

Town of Barnstable
Old King's Highway Historic District
MINUTES
Wednesday, JUNE 22, 2011
7:00PM

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 at the West Barnstable Community Building, 2377 Meetinghouse Way (Route 149), West Barnstable, MA on the following application:

Committee Members Present: George Jessop, Patricia Anderson, Carrie Bearse, Bill Mullin, Elizabeth Nilsson

Committee Members Absent: None

A quorum being met, Chair Jessop called the hearing to order at 7:05pm. The Chair explained the hearing and appeal process and invited the public to address the Committee and view the plans of interest.

CONTINUED APPLICATIONS

Town of Barnstable / Dept of Public Works, Oak Street, West Barnstable

Reconstruct & Regrade Oak Street from Route 6 Overpass to Iyannough Road

(Continued from February 23, March 09, 23, April 11, 27, May 11, 25, 2011)

Applicant has requested an Extension to July 13, 2011

Motion duly made by Carrie Bearse, seconded by Pat Anderson to Continue the Certificate of Appropriateness for Town of Barnstable/DPW for the Oak Street Project to July 13, 2011 as Requested.

So Voted Unanimously

NEW APPLICATIONS

Hoffstein, Richard & Beverly, 44 Holway Drive, W. Barnstable, Map 136, Parcel 032

New Windows and Door on Rear Elevation, Extend Deck

Represented by Steve Cook, Cotuit Bay Design

Mr. Cook stated that this will be the third time this applicant has appeared before the Committee as the homeowners and the contractors keep making changes. They have added windows to the 2nd floor and windows on the lower level as well as a door and Mr. Cook noted the changes on the submitted drawings dated 6/15/2011. The windows will be double hung and those that apply will align with the doors underneath.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Richard & Beverly Hoffstein at 44 Holway Drive, W. Barnstable as Submitted for new windows, door and extension of deck.

So voted Unanimously

Sturgis Library, 3090 Main Street, Barnstable, Map 279, Parcel 036

New Topcoat on Existing Paving, Enlarge Driveway & Add Curbing, Replace Sidewalk

Represented by Lucy Loomis and Chris Raber

NOTE: Carrie Bearse recuses herself from the discussion and vote as she is on the Library Committee

Mr. Raber explained to the Members that the Library has been undergoing renovations as funding becomes available. They would like to now address the parking areas and sidewalk. The existing driveway lessens the width of the sidewalk and the remainder of the way is narrow and hard for two cars to pass. They wish to widen the driveway and also address the curbing of both sides by adding granite curbing. They are not proposing any changes to the terrace as you approach the front door. They do wish to widen the sidewalk as well so that you do not feel like you are stepping into the street. A sample of the pattern was included in the packet and it will be grey slate to mimic the natural color that is there.

Pat Anderson asked if there would be concern regarding access to the Library while this project is going on and Lucy Loomis stated that they hope not, but if they find that there is, they may have to close for a couple of days to complete the project.

**Motion duly made by Elizabeth Nilsson, seconded by Bill Mullin to Approve the Certificate of Appropriateness for the Sturgis Library at 3090 Main Street, Barnstable as Submitted.
So Voted Unanimously**

Harden, Carla, 2970 Main Street, Barnstable, Map 279, Parcel 018

Demolition of Shed Roof Addition at Rear of House

Represented by Carla, Will & Mike Harden

Will Martin presented the application and indicated that there is a 1950's shed addition on the rear of the house in disrepair. They wish to remove this addition and replace it with an addition that will match the existing materials of the house. The members reviewed photographs provided with the application.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Demotion for Carla Harden at 2970 Main Street, Barnstable for Demolition of a rear shed addition as Submitted.
So Voted Unanimously**

Harden, Carla, 2970 Main Street, Barnstable, Map 279, Parcel 018

Construct 14' 9" x 26' 4" Addition

Represented by Carla, Will & Mike Harden

Chairman Jessop inquired about the roof pitch and Will Harden indicated it is very shallow 3 ½ & 12, a little steeper than what was there. The addition is 14'9" x 26'4" and will have four skylights and one picture window that will allow much more light into the room. Carrie Bearse asked about the grill location of the proposed windows and Will Harden stated that grills between the glass would be the homeowner's preference. Carrie Bearse stated that as this is on the rear of the home and can not be seen from the main road, she would not have a concern with grids between the glass. All other materials will match existing.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Carla Harden at 2970 Main Street, Barnstable for new 14'9" x 26'4" Addition as Submitted.

So Voted Unanimously

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

Partial Demolition of Residential Structure

Represented by Stuart Bornstein, Attorney Paul Revere

Chairman Jessop noted for the record that the applicant had a previous approval and that the Certificate of Demolition had expired. The previous approval stipulated that a methodology of demolition be reviewed by Massachusetts Historical Commission. MHC no longer does this; however, he believes that they should have some type of plan indicating which is the newer sections versus the old section and how the old section is to be maintained.

Attorney Revere stated that when you are on the property and viewing the existing structure from both interior and exterior, you can clearly see what the historic portion designated as the Captain Jerauld House which was relocated to this property. Attorney Revere presented a copy of the Assessor's map and in the description of the Inventory it is described as a two story rectangle. If you look closely to the property you will see the northerly section, the historic section, sits on a full foundation and is approximately 20' x 40'. The northern "L" sits on cinderblocks. His basic findings are that the historic portion is the 20' x 40' section. Once inside the house, you have three exterior walls at this section of the house which have been maintained. He expects that the Captain Jerauld House would not fall down.

Chairman Jessop stated that any demolition work done close to this area should be done by hand and prior to any actual demolition he would like the applicant to submit a certificate by an engineer providing framing in this area and a plan prepared in conjunction with an architectural historian that clearly explains the methodology of demolition, a Certificate of Appropriateness and detailed plans of the structure proposed along with elevations.

Attorney Revere stated that it is still an open issue as to whether they will be approved by the Zoning Board to build a single family home. If so, they propose this structure to be a non-habitable storage space. If they need to reconsider a commercial or marine use, the purpose of this structure will change as will the design. All they are asking this Board is to basically approve as they have the previous two times in that you approve the demolition of the modern portion, but prior to the demolition, they need to have a plan as to how they are going to do it and determine exactly what portions are historic.

Pat Anderson added that since MHC does not review methodology any more, the way to accomplish this is to have an architectural historian take a look and do up a plan on how the structure will be flaked and to determine how it can be stabilized. Her concern is that when you start flaking off the new from the old, there will be some deterioration and a historian will be able to tell you this before work begins. She would like to see such a report before they vote on the demolition.

Attorney Revere noted that Mr. Bornstein has no problem with hiring an Architectural Historian, however, he would be spending upwards of \$3,000-\$4,000 and he would like to know that they will have the approval subject to these conditions.

Mr. Bornstein stated that he will agree that they will not touch the building until this Board has given the approval of the historian's report, however, he would like to once again, receive approval tonight based upon these conditions.

Carrie Bearse noted that this Committee have made very clear motions prior to this and believes they could make that same motion again.

Pat Anderson would like to add that upon receipt of the architectural historian's report indicating clearly the procedure for demolition and that they will also receive plans and elevations showing the structure after completion. She also stated that although MHC does not review anymore, they should have a list of approved architectural historians.

Motion duly made by George Jessop, seconded by Carrie Bearse to Approve the Certificate of Demolition for Stuborn LLC at 153 Freezer Road, Barnstable for a portion of the residential structure with the following modifications/conditions:

**The historic, front portion of the residential building known as the Captain Jerauld Fish House located on the southerly side of the building shall remain standing on its current site. Prior to any demolition of the more recent portion of the residential structure there needs to be submission of a Certificate of Appropriateness as well as an architectural historian's recommendations of removal, floor plans and elevations of the structure to remain together with structural drawings of the exterior of the historic portion for any new construction. The Building needs to be secured, boarded and closed up.
So Voted Unanimously**

McCarthy, Maureen, & Bedard, Lynda, 59 Otter Lane, Barnstable, Map 351, Parcel 010-003

Changes to Approved Certificate of Appropriateness to include windows, doors, column, corner boards, alterations to outdoor deck & patio

Represented by Lynda Bedard and Contractor Jared West

Mr. West indicated that they are completing the previously approved project and have had to make several changes. They have submitted a detailed description of 10 changes and a revised drawing clearly indicating each of the requested changes. The Committee reviewed the following requests for changes:

- Remove Mudroom Door and Patio and add 1 Window
- Add one column to the front elevation to fix symmetry problem
- Reduce kitchen bay window to 18" depth
- Slide 3 windows on rear elevation to the left side of the wall
- Add Hot tub with mahogany wood deck surround
- Add 9' built in masonry barbeque grille with stamped concrete/stone countertops
- Add 5'x4' oval fire pit
- Cap stone wall surrounding back patio with stamped concrete
- Replace oval window with double awning window
- Remove corner boards, add lace corners

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Maureen McCarthy & Lynda Bedard at 59 Otter Lane, Barnstable for Changes #1-10 as Submitted.

So Voted Unanimously

Lamb, Albert & Nancy, 43 Scudder Lane, Barnstable, Map 258, Parcel 012

Replace Windows (2), Add Skylight, Construct Garden Shelter

Represented by Rick (Albert) Lamb

A letter from Abutter Richard Liddy was received and read into the record.

Mr. Lamb stated that he had previously received approval for the garden shelter and change of windows in 2004, but the project was never begun. He wishes to replace two small windows on the second floor and add a skylight in the shed dormer. Since 2004, they have purchased the property next door and added a conservation restriction so the location of the garden shed has changed slightly. With the resubmittal they have purposely placed the structure between a large oak tree and a pear tree and tipped the garden shed so that it straddles the pond side of the property. The structure will entail two solid walls and two open walls and understands the concerns of the future buyer of the possibility of this structure blocking the view; however, it is tucked into a heavily landscaped area. George Jessop asked if all the materials will be natural materials and Mr. Lamb indicated, yes.

There were abutters present and the Chairman opened Public Comment:

Bob Norton, the Broker representing the new owners of the adjoining property wished to commend the Lambs for their diligence in maintaining the appearance of the neighborhood, but wanted to express objection to the location of the garden shelter and was wondering if it could not be put on the other side of the historic stone wall. Mr. Lamb stated that it has been carefully sited so that it will not interfere with the new owner's views.

David Parella, also representing the new owners of the adjacent property, commented that he once owned the property located at 65 Scudder Lane for several years and is very familiar with the view. He is not concerned about the lose of the view of the pond, but once the structure is built, it will change the view. He asks if it could be moved to the west of the stone wall.

Mr. Lamb stated that the garden shed would have additional plantings if needed, and again, this was not arbitrarily placed and believes that it will fit into the landscape comfortably.

Carrie Bearse stated that she believes the structure is appropriate and that Mr. Lamb took precautions as to placement and assurance that the stone wall will be preserved and undisturbed.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Albert & Nancy Lamb at 43 Scudder Lane, Barnstable as Submitted with the following Modifications:

**Stone wall to be undisturbed and additional screening will be placed on the gable end of east elevation.
So Voted Unanimously**

Kinlin, Robert & Grover, Paul, 3256 Main Street, Barnstable, Map 299, Parcel 033

Signage for Building Façade

Represented by Drew Schildwatcher, Instant Sign Center

Mr. Schildwatcher indicated that his client would like to apply individual dimensional letters to the front façade of the building. The proposed material is high density urethane (HDU) which can be shaped to a soft corner and has a tremendous ability to be compatible with most fonts. Wood, molded plastic and metal are very restrictive when the edges are at 90 degrees and the letters simply do not hold up. He then presented two samples of lettering, one in wood and one in HDU for the Board to review.

Motion duly made by Carrie Bearse, seconded by Bill Mullin to Approve the Certificate of Appropriateness for Robert Kinlin & Paul Grover at 3256 Main Street, Barnstable for Signage made out of HDU, painted black as presented.

So Voted Unanimously

Cape Wildlife/Humane Society, 4011 Main Street, Barnstable, Map 335, Parcel 060

Convert Existing Swimming Pool into Sea Bird Rehabilitation Habitat, 14' x 8' Shed

Represented by Theresa Barbo

Ms. Barbo explained that there is an existing pool and they wish to create a wildlife aviary for rehabilitation of injured wild fowl. The proposed shed would house the filtration system. The aviary will consist of netting over the pool and two separate concrete pools will be placed on sand within the pool. What is unique is that this will be a salt water pool and the only one in New England.

Carrie Bearse asked how high the screen portion will be above the pool and Ms. Barbo stated approximately 10 feet.

The shed will be located on the southwest corner of the swimming pool and hold the filtration system.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Cape Wildlife/Humane Society at 4011 Main Street, Barnstable as Submitted for sea bird habitat rehabilitation and shed.

So Voted Unanimously

Miller, Andrew & Horrigan, Tracy, 101 Rendezvous Lane, Barnstable, Map 279, Parcel 028

Construct 28' x 18' Addition, Change of Siding Material

Represented by Andrew Miller

Carrie Bearse wished to state for the record that they do not approve composite materials such as Azek or fiber cement siding on a residential property as requested on the application.

Mr. Miller explained that they would like to construct an addition for a new bedroom and bath. It will consist of a one story with access to basement below.

Carrie Bearse inquired as to if the windows would match the existing and what the grid pattern would be. Mr. Miller indicated that the new windows will match the Marvin windows that were approved and replaced recently at a previous meeting. George Jessop confirmed prairie style window.

Carrie Bearse then asked what material the existing siding consists of and Mr. Miller noted that they are cedar shingles and he will change to cedar shingles for the addition. The trim material will also be changed to pine painted white or bodyguard.

Motion duly made by Carrie Bearse, seconded by Bill Mullin to Approve the Certificate of Appropriateness for Andrew Miller and Tracy Horrigan at 101 Rendezvous Lane, Barnstable for Addition with Modifications of siding will match existing cedar shingles and the trim material to be pine painted white or bodyguard.

So Voted Unanimously

MINOR MODIFICATIONS

Nolan, Robert & Judith, 200 Mill Way, Barnstable, Map 300, Parcel 035

Add One Window on East Elevation, Delete Two Windows South Elevation

Motion duly made by Carrie Bearse, seconded by Bill Mullin to Approve the Minor Modification as Submitted.

So Voted Unanimously

Kennedy, Eileen & Jenney, Steven, 5 Lancaster Way, W. Barnstable, Map 110, Parcel 004-008

Extend Approved Fence

Motion duly made by Carrie Bearse, seconded by Bill Mullin to Approve the Minor Modification as Submitted.

So Voted Unanimously

CERTIFICATE OF EXEMPTIONS

Mackenzie-Betty, Keith, 277 Old Jail Lane, Barnstable, Map 277, Parcel 020

Windows: Replacement of Existing Bay, 2 New Casement

Motion duly made by Carrie Bearse, seconded by Bill Mullin to Approve the Certificate of Exemption as Submitted.

So Voted Unanimously

Colbert, James, 46 Harvey Ave, Barnstable, Map 319, Parcel 110

8 x 10 Shed

Motion duly made by Carrie Bearse, seconded by Bill Mullin to Approve the Certificate of Exemption as Submitted.

So Voted Unanimously

Note: The following Exemption was taken out of Order of Agenda

Cape Wildlife/Humane Society, 4011 Main Street, Barnstable, Map 335, Parcel 060

Install 5 Air Conditioning Condenser Units

Represented by Theresa Barbo

Ann Canedy, Town Councilor and Liaison to the OKH stated that she is very interested in the service they propose, however, she has had contact from neighbors inquiring about further screening to the east facing elevation. Ms. Barbo noted that they have put thousands of dollars in screening the property

CORRESPONDENCE RECEIVED

E-mail from Larry Thayer re: Lothrop Cemetery signage

Carrie Bearse read the letter into the record and Elizabeth Nilsson noted that a letter was sent to Mr. Ellis of DPW previous to these cemetery signs being put up that indicated the OKH's preference to signage in the Historic District being a white background with black lettering. The cemetery sign was put up without the OKH's approval and that it was a blue background with gold lettering. DPW subsequently took the signs down and have not replaced them.

Having no further business before this Committee, a Motion was made by Bill Mullin, seconded by Elizabeth Nilsson to Adjourn the Meeting at 10:00pm.

So Voted Unanimously

Respectfully submitted,
Marylou Fair, Recording Secretary