



**TOWN OF PLYMPTON**  
**HISTORICAL**  
**COMMISSION**

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To: Tom Millias, Plympton Building Commissioner  
Melinda DeSanctis, Applicant

Re: Application for Demolition Permit - 6 Cross Street

Date: 10. August, 2015

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**BACKGROUND:**

On June 30th, the Plympton Historical Commission (“Commission”), pursuant to the provision of the General Bylaws of the Town regulating the “Demolition Delay Bylaw for Historically or Architecturally Significant Buildings” (“Bylaw”), received an application filed by Ms. DeSanctis, to demolish the premises at 6 Cross Street, styled the “Joseph Sherman, Jr. House (c. 1860), a property listed on Plympton’s Cultural Resources Inventory (MHC Form #: PLM. 106).

This Bylaw was adopted for the purpose of “preserving and protecting significant buildings within the Town of Plympton which are outside Local Historic Districts. Such buildings reflect distinctive features of the architectural, cultural, economic, political or social history of the Town, and their preservation promotes the public welfare by making the Town a more attractive and desirable place to live and work.” The intent of the bylaw is: “to provide an opportunity to develop preservation solutions for significant, preferably preserved properties threatened with demolition. The bylaw is intended to encourage owners and townspeople to seek out persons who might be willing to purchase preserve, rehabilitate or restore such buildings rather than demolish them, and to limit the detrimental effect of demolition on the historical architectural resources of the Town.”



An historically or architecturally significant building is “any building, in part, which is at least 75 years old, or is of unknown age and: (a) which is listed on, or is a contributing building within an area listed on the National Register of Historic Places, or which is the subject of a pending application for such listing, or is eligible for such listing; or (b) is included in the Cultural Resources Inventory prepared by the Commission; or (c) has been determined by vote of the Commission to be a significant building after a finding by the Commission that the building meets one or more of the following three criteria: Historical Importance...Architectural Importance...[or] Geographic Importance.”

On July 8, 2015, the Commission found the building to be “architecturally significant” pursuant to Plympton Municipal Bylaws, Article XX, Section 2.6(b), as it is listed on the Cultural Resources Inventory.

The Commission, on July 18, 2015, conducted a site visit of the property, inspecting all levels of the building and on July 20, 2015 the Commission, at the applicant’s request, provided her with initial feedback of the site visit as noted in the minutes of that meeting.

Thereafter, on July 27, 2015, a public hearing was duly held, pursuant to the Bylaw to determine whether the building in question should be “preferably preserved” on the ground that it reflects distinctive features of the architectural, cultural, economic, political or social history of Plympton (“Town”).

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At the July 27 hearing, the applicant and her agents stated that it was not possible to restore the building as it would be cost prohibitive and in their opinion the building "is not a viable candidate for renovation or restoration." The applicant noted that although her original plan was to restore the building - purchasing it "against the advice of her lawyer", it was no longer possible to proceed with that plan based on the information presented and the applicant wished to be granted a permit to demolish the historic building and replace it with a new modular building on the property. This proposed building would not include any replication of the style, detail, scale or size of the original historic building, but would have "structural soundness and efficiencies". The budget for the proposed building was stated to be \$330,000.

The Commission was provided with letters from both the applicant, her contractor and a structural engineer which appeared at odds with the Commission's observations of the building's structural condition and potential costs for renovation during the site visit and statements and observations of the Commission's associate member, a builder and contractor with extensive experience renovating and restoring historic buildings in Town and the surrounding area - including one built by the same builder (94 Center Street) which had to be gutted and rebuilt after a fire caused by a lightning strike. The Commission nevertheless voted to continue the matter for 7 days in order to permit it to further consider the information presented by the applicant and her agents and for the applicant and her agents to present any additional information for consideration.

At the continued hearing on August 3, 2015, the applicant and her agents reiterated and expanded upon arguments made earlier and submitted an additional letter which listed, in addition to cost, time constraints and ADA considerations that make it necessary to demolish the building. Though the property was listed as a "rehab" and purchased for \$160,000<sup>1</sup>, the applicant claimed to have spent \$230,000+ on the property to date<sup>2</sup> and asserted that it was hard to believe anyone would be willing to make the investment in the property necessary to restore it. The applicant and her agents did not provide a cost estimate of what the costs would be to rehab. The applicant also asserted that she never intended to rehab the property, a statement that directly contradicted her assertions at the prior hearing and in prior submission to the Commission.<sup>3</sup>



The Commission expressed concerns with the assertion that it would be cost prohibitive to rehab the building. Further consultation with the Commission's associate member revealed that a budget of \$300,000 would be more than sufficient to rehabilitate/restore the historic building, including appropriately remedying concerns to make the historic building structurally sound and to provide many of the conveniences sought by the applicant. The Commission also advised that they had consulted with the Town's Building Commissioner to better understand how he handled ever-changing code requirements with rehabilitation/renovation projects on historic buildings. The Commissioner noted that significant latitude was provided to allow for resolving conflicts between the most recent code and historic buildings and that this is something he has dealt with regularly in Town. He did note that items that presented safety risks always needed to be addressed.

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<sup>1</sup>MLS listing # stated: "This rehab is being sold in "as is" where is condition. Title v is the sole responsibility of the buyer. Home has a beautiful corner lot and abuts a well maintained horse farm. Seller thinks there is a possibility of a 2nd lot BUT the buyer and buyers agent must use due diligence regarding that potential. Do not let your clients go alone. Cash or rehab loan." It lists a sale date of 4/25/14 for \$160,000

<sup>2</sup> No breakdown of the additional \$70,000+ in expenditures from April 2014 to the present was provided to the Commission. While it is noted that work has been done to the fields, including the addition of electric fencing, the addition of a run-in shed and the rental of two dumpsters it does not appear to represent the total of the claimed expenditures.

<sup>3</sup> Applicant's letter of July 26, 2015 and accompanying timeline details the desire and efforts to rehab the historic building.

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The applicant and her agents proposed, as an alternative, that they salvage interior elements and have the house dismantled rather than demolished and placed in a dumpster. The also offered the granite foundation caps to the Town. The Commission was not persuaded that this was a reasonable alternative as it did not believe complete demolition of the historic building was necessary. The Commission questioned whether the applicant had considered a partial demolition, removing the ell and sheds, restoring the main historic building and adding a new, appropriate building that met the rest of the applicant's needs. The applicant did not want to consider this or any other alternatives short of the historic building being removed and replaced by the proposed house.

#### FINDINGS:

The Joseph Sherman, Jr. House (1860) at 6 Cross Street is deemed historically and architecturally significant by the nature of it being included in Plympton's Cultural Resources Inventory. The Commission finds that the building should be preferably preserved because it reflects distinctive features of the architectural, cultural and social history of the town and, therefore, it is in the public's interest to have the building preserved rather than demolished.

The historic building is a 1 1/2-story Greek Revival cottage that represents a typical style of building built in Town during this time period by the Sherman brother builders. Two other examples have been specifically identified at 82 and 94 Center Street<sup>4</sup>, though it is likely that the Sherman brothers built other similar homes in Town and the surrounding area. Of particular note are the two windows in the gable end on the front of the building which are placed asymmetrically relative to the ridge of the roof. This detail is replicated at 94 Center Street and was present at 82 Center Street. The buildings at 6 Cross Street and 94 Center Street are therefore unique examples of this style and is not common to all 1 1/2-story Greek Revival cottages built in Town.

The historic building also contributes to the built landscape along this pastoral secondary road. It tells part of the Town's history and the cultural significance of the historical neighborhood at Center and Cross Streets - an area historically part of Dunham's neck or "The Neck". Characterized by subsistence farming into the early 20th century, this area has historically been one of the Town's more sparsely settled areas due to the large amount of wetlands. A native trail, pre-dating colonial settlement is purported to have crossed from Turkey Swamp and over what is now Cross Street.<sup>5</sup> As noted above, the area had limited historical settlement with only 2 historic homes left on Cross Street and an additional 4 homes in the immediate area on Center Street. This historic home visually illustrates the history of this land since colonial settlement and removal of the house would significantly change this part of the Town.

We concede that work is required to rehabilitate/restore this historic building, bringing it reasonably up to code and remedying structural deficiencies, as well as adding modern conveniences considered necessary or desirable in today's life. Overall, we find that the structural condition of the building is well within the bounds of repair. In fact, the visible framing showed little signs of shifting or pulling apart. The main beam under the kitchen and the sill in the vicinity of the front door likely require replacement, though this is not uncommon when rehabilitating/restoring a historic building. Additional structural work could reasonably be done in the basement including new footings and support columns, along with a poured concrete floor and a skim coat over the basement wall - creating a more solid base for the building. The insect damage appeared limited and treatable, especially when compared with other homes in the area that have been rehabilitated/restored, and could be completed as part of the rehabilitation/restoration since the remaining wall coverings will likely be removed as part of the rehabilitation/restoration. Damaged timbers, if any, could also be removed and replaced at that time, if necessary.

The applicant and her agents have asserted that it would be cost prohibitive to rehabilitate/restore the building, yet they did not provide any cost estimates to support their claims. We do not concur with this view and, based on the information in the record, we find that this historic building could be rehabilitated/renovated, likely within the budget allotted for the demoli-

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<sup>4</sup> The historic house at 82 Center Street was lost in 2013 due to a fire.

<sup>5</sup> Town of Plympton Communitywide Historic Properties Survey - National Register of Historic Places Context. June 23, 2013

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tion and construction of the proposed modular building. We are also confused regarding the applicants conflicting claims regarding her original intent in purchasing the property as it was clearly marketed as a “rehab” and the assertions regarding the amount of money already invested in the property which would make it economically unfeasible to find an alternative to demolition. Rather it would appear that the applicant is insistent upon proceeding with the plan as presented and is not presently interested in an alternative to demolition.

**CONCLUSION:**

The Commission therefore **DIRECTS**, in accordance with section 3.7 of the Bylaw, that the Building Commissioner refrain from issuing a demolition permit for the premises at 6 Cross Street until the Commission informs him that the applicant has make a continuing and bona fide and reasonable effort to locate a purchaser to preserve, rehabilitate or restore the historic building that has satisfied the Commission that such efforts have been unsuccessful for a period of at least 18 months or until the Commission is satisfied that there is no reasonable likelihood that the historic building can be purchased, preserved, rehabilitated or restored or that the applicant has agreed to accept a demolition permit on specified conditions approved by the Commission.