frank Farmer (Alternate), Peter Griffin (Regular - Vice-Chairman), Renee Mallett (Regular - Chairwoman), Carol Pynn (Regular), Derek Saffie (Regular - Secretary), Wendy Williams (Regular)

Ms. Mallett opened the meeting at 7:05 PM.

Mr. Griffin motioned to accept the minutes of the December 1st meeting; second by Ms. Mallett, 3 - 0.

Mr. Griffin motioned to accept the minutes of the December 9th site walk; second by Ms. Mallett, 2 - 0 (Mr. Saffie abstained from the vote because he was not present at the site walk).

Ms. Mallett opened the public hearing on the demolition permit application for the Whitefield cabin at 11 Indian Rock Road.

Ms. Mallett provided a recap of the recent site walk to the cabin. Tom Paquette, of Pillar & Post, LLC, attended the site walk on behalf of the Commission to assess the condition of the cabin. It was noted there were serious condition issues, including substantial rot. Mr. Paquette had approximated the cost of moving and restoring the cabin at \$150,000.

Wayne Morris took the podium to present the Conservation Commission's views on the cabin. Mr. Morris had considered moving the cabin to Campbell Farm to use as an outbuilding or sugar shack. After learning of the cost and effort involved in such a plan, the funding required would likely exceed what the Conservation Commission could commit to the project.

Mr. Morris expressed concern that there were previous commitments to preserving the cabin that were not being followed through with by the developers of the property.

Mr. Griffin reported that Mr. Paquette outlined two options for the cabin: use as a sugar shack at Campbell Farm or remodel and rent as a studio apartment.

Simon and Mona Beylin were in attendance as the owners of the property. Mr. Beylin reported that several contractors had inspected the cabin and reported that it could not be moved in its current condition.

Karl Dubay similarly reported that after multiple site walks he had a consensus of opinions that the cabin could not be safely moved. He explained the process of stabilizing the cabin to move it. The chimney would not be able to be moved intact and at least half of the logs at the base would have to be replaced.

Ms. Mallett expressed her opinion that it would not be a responsible use of taxpayer money to invest in moving and restoring the cabin.

Mr. Dubay suggested the Native American head motif on the chimney could be scanned and reproduced as part of a memorial to the cabin. The memorial would be located near the original site of the cabin and could also include some of the original chimney bricks.

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Ms. Mallett asked if Mr. Beylin would be willing to make the reuse of the bricks and reproduction of the chimney motif a condition of waiving the demolition delay. Mr. Beylin responded affirmatively.

Mr. Griffin discussed the financial aspect of preserving the cabin. The Commission does not have the funding and the Conservation Commission could not allocate the required funds to the project. There are other potential pocket park projects the Commission is exploring that would see greater use by residents. He did suggest that there be signage relating the historic of the cabin at the original site of the cabin.

Susan Hoey, abutter on Eastwood Road, expressed concern that she had attended meetings in the past several years where there was commitment to keep the cabin on the property.

Ms. Mallett interjected that previous commitments regarding the cabin were made by previous owners.

Mr. Dubay explained that previous plans had indicated the cabin would be moved elsewhere on the property and the current owners purchased the property with that understanding. However, the logistics of the project have changed and requirements for the roads to meet town standards forced changes to the layout of the project.

Mr. Dubay also noted that the bottom half of the cabin is rotted and would likely be destroyed in moving; the chimney would also need to be removed. He stated he would be willing to attempt to move the cabin if he was held to the original commitments, even though those commitments were made before the true condition of the cabin was understood and before changes to the roads modified the property layout.

Ms. Mallett shared Mr. Paquette's opinion that the best chance of moving the cabin would be to tie it all together and move it. Though Mr. Paquette had acknowledged a significant portion of the cabin would need to be replaced.

Mr. Dubay reported that he and Mr. Beylin went underneath the cabin and found significant rot.

Ms. Pynn stated she had been in contact with Mr. Dubay for at least a few years regarding the preservation of the cabin and the previous conversations had indicated the cabin would stay on the property. She thought Mr. Dubay should have passed the commitment to preserve the cabin to subsequent owners of the property. She also stated she had provided a state survey of the cabin to Mr. Dubay which outlined its historic significance.

Mr. Dubay stated he had not received the state survey of the cabin until the Commission's December 2022 meeting. He also responded to Ms. Pynn that while he had made commitments in the past to preserve the cabin, the property plans have since changed.

In response to Ms. Pynn's comment that the Commission is charged with protecting historic buildings, Ms. Mallett replied that more should've been done sooner to protect the cabin.

Mr. Beylin offered to rebuild the cabin with new materials. The consensus of the Commission was that there would be no historic value in a modern reproduction of the cabin.

Mr. Griffin asked Ms. Hoey if her or her neighbors had attended Planning Board meetings to express their support for preserving the cabin. Ms. Hoey stated they had not because they were in agreement with the plans that included keeping the cabin on the property.

Mr. Dubay offered to attempt to move the cabin and replace what breaks or falls off in the process.

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Ms. Mallett stated that Mr. Paquette had informed her that the distance of the move does not factor greatly into the cost, but getting it “up on wheels” is the significant factor. She suggested that money could be donated to other HDC projects in lieu of paying for the cabin to be moved.

Ms. Beylin stated that they had offered many reasonable options to the Commission, but had not received many reasonable options in return.

Mr. Dubay restated a couple of the options he had previously presented. One option would be to attempt to move the cabin and replace any of the structure that does not survive the move. Another option would be to fund another project in town with the funds that would’ve been spent on the move.

Ms. Mallett asked if the trails on the property would be open to the public. Mr. Dubay responded that he could not get trail interconnectivity with property abutters. The trails in the development would be accessible by residents and their visitors, but there would be no parking for access to the general public.

Ms. Mallett offered her opinion that there would be little value in preserving the cabin if there was no access to the public.

Ms. Beylin expressed concerns that keeping the cabin on the property as an attractive nuisance could lead to injury or serious crime on the property.

Mr. Dubay stated there are no laws that protect the cabin and the property owners and himself have been engaging with the Commission out of courtesy.

Mr. Farmer stated he did not believe the previous property owners had any responsibility to inform the new owners of the historic significance of the cabin. He also expressed concern that the cost of maintenance has not been assessed and funding would need to be arranged.

Mr. Dubay reported that the easiest option would be to relocate the cabin on the property rather than move to another site.

Mr. Griffin asked Mr. Beylin if there would be any use for the cabin if it was moved on the property. Mr. Beylin replied that he would need to have insurance on the cabin and it would not be able to be used for anything.

Ms. Mallett relayed Mr. Paquette’s concern that most uses for the cabin could require a bathroom.

Ms. Williams asked Mr. Dubay about the condition of the cabin. Mr. Dubay responded that if the cabin were moved, it would be necessary to replace at least half of the structure.

Ms. Williams suggested relocating the cabin to Campbell Farm as an outbuilding would fill a need as there are no outbuildings at Campbell Farm at present.

Ms. Williams asked what would be at the present site of the cabin and could there be a marker or signage as an homage to the cabin. Mr. Dubay responded that there would be a building on the site of the cabin, but there could be a marker placed near the site with repurposed materials.

Ms. Mallett suggested naming the community clubhouse after the cabin.

Ms. Mallett offered that she was skeptical when Mr. Dubay first reported the poor condition of the cabin, but after attending the site walk she agreed much of the structure is not salvageable.

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Mr. Saffie stated it was generous of the property owners to offer to reuse materials from the cabin in a memorial on the site. He expressed concern that the cost to move and restore the cabin was exorbitant and not worthwhile in relation to the historical significance of the cabin.

Mr. Morris suggested a plaque similar to that at the Marston-Finn dam. Mr. Griffin asked Mr. Morris to distribute photographs of the signage at the dam.

Mr. Morris expressed that his concerns about the property owners not maintaining the commitment of previous owners to preserve the cabin were allayed now that he had heard the owners are putting forth effort to preserve the history of the cabin, if not the cabin itself.

Mr. Dubay suggested the funds that would be used to move the cabin could possibly be used for a project at the American Legion.

Mr. Farmer asked if the marker near the site of the cabin would be accessible to the public. Mr. Dubay replied that it would be accessible by residents of the development and their visitors.

Ms. Williams proceeded to determine if the criteria had been met for a public hearing on the demolition permit application. She was informed that proper notification had been given and that the required signage was placed in a visible location at the site.

Ms. Hoey asked Ms. Williams to summarize the RSAs concerning the demolition permit and the public hearing.

Ms. Williams expressed concern that the hearing was not televised, but Ms. Mallett failed to find anything in the statutes that require a public hearing to be televised. To that point, Ms. Williams stated that the land use ordinances should supersede the requirements of the statutes if they did require the hearing to be televised.

Ms. Williams informed the Commission that the first step in the demolition permit application process should be to vote to either hold a public hearing or waive the hearing.

Ms. Williams asked Ms. Mallett if she received a copy of the demolition permit application. Ms. Mallett noted she had received notification of the application, but did not recall receiving a copy of the application.

Ms. Mallett asked if there needed to be a vote to give her the Commission's consent to sign the application. Ms. Williams stated nothing in the statute specifically requires a vote of Ms. Mallett to sign the application as chairwoman.

Ms. Williams read section 719.4 which requires CDD to provide a copy of the application to the Commission.

After some searching, Ms. Mallett confirmed she had in fact received a copy of the application from CDD on December 16, 2022.

Mr. Griffin made a motion to not request a demolition delay with the condition that components of the cabin be incorporated into a memorial with signage indicating the history of the cabin. Mr. Saffie seconded the motion.

In discussion of the motion, Ms. Pynn asked if the Native American head motif on the chimney will be preserved and reused. Mr. Dubay stated that the motif could not be safely removed from the chimney. Instead it will be 3D scanned and recreated.

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Ms. Hoey asked what the significance of the February 2023 deadline was to make a decision on the cabin. Ms. Mallett explained that this vote is not necessarily due to the deadline but because a demolition permit application was filed and the Commission is required to vote on the application within thirty days. The February deadline was given at a previous meeting where the owners had offered extra time to figure out a plan for the cabin.

Ms. Pynn recommended amending Mr. Griffin's motion to specify the bricks from the chimney will be reused and the Native American head motif will be scanned and recreated.

Mr. Griffin accepted the amendments to his motion, with the amended motion:

Motion to not request a demolition delay with the conditions that (1) the chimney bricks will be reused and (2) the Native American head motif will be scanned and reproduction options will be brought before the Commission for final approval.

Mr. Saffie stated that his second of Mr. Griffin's motion still stood. The motion passed with four votes in favor and one against. Ms. Pynn voted against the motion and explained her reasoning. She was concerned about the destruction of historic resources in town, but acknowledged the cabin was beyond salvage.

Ms. Williams stated that at this point the focus is more on preserving the history of the cabin than the cabin itself.

Ms. Mallett thanked Mr. and Mrs. Beylin for being very generous with their time and efforts.

Mr. Dubay assured the Commission that any stonewalls on the property will be reused in the project.

Ms. Pynn asked Mr. Dubay if the stonewalls on the property were shared with other abutters. Mr. Dubay confirmed only stonewalls not shared with other property owners will be reused as needed.

Ms. Pynn delivered a TRC update. The only property of historic concern was on Bissell Camp Road. There was some discussion of potential impact to wetlands and to an 18th century home. Mr. Griffin stated that the wetlands would not be in the jurisdiction of the Commission. Ms. Williams stated that plans to widen the road would impact the 18th century home, and there is a possible cellar hole near the property.

Mr. Griffin gave a brief Town Common Beautification Committee update. Cheryl Haas and Dennis Senibaldi are working together to select a stone for a plaque to recognize major donors to the bridge project.

Mr. Saffie updated the Commission on efforts to locate historic sites and images for the ongoing book project. He has focused on Derry and Londonderry because it should be easy to find enough images for the Windham chapter. He had difficulty finding any usable images of Londonderry, but did locate a few dozen images of Derry.

Ms. Mallett opened discussion on the Commission's chapter for the annual town report. The chapter is due January 6, 2023. Ms. Williams confirmed there is no need to vote to give Ms. Mallett permission to submit the chapter.

Ms. Williams suggested approaching the owner of the Robert Armstrong house with a discussion about what can be salvaged. The house has deteriorated to a point where there needs to be a concern for safety, but there are likely salvageable architectural features that could be preserved. She also suggested if the house is demolished there should be signage placed at the cellar hole with the history of the property.

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Ms. Mallett suggested if a demolition permit application is submitted for the Robert Armstrong house that one of the conditions of not imposing a delay would be salvaging historic materials from the house.

Ms. Mallett recommended that the Commission create and maintain a list of threatened historic assets in town. She also suggested researching requirements for the New Hampshire State Register of Historic Places. Ms. Williams asked if that register may be appropriate for the Town Hall.

Ms. Williams stated there is no mechanism to notify property owners that their property is on the Historic and Cultural Resource List (HCRL). Ms. Mallett offered to talk with CDD about how the process of checking the HCRL works.

Mr. Griffin informed the Commission that Dennis Senibaldi and Brian McCarthy were appointed by the Board of Selectmen to determine how to proceed with the restoration of Town Hall. Mr. Griffin will invite individuals who have been involved with similar projects to future meetings.

Mr. Griffin reminded the Commission that meetings start at 7:00PM and members should be expected to arrive on time.

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