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# Buying time

## Demolition delay can save antique buildings

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Deborah Packard executive director of Preservation Worcester in front of the Odd Fellows Home.  
(T&G Staff/DAN GOULD)



**WORCESTER** — Deborah Packard, executive director of Preservation Worcester, said the Odd Fellows Home building on Randolph Road reminds her, on a smaller scale, of the clock tower at the former Worcester State Hospital.

“It’s the same vintage,” she said. “They’re both important parts of our history, important parts of the landscape.”

The old Odd Fellows Home, built on land donated to the Odd Fellows in 1890 by Thomas Dodge, a prominent Worcester inventor and patent lawyer, quietly came close to being torn down in recent months. A developer who was looking to buy the vacant building applied for waiver of the 12-month delay on demolition of historic structures required by a city ordinance.

But after a series of recent hearings before the Historical Commission, the petitioner came back to the commission with a new proposal that appears to give the Odd Fellows Home a reprieve from the wrecking ball.

Randolph Road Realty Trust, which is looking to buy the 19th-century landmark from the International Church of the Foursquare Gospel, petitioned the commission July 31 for a demolition delay waiver to be able to demolish the entire structure. The commission has yet to vote on the delay waiver, but the developer has approached the commission with a scaled-back plan for demolition that leaves the original building, with its five-story clock tower, intact.

When a property owner wants to demolish a historic structure in the city, he must wait 12 months. The owner can apply for a demolition delay waiver, which prompts the Historic Commission to decide whether the structure is important enough to the city's historic landscape to preserve, or if not demolishing the structure presents an economic hardship for the owner.

And while would-be developers of old buildings don't always get what they want from the Historical Commission, they seldom are shown the door. Often, there's a give-and-take that satisfies all interests, the old and the new. At a recent commission meeting, a lawyer for the realty trust, Stephen F. Madaus of the law firm Mirick O'Connell, said that after petitioning the commission to end the demolition delay, the developer looked at alternatives. Mr. Madaus said the new proposal still calls for demolishing a more recent addition to the rear of the building, and an older addition to the right-hand side of the original building. The developer would then look at an alternative use for, or redevelopment of, the original building, which is listed on the National Register of Historic Places.

Members of the commission were receptive to the proposal, but sought a legal opinion from the city on whether the application for the full demolition of the property could be amended, or if the applicant should withdraw the application and submit a new proposal for demolition that excludes the original building. Joel J. Fontaine Jr., the city's planning director, said the commission hopes to have that opinion before it discusses the issue again today.

At the Oct. 8 hearing, Mr. Madaus said the developer is looking to redevelop the land for residential use. He said the sale of the property is under agreement, but the church is still the owner of record.

Mr. Fontaine said it appears the demolition delay process is working as intended with the Odd Fellows building. He said the ordinance forces property owners to really examine the nature of what they have, and buys time during which alternative arrangements can be made.

Mr. Fontaine said the Historical Commission typically grants the vast majority of demolition delay waiver requests that come before it, but said the requests rarely involve demolition of an entire building. Waivers are typically requested for projects such as substantive renovations or tearing down an old porch. And after the 12-month delay ends, the owner is free to demolish the property without the blessing of the commission.

Nicholas Chacharone, a developer with Britton Court, went through the demolition delay process for a property his company owned on Lincoln Street a few years ago. He said he wanted to tear down the mansion and another property to build offices.

But once the demolition delay went into effect, another buyer was lined up who was willing to preserve the house.

"We're glad it worked out," Mr. Chacharone said. "We did have plans for a 7,000-square-foot office building, because we had good success at 299 Lincoln."

He said that while the demolition delay process worked out for his company, it's not the same experience for everyone.

"The reason it worked for us is that it was only 4,000 square feet," he said.

There was only so much that could have been done on the relatively small plot of land at 292 Lincoln, but the Odd Fellows property is much more valuable because of the potential for development, he said. The delay is more of a hindrance for a larger property because there is likely a lot more money tied up in financing for the project, he said.

Preservation Worcester advocated for the preservation of 292 Lincoln St. and Ms. Packard said her organization has been following the Odd Fellows situation. She said she would like to see the building preserved.

"It is on the National Register, which is additionally significant," she said.

Other communities have similar ordinances. For example, Cambridge has a demolition delay of only six months on historic structures, but the law applies to all properties more than 50 years old.

Ms. Packard said that most importantly, the demolition delay ordinance buys the city time, but there are other positive effects.

"That time is important, but also when people go before the Historical Commission, they are educated quite a bit by commissioners, and I think they come away with more of an appreciation of their property and protecting historic character," Ms. Packard said.