

Town of Barnstable
Old King's Highway Historic District
MINUTES
Wednesday, December 9, 2009

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 November 10, 2009 at the West Barnstable Community Center, Route 149, West Barnstable, MA on the following applications:

Committee Members Present: Pat Anderson, Elizabeth Nilsson, Carrie Bearse, George Jessop

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson, that due to the unexpected passing of Chairman Robert Stahley, 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.

Continued Applications

Letourneau, Cheryl, 362 Sandy Neck Beach, Barnstable, Map 338, Parcel 006

Siding (Vinyl Siding to replicate Red Cedar Wood)

(Continued from October 28, 2009 & November 10, 2009)

Represented by Paul Singley & Cheryl Letourneau

The Applicants and the Members reviewed LifePine pressure treated southern yellow pine singles and shakes as an alternative siding. This yellow pine weathers in the same manner and is applied in the same manner as cedar but is a much harder wood and is warranted against insect damage and rot. It is also comparable in price. Applicant is very satisfied with this product and inquired if any of the neighbors wish to utilize this product would they need to come before the OKH. Chair Anderson stated that if any of the neighbors inquire about this product to direct them to apply to the OKH as they would need to review each on a case by case basis.

Motion duly made by Elizabeth Nilsson, seconded by Carrie Bearse to Approve the Certificate of Appropriateness for Cheryl Letourneau at 362 Sandy Neck Beach, Barnstable as Modified to reflect material of pressure treated southern yellow pine shingles manufactured by LifePine.

AYE: ALL

NAY: None

So Voted Unanimously

Gemborys, Steven, 194 Salt Rock Road, Barnstable Map 316, Parcel 016

Construct Stone Wall in Front of Property, Non-Retaining

(Continued from November 10, 2009)

Represented by Steven Gemborys

The Chair noted that the members conducted a Site Visit as per discussion at the previous meeting. George Jessop stated that he tried to get the history of what this wall was and based upon aerial views this wall was continuous in 1950 until they put the road in. The consensus of the members was that the smaller rocks need to be returned to their original location; however, the big boulder type rocks can remain where they are. Carrie Bearse suggests staking a line and simply place the loose rocks back as best as you can. The applicant noted that there are not enough rocks to construct an actual wall and asked if he could either bring in rocks or take the rocks from the wall that is behind the house. The Committee stressed that no rocks from any portion of the remaining wall can be used and that they understand there may not be enough rocks and suggested applicant to begin at Salt Rock Road and work backwards.

Motion duly made by George Jessop, seconded by Elizabeth Nilsson to direct Applicant to restore the stones located in the front of the home along Salt Rock Road and the piles of rocks located on the property to their original location as closely as possible beginning at the front of the house and that the Application for construction of a stone wall at the front of the property be continued until the stones that were removed from an existing wall are returned.

AYE: ALL

NAY: None

So Voted Unanimously

New Applications

Mullen, William, 325 Willow Street, West Barnstable, Map 131, Parcel 019 (Listed NR)

Construct New Barn

Represented by William Mullen

Mr. Mullen explained to the Committee that this proposed Barn is approximately 400 feet smaller than the one he submitted application for last year. Due to the economic times, he has decided to downgrade. George Jessop questioned the size of the doors and the applicant informed him that they will be 10x10 with transom over door.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for William Mullen at 325 Willow Street, West Barnstable as Submitted.

AYE: ALL

NAY: None

So Voted Unanimously

Plikaitis, William, 2355 Iyannough Road, West Barnstable, Map 216, Parcel 044

Replace Windows

Represented by William Plikaitis

Applicant noted that the 3 front windows that are double hung, side by side have to be replaced due to rot. He is proposing a three unit window that has two casement windows on each end and a picture window in the middle. The grills will be between the glass on the end casement windows and the picture window will not have grills. George Jessop asked if he will be adding a Boston sash and Mr. Plikaitis indicated yes.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for William Plikaitis at 2355 Iyannough Road, West Barnstable as Submitted.

AYE: ALL

NAY: None

So Voted Unanimously

Rodliff, Paul & Jeanne, 57 Angela Way, Barnstable, Map 133, Parcel 072

Add Two New Windows to Bathroom Remodel

Aaron Rodevick, Capizzi Home Improvement Representing

Will be replacing two windows with Andersen Series A. One is a three light casement and one will be double hung with exterior color Andersen Canvas.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Paul & Jeanne Rodliff at 57 Angela Way, Barnstable as Submitted.

AYE: ALL

NAY: None

So Voted Unanimously

Claire Murray, 770 Main Street, West Barnstable, Map 156, Parcel 016

Replace Existing Sign

Represented by Adele Lally

Ms. Lally presented color renditions of the new proposed two sided wooden sign. Pat Anderson asked if all the shops would have this same sign and Ms. Lally noted that it will be the same artist but all of the signs will be slightly different.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Clair Murray at 770 Main Street, West Barnstable as Submitted.

AYE: ALL
NAY: None
So Voted Unanimously

Furey, Michael & Nancy, 2874 Main Street, Barnstable, Map 279, Parcel 090

Replace Windows

Represented by Scott Peacock

Mr. Peacock submitted photographs of the existing windows and details of the eleven Andersen crank out applied grill replacement windows. These windows will replace exactly what is existing and will have a sandtone color to match that of the house.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approved the Certificate of Appropriateness for Michael & Nancy Furey at 2874 Main Street, Barnstable as Submitted.

AYE: ALL

NAY: None

So Voted Unanimously

Gemborys, Steven, 194 Salt Rock Road, Barnstable, Map 316, Parcel 016

Add Crushed Native Stone to Existing Driveway, Landscaping

Represented by Steven Gemborys

NOTE: Application was taken out of order and followed Mr. Gemborys previous application

Applicant proposes to add ¾ crushed stone onto existing driveway and add Leland Cyprus bushes and small evergreens.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Steven Gemborys at 194 Salt Rock Road, Barnstable as Submitted.

AYE: ALL

NAY: None

So Voted Unanimously

Commonwealth of Mass-DCAM at Cape Cod Community College, 2240 Iyannough Rd, Barnstable & West Barnstable, Map 236, Parcel 005-BOO and Map 236, Parcel 005-WOO

Erect 164' Turbine Tower, 242' to Top of Rotor, Access Road, Crane Pad & Foundation Work

Represented by Attorney Bruce Gilmore, College President Kathleen Schatzberg & Dixie Norris, College Vice President Administration & Finance

Correspondence Received:

Mr. Mark Bonaiuto of West Barnstable submitted a Letter in Opposition and was present to read his letter into the record

Mr. Carl Johnson of West Barnstable submitted a Letter in Opposition and the Chair read it into the record.

Attorney Gilmore began with a brief history of the College and noted that the College was originally located in Hyannis at the Normal School and moved in the 1960's to its present location. The State, in the 1960's, anticipated the growth of the Cape and that the College ought not to intrude into the surrounding Community. Significant green buffers and vegetative features surround the campus. The College is built on the top of a moraine and one of the higher locations in the Town. When legislature passed the Old Kings Highway Act in 1973, it anticipated wind power and Mr. Gilmore referred to Section 10: Powers, Functions & Duties and directed members attention to Page 9 of the Act which anticipates wind power. Attorney Gilmore appreciates the comments in the letters that were read, but the OKH legislation was not only to protect but to also anticipate advances in technologies.

This project has been a work in progress for the last four years. In 2005, they voluntarily submitted a MEPA application. At that time, the tower was to be 400 feet high, plus the stand and in a letter dated June 9, 2005 from then Secretary Ellen Herzfelder determined this project does not require an Environmental Impact Report (EIR) and states that this project is wholly consistent with the goals set forth of developing renewable energy resources at state-owned facilities. Following public comment and concerns raised by the FAA over height, they have since reduced the scope of the project by approximately 155 feet and Attorney Gilmore presented a Letter from Ian Bowles, Secretary, Commonwealth of Mass, Executive Office of Environmental Affairs dated January 12, 2007 determining the modification does not require an EIR report and goes on to echo the findings in 2005 regarding the benefit to the community as well as the College. Both letters were entered into the record. Attorney

Gilmore then presented a Memo dated May 20, 2005 from the Coastal Zone Management Division of MEPA to be entered into the record and quoted the benefits outlined in the letter regarding the return of some of the excess renewable energy to low income electric customers in Massachusetts.

The visual aspect was also a concern and as part of a Cape Cod Commission review dated May 31, 2005, when the turbine was still proposed at 400 feet, John Lipman, Chief Planner/Deputy Director wrote that it would be visible from many nearby locations and was located within the Old Kings Highway District but went on to state mitigating factors such as locations, dense wooded area and tree cover that could reduce the visibility and minimize impact. Attorney Gilmore entered this letter from the Cape Cod Commission into the record. In addition, an e-mail dated May 31, 2005 from James Liedell of the Town of Yarmouth's Energy Committee was submitted for the record noting not only the benefits to generate electricity, but also the educational program for the College to jump-start viable renewable energy projects. Finally, Attorney Gilmore presented for the record a letter dated May 24, 2005 from Maggie Geist, Executive Director for the Association to Preserve Cape Cod to Ellen Herzfelder of MEPA highlighting the use of renewable energy and commending the applicant on being proactive in bringing information about this project to the public.

A balloon test was erected this past Monday afternoon, however, high winds prompted the removal of the balloon; the intention is to put it back up over the weekend. Ted Anthony from DCAM stated that he has authorized the contractor to keep the balloon up as long as the OKH wishes. Attorney Gilmore stated that on Monday he viewed the site from many different locations and took many photos which he showed to the members. The wind turbine will be hardly seen and the tower will not be seen at all. There are streamers on the string that attaches the balloon. The streamers indicate the top of the structure and the balloon itself, the top of the rotor. Pat Anderson inquired about noise and Attorney Gilmore stated the turbine makes a clicking noise, not a whooshing noise and he has been told it is not discernable from a block away. Carrie Bearse asked about the different models and understands each have different noise levels. She also inquired as to how this model compares to others. Mr. Richard Tapaninski, in the audience representing the Applicant, replied that this is a newer model and very quiet, even quieter than Mass Maritime. A question was asked regarding the type of safety lighting the turbine would have and Attorney Gilmore believes there will be some type of single red light that will blink at the top.

Public Comment:

Ruth Bechtold, who works at the Barnstable Housing Authority spoke in favor of the project
Wendy Northcross spoke in favor of the project as both a resident of West Barnstable and CEO of the Cape Cod Chamber of Commerce

Alan Giles of Osterville spoke in favor of the project

Rona Robertson, a resident of Hyannis and a Student at the College spoke in favor of the project

William Plikaitis of West Barnstable spoke in opposition of the project

Mark Wirtanen of West Barnstable spoke in favor of the project

Motion duly made by George Jessop, seconded by Elizabeth Nilsson to Continue the Certificate of Appropriateness for DCAM/Cape Cod Community College to a date no later than February 27, 2010 in order to conduct a Balloon Test. Attorney Gilmore to notify staff of availability for any of the next three scheduled meeting dates.

AYE: ALL

NAY: None

So Voted Unanimously

Koesel, John & Wendy, 56 Lothrop Lane, West Barnstable, Map 109, Parcel 005-010

Install Windows on 3-Season Screen Porch, New Door

Represented by John Koesel & Charles Whitcomb

Contractor Charles Whitcomb detailed the enclosure of the screen porch. They will be installing Eagle Axiom awning windows that replicate the existing screens with opening on the bottom. The existing door will have glass installed where there is currently screening.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for John & Wendy Koesel at 56 Lothrop Lane, West Barnstable as Submitted.

AYE: ALL

NAY: None

So Voted Unanimously

Prouty, Donald, 40 Acre Hill Road, Barnstable, Map 298, Parcel 113

18'x16' Family Room Addition, 6'x12' Screen Porch Addition, Breezeway & Brick Chimney

Represented by Donald Prouty

Mr. Prouty discussed the details of proposed additions. Original intent was to add a 16x18 foot family room and in order to connect the roof lines, they also added 4 feet to the back of the home to keep it symmetrical. The screen porch is now an enclosed sun room with windows. The Committee reviewed colors and materials presented and all will match existing with the exception of the stone/rock walkway in terms of chimney brick and roof materials.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Donald Prouty at 40 Acre Hill Road, Barnstable as Submitted.

AYE: ALL

NAY: None

So Voted Unanimously

Barnstable Fire District, Rte 6A Near RR Bridge, Rte 6A & Braggs Lane, Stonehedge & White More Way and Country Club Drive & Marstons Lane (4 Locations)

Install Traffic Cabinets for Electrical Upgrade to Underground Pressure Receiving Vaults

Represented by Jon Erickson

Mr. Erickson explained that the current locations are run manually and these new units will be run electronically and will prevent having to constantly have personnel go to the sites. Pat Anderson asked if the units could be camouflaged by shrubs or vegetation and Elizabeth Nilsson asked if the units could be painted a hunter green so that they would not be seen so clearly.

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for the Barnstable Fire District at the above four locations with Modification that the Structures be painted a non-glossy hunter green and that vegetation be planted on three sides.

AYE: ALL

NAY: None

So Voted Unanimously

Minor Modification

Weatherly, 85 Salten Point Road, Barnstable, Map 280, Parcel 103

Addition of 3 Windows at North Elevation into basement for egress requirement

Represented by Oliver Orwig

At a previous meeting, the OKH approved the replacement of the bulkhead access and now they need to add a window for egress.

Motion duly made by Carrie Bearse, seconded by George Jessop to Approve the Minor Modification as Submitted for Carl Weatherly at 85 Salten Point Road, Barnstable.

AYE: ALL

NAY: None

So Voted Unanimously

Certificate of Exemption

Thompson, Nicholas, 2631 Route 6A, Barnstable, Map 258, Parcel 045

4' Split Rail Fence

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Exemption for Nicholas Thompson at 2631 Route 6A, Barnstable as Submitted.

AYE: ALL

NAY: None

So Voted Unanimously

Elias, Stan, 42 Packet Landing, West Barnstable, Map 179, Parcel 004

Rebuild Chimney from the Roof Line Up

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Exemption for Stan Elias at 42 Packet Landing, West Barnstable as Submitted.

AYE: ALL

NAY: None
So Voted Unanimously

Conigliaro, Greg, 65 Bone Hill Road, Cummaquid, Map 336, Parcel 081
10' x 12' Shed

Motion duly made by George Jessop, seconded by Carrie Bearse to Approve the Certificate of Exemption for Greg Conigliaro at 65 Bone Hill Road, Cummaquid as Submitted.

AYE: ALL
NAY: None
So Voted Unanimously

Informal Discussion

Obuchon, Patrica & Gary, 2225 Main Street, Barnstable, Map 237, Parcel 036

Exterior Design Review
Represented by Todd Cantora
Withdrawn by Todd Cantora

Correspondence Received

None

Minutes

Approval of Minutes October 28, 2009

Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Minutes of October 28, 2009 as Submitted.

AYE: ALL
NAY: None
So Voted Unanimously

Having no further business before this Committee, a motion was duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Adjourn the Meeting at 9:50pm.

AYE: ALL
NAY: None
So Voted Unanimously

Respectfully submitted,
Marylou Fair, Recording Secretary