

**Town of Barnstable**  
**Old King's Highway Historic District**  
**MINUTES**  
**Wednesday, February 24, 2010**

To all persons deemed interested or affected by the Town of Barnstable's Old King's Highway Historic District Act under Section 9 of Chapter 470, Acts of 1973 as amended. You are hereby notified that a hearing was held on the following application:

**Committee Members Present: Pat Anderson, Carrie Bearse, George Jessop, Elizabeth Nilsson**  
**Alternate Member Present: Dorothy Stahley**

**Motion duly made by Elizabeth Nilsson, seconded by Carrie Bearse, that Pat Anderson be appointed temporary Chair for this evening.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

A quorum being met, Temporary Chair Anderson called the hearing to order at 7:00pm. The Chair explained the hearing and appeal process and invited the public to address the Committee and view the plans of interest.

*Scriber's Note: The scheduled meeting of February 10, 2010 was cancelled due to a pending snowstorm. Applications continued from January 27, 2010 and all applications of February 10, 2010 were rescheduled to February 24, 2010. Applicant's either were within the time frame for the Commission to make a determination (45 days from receipt of Application) or signed the necessary Extension of Time Limits Form.*

**Continued Applications from January 27, 2010**

**Cavallini, Yolanda, 30 Granite Lane, Barnstable, Map 316, Parcel 073**

(Continued from January 27, 2010)

Represented by Yolanda Cavallini

Ms. Cavallini explained that she wishes to replace 11 wood windows with vinyl Harvey window for energy efficiency. The grills will be in between the glass as they are currently.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Yolanda Cavallini at 30 Granite Lane, Barnstable as Submitted.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Earle, Robert, 38 Colonial Way, Barnstable, Map 237, Parcel 050**

Represented by David Richardson, Global Resource Options, Inc.

Mr. Richardson indicated that they wish to install 16 photovoltaic modules on the south facing roof to produce renewable energy. This system will provide energy to the home and will send surplus back into the grid. George Jessop asked if the grid goes down will the homeowner still have power. Mr. Richardson noted that the power will go out here as well.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Robert Earle at 38 Colonial Way, Barnstable as Submitted.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Continued Applications from February 10, 2010**

**Stuborn, LLC, 153 Freezer Road, Barnstable, Map 301, Parcel 006**

Construct New Single Family Home

Represented by Stuart Bornstein, Attorney Paul Revere III, David Sigl, Architect & Kieran Healy, BSC Group

Mr. Healy explained to the Members that during a recent meeting with the Conservation Commission, they have changed the site plan and made the house a bit smaller. Mr. Sigl added that the house plan is exactly the same only a

little bit smaller in that the wing protruded out and they had to pull the guest wing in so it has been pushed in towards the main home. Applicant wishes to submit revised site and house plans. Chair Anderson explained that changes to site plans and/or house plans are to be submitted to the Office at least one week prior to meeting so that they can be available to the public for viewing, unless changes are simple such as a window to a door. The Commission can review the newly submitted plans this evening, but they would not be able to vote on them. Applicant submitted the following for the file and will be recorded as being received 2/24/2010:

- Revised Site Plan dated 2/23/2010
- Revised House Plans dated 2/22/2010 (Scheme 8)
- Simulated Photo of proposed new dwelling
- Comparison photos of other homes in the area

Attorney Revere introduced Kieran Healy from BSC Group who developed this site plan and will explain how it will be changed from the natural elements and current conditions because they do relate to how the site can be seen or not be seen from the harbor. He then introduced David Sigl, Architect of the plans who will explain the building and how it meets the requirements of The Act.

Mr. Healy reviewed the current site plan of existing buildings and concrete foundation that was the Cannery Building and noted that the plan identifies several items that need to be cleaned up, including the demolition of the existing dwelling. Outlined where the new home would be and noted many trees and plant specimens that would be either preserved and relocated or remain as they are.

Attorney Revere wish to add that they will speak about the demolition during the application submitted for review later this evening, however, he wanted to state that they will be keeping the historic portion known as the Captain Jerauld Fish House in tact.

Mr. Sigl spoke next and relayed to the Members that they have gone through several plans and have tried to be sensitive to the area. He reviewed the plans dated 2/22/2010 and also produced color photographs that simulate the home. They tried to be in keeping with the surrounding residences in the area and be sensitive to scale and massing. He noted that the current home is approximately 20 feet off the property line whereas the proposed home will be some 250 feet off the property line. He referred to rendering that depicts the current home and indicates the location of the proposed home is quite far back and is a great example of the massing. Homes across the way are similar to the immediate surroundings other than what is truly a metal butler building and office spaces. They are offering a single family home in an industrial space. The footprint of the building will have for the main house, roughly 4200 (plus change) square feet of building footprint and the guest wing attached to the home has 1630 square feet of building footprint.

Pat Anderson asked what the total gross square footage is including the garage and Mr. Sigl responded with the following figures:

Main House 1st floor	4203
Main House 2 <sup>nd</sup> floor	3627
Total Main House	7830
Guest Wing 1 <sup>st</sup> floor	1630
Guest Wing 2 <sup>nd</sup> floor	1181
Total Guest Wing	2811
Total Combined	10,641 (Not including Garage)

Mr. Sigl then discussed the window schedule. Window trim and sills will be wine berry (doors matching but with a heavier 6" trim with cap) with a combination of double hung and casements. Casement windows mostly on the waterside with grills that are approximately 10" down with muntions and true divided light and others will be something along the lines of 6/1 with grills between the glass if possible to protect them from the elements. Sidewall is proposed white cedar shingles and the roof will most likely be an architectural weatherwood. The stone around the perimeter will be a natural field stone with planting beds. Pat Anderson asked how high the wall will be and Mr. Healy responded between 6' and 6 ½ '. Pat Anderson then asked if there was a way they could taper the wall so that it wasn't so high and Mr. Healy responded that there was not.

Attorney Revere asked the members to look at the area and its neighborhood and this is an area that has large or equally as large buildings; the Blair building across, Mattachese, Mill Way Marine, an industrial building behind it and large homes on Rendevous Lane. From the water the background is the Court building. This is a 4 acre upland site and the house may seem large, but this is a large piece of property. Originally had 16,000 square feet of buildings on the lot.

Pat Anderson commented that this is probably one of the highest and by far the largest residences in the area. There are industrial buildings across the water, but noted that house square footages in the area do not come close to this one.

George Jessop asked what they are working with for a base elevation and the response was 18' above floodplain. He can understand why the footprint is elevated as 17' is the minimum for flood level for the first floor, on this house they are starting at 28'. The massing rendition includes a connector between the main house and the guest house, so he is not sure you can have an accurate figure of square footage. The houses on adjacent lots on the access road to the site are slightly larger than normal and those are approximately 3,000 square feet.

Dorothy Stahley wished to comment that she likes the design of the house and believes a good job has been done on the massing, but the illusion of the wall makes the residence look larger.

Chair Anderson asked if any other Board Members wished to comment and hearing none, opened the discussion up to the public. Albert Barbour of Barnstable stated that there has been a lot of talk about heights and massing of heights. Since the harbor is a public way and the residence is most likely to be seen from this vantage, he would ask the board to consider height above water surface of other buildings and this building. He references the Lightkeeper's House at Sandy Neck and inquired if anyone knew the height of this structure above water surface.

Mr. Bornstein requested to speak next and commented that the Conservation Commission wanted them to connect the main house and the guest wing rather than have the two separate structures as originally proposed. If you look across the harbor you will see homes that are on pilings and are higher than the house he proposed. Nearby is the boatyard that has 3-4 very large buildings and are out on the point by themselves. He would like to see if it could be determined if this residence would in fact be the highest in the area.

Carrie Bearse commented that there is a concrete slab on the site currently and was informed that this would be removed. She also noted that on the site plan there indicates a pool and asked if this was part of the application as it was not detailed in the application and was not included in the advertising of the Legal Notice. If they wish the Committee to consider the pool, a detailed drawing with fencing will need to be submitted and a new posting will need to be advertised and abutters notified.

**Motion duly made by George Jessop, seconded by Elizabeth Nilsson to Continue the Certificate of Appropriateness to March 10, 2010 (with continuation form sign through March 31, 2010) in order to have available to the public the revised site plan and house plans received this evening, 2/24/2010. In addition, if the Committee is to review the shed, pool and fencing of the pool detailed drawings and information is needed along with the submission of the Checklist.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

NOTE: Chair Anderson asked if anyone would object to going out of order based on the Agenda as the current Applicant has another matter before this Committee. Hearing no objections, the following Certificate of Demolition was brought before the Committee:

**Stuborn, LLC, 153 Freezer Road, Barnstable, Map 301, Parcel 006**

Partial Demolition of Residential Structure

Represented by Stuart Bornstein & Attorney Paul Revere III

Attorney Revere explained to the Members that approximately a year and half ago, the applicant applied for and received approval on a Certificate of Demolition, however, the time to act had expired and they wish to re-apply and will comply with the conditions set for as to the section of the home considered historic. The portion known as the Capt Jerauld Fish House is to be reviewed by the Mass Historical Commission (MHC) and a methodology of the removal and restoration of this section is to be presented to this Committee prior to demolition. Pat Anderson urged the applicant to contact MHC as soon as possible as they will need time to propose the best method of removal. Mr. Bornstein indicated that he intends to contact MHC within the next 30-60 days.

**Motion duly made by Elizabeth Nilsson, seconded by Carrie Bearse, to Approved the Certificate of Demolition for part of the structure at 153 Freezer Road, Barnstable as previously approved 2/13/2008 and instill all the conditions stipulated within that decision with regards to contacting MHC and receiving a methodology of demolition and restoration of the portion of the home known as the Capt Jerauld Fish House prior to demolition permit being issued.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

NOTE: Dorothy Stahley departs the Meeting at 8:15pm

**Jolly Enterprises, 25 Merion Way, Cummaquid, Map 350, Parcel 023**

Construct New Single Family Home

Represented by Ross Jolly

Mr. Jolly detailed the plans for a straightforward cape style single family home. George Jessop asked about the shed dormers and voiced concern that they were not appropriate. Pat Anderson asked the applicant if he would consider eyebrow windows or even two transoms. Mr. Jolly indicated that he would be agreeable to the eyebrow windows.

Dan Ojala, an abutter stated he had no real objections, but had concerns related to the site. He asked and received confirmation that there will be architectural-style shingles. He appreciates the position of the home on the site.

**Motion duly made by George Jessop, seconded by Carrie Bearse, to Approve the Certificate of Appropriateness for Jolly Enterprises at 25 Merion Way, Cummaquid as Modified to reflect the removal of the shed dormers and replacement of eyebrow windows.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Rossi, Jason, 28 Oakmont Road, Cummaquid, Map 349, Parcel 052**

Construct New Single Family Home

Represented by Jason Rossi

Mr. Rossi wishes to construct a basic colonial on an existing lot and he believes this style will fit in with the area. He presented photographs of surrounding properties that also include a colonial. George Jessop asked about the paladin windows above the front portico and not sure if that is appropriate for this style home. Pat Anderson asked the applicant to consider a single window centrally located and no side windows. All windows on the home will have grills between the glass. Elizabeth Nilsson asked what material the driveway will be as it is not indicated on the plans. Mr. Rossi stated he was intending to go with asphalt, but would be open to suggestions. Carrie Bearse informed the applicant that asphalt is appropriate.

**Motion duly made by Carrie Bearse to Approve the Certificate of Appropriateness for Jason Rossi at 28 Oakmont Road, Cummaquid as Modified to reflect the removal of the 2 side story windows above the portico and replace with a single window centrally located. Submission of new plans reflecting change is required.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Lennon, Kevin & Sondra, 158 Dromoland Lane, Cummaquid, Map 335, Parcel 080**

Replace Existing Sliding Glass Door with Gliding French Door, Replace Trim and Shingles surrounding New Door

Represented by Kevin & Sondra Lennon

Mr. Lennon detailed plans to remove an existing sliding glass door and presented a brochure of the proposed gliding French door which will match one located on the front side of the home.

**Motion duly made by Elizabeth Nilsson, seconded by George Jessop to Approve the Certificate of Appropriateness for Kevin & Sondra Lennon at 158 Dromoland Lane, Cummaquid as Submitted.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Tyrrell, Susan & Patrick, 45 Pin Oaks Drive, Barnstable, Map 279, Parcel 063**

Addition to Rear of Home, Screen in Existing Veranda, Replace Garage Doors

Represented by Craig Ashworth & Dave Worthington

Mr. Worthington explained that they are proposing an addition to the rear of the home for a kitchen and would like to add a master bedroom above the existing garage. They wish to replace the garage doors as well and provided an example of the proposed doors. Pat Anderson asked about the screening of the porch as there are currently stone columns which are a wonderful feature of the home. Mr. Worthington indicated that the stone columns will remain and the addition will be attached to only one portion of a column. Carrie Bearse noted that it is appropriate and enhances the appearance of the home.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Susan & Patrick Tyrrell of 45 Pin Oaks Drive, Barnstable as Submitted.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Senoski, Richard & Murphy, Susan, 1630 Main Street, W. Barnstable, Map 197, Parcel 024**

Replace Rear Windows, One Casement Window, Extend Deck and replace garage doors  
Represented by Richard Senoski

Mr. Senoski proposes to remove two small windows and one casement window in the rear of the home and install one sliding door. The deck would be extended for a total area of 13'x18'. A sample brochure of the new garage doors was submitted.

**Motion duly made by Carrie Bearse, seconded by George Jessop to Approve the Certificate of Appropriateness for Richard Senoski & Susan Murphy at 1630 Main Street, W. Barnstable as Submitted.**

**Evanko, John, 186 Stoney Cove Lane, Cummaquid, Map 352, Parcel 025**

Extend existing Rear Dormer, Windows, Awning  
Represented by Craig Ashworth

A total of 308 square feet is being dormered and Mr. Ashworth reviewed what already exists and what will be viewed from the front of the house. Marvin windows are proposed to match existing. Would also like to match replacement trim with azek which is what is existing. Pat Anderson noted that the Committee does not typically approve azek, but if it is what is there now they will allow it as a replacement trim.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for John Evanko at 186 Stoney Cove Lane, Cummaquid as Submitted.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Kirby, William & Robin, 114 Main Street, West Barnstable, Map 111, Parcel 001**

Demolish Attached "Shed Addition" to Rear of House  
Represented by Disaster Specialists

The Committee reviewed the photographs provided with the Application of the portion of the structure that is proposed to be demolished and agree that this is appropriate.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Demolition for William & Robin Kirby at 114 Main Street, West Barnstable as Submitted.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Kirby, William & Robin, 114 Main Street, West Barnstable, Map 111, Parcel 001**

Replace Roof, Replace Existing Deck with New Stairway, New Windows & Exterior Doors  
Represented by Disaster Specialist

Intention is to replace the roof with lifetime weatherwood architectural shingles and windows to be Anderson 400 white vinyl tilt wash with grills between the glass. George Jessop informed the representative that Anderson windows are available with exterior grills, however the representative noted that this would be cost effective to the homeowners and added that the existing windows currently do not have any grills. Pat Anderson informed him that the OKH has adopted a policy that structures directly on 6A have windows with exterior grills and would require only the windows facing 6A be replaced with exterior grills. Deck material is pressure treated southern yellow pine. New exterior door will have transom over the door. Stairways will have a wrought iron rail and a concrete slab.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for William & Robin Kirby at 114 Main Street, W. Barnstable as Modified: The six windows on front elevation facing 6A will have applied exterior grills in the same pattern and all other windows with grills between the glass, railing on front step will be wrought iron and door will have a top transom not a side transom as depicted in the drawing.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Exemptions**

**Sandherr, Eileen, 58 Old Toll Road, W. Barnstable, Map 109, Parcel 079**

Replace 4 Casement Windows to match existing

The Committee reviewed the request and determined it appropriate.

**Motion duly made by Elizabeth Nilsson, seconded by Carrie Bearse to Approve the Exemption for Eileen Sandherr at 58 Old Toll Road, W. Barnstable of replacement windows to match existing.**

**AYE: ALL**

**NAY: None**  
**So Voted Unanimously**

**Other Business**

**Adoption of Revised Fees**

Carrie Bearse moved to open the Public Hearing on Fees

Chair Anderson noted no public present offered the comment that this report reflects the changes that were discussed at the last meeting. Staff has asked that they approve and adopt the revised fee schedule.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to approve the new fee schedule.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Approval of January 13, 2010 Minutes**

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Minutes of January 13, 2010.**

**So Voted Unanimously**

**Approval of January 27, 2010 Minutes**

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Minutes of January 27, 2010.**

**So Voted Unanimously**

**Having no further business before this Committee, a Motion was duly made by George Jessop, seconded by Elizabeth Nilsson to Adjourn the Meeting at 9:15pm.**

**So Voted Unanimously**

Respectfully submitted,  
Marylou Fair, Recording Secretary