

**Town of Barnstable
Old King's Highway Historic District Committee**

**MINUTES
Wednesday, June 10, 2015
6:30pm**

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, Barnstable on the following application:

Carrie Bearse	Present
George Jessop	Present
Mary Blair Petiet	Absent
Ellen Merritt	Present
Paul Richard	Present
David Munsell, Jr. (Alternate)	Absent

A quorum being met, Chair Bearse called the hearing to order at 6:30pm. The Chair explained the hearing and appeal process and invited the public to address the Committee and view the plans of interest when the application is called.

APPLICATIONS

Osborn, William & Suzanne, 2821 Main Street, Barnstable, Map 279, Parcel 058-002

Install Solar Panels on South (Rear) Elevation

Represented by William & Suzanne Osborn

Mr. Osborn detailed the project and noted that the panels will be located on the rear elevation and that his house is situated quite a ways off Route 6A. Carrie Bearse confirmed that the house is located far back on the lot.

Motion duly made by George Jessop, seconded by Paul Richard to Approve the Certificate of Appropriateness (Exhibit A) for William and Suzanne Osborn at 2821 Main Street, Barnstable as Submitted due to rear elevation location of the panels and the house location at rear of lot.

So Voted Unanimously

Vetorino, Stephen, 1440 Hyannis-Barnstable Road, Barnstable, Map 298, Parcel 026

Change of Exterior Paint Color

Represented by Sarah Vetorino

George Jessop suggested painting the trim the same red pepper color as submitted for the clapboards. Ms. Vetorino stated that she wishes to keep the trim white.

Motion duly made by Paul Richard, seconded by Ellen Merritt to Approve the Certificate of Appropriateness (Exhibit B) for Stephen Vetorino at 1440 Hyannis-Barnstable Road, Barnstable as Submitted.

So Voted Unanimously

Robichaud, Joanne, 183 Salt Rock Road, Barnstable, Map 316, Parcel 083

Alteration of Windows and Doors

Represented by Joanne & Michael Robichaud

Mr. Robichaud stated that they propose to replace all the windows, doors, sliding doors and skylights. The front left elevation of the house currently has two double hung windows and one smaller window. Propose to remove the small window and install two double hung windows to match the existing to balance the house. Carrie Bearse confirmed that the windows will have grills between the glass. The doors that will be replaced, along with a new garage door will be painted Salisbury Green by Benjamin Moore.

Motion duly made by Paul Richard, seconded by George Jessop to Approve the Certificate of Appropriateness (Exhibit C) for Joanne Robichaud at 183 Salt Rock Road, Barnstable as Submitted.

So Voted Unanimously

Paster, Barry, 431 Willow Street, West Barnstable, Map 131, Parcel 001

Alterations to Garage

Represented by Michael Rockwell, The House Co. and Deirdre & Barry Paster

Mr. Rockwell explained that they are in the midst of completing an alteration on the house and the homeowners have decided that they wish to give the garage an uplift as well. Propose to add a small roof overhang and replace a second floor window. George Jessop appreciates that they will be retaining the same sash details as on the first floor windows. Mr. Rockwell added that there is one revision on the style of the garage door in that it will be grooved.

Motion duly made by Ellen Merritt, seconded by Paul Richard to Approve the Certificate of Appropriateness (Exhibit D) for Barry Paster at 431 Willow Street, West Barnstable as Amended to Reflect a Change in the Style of the Garage Door.

So Voted Unanimously

Christian Congregation in the United States, Inc., named Buyer in a Purchase & Sales Agreement with Owner, 49 John Maki LLC, 49 John Maki Road, West Barnstable, Map 217, Parcel 020-004

Revisions to Parking Lot Layout & Drainage

Represented by Attorney John Kenney & Nile Morin

A letter was received from Orrin Eaton regarding the proposed new entrance and was read into the record by the Chair (Exhibit E). Attorney Kenney wished to address the issue of jurisdiction and stated that he did ask staff to provide confirmation that this was within the purview of the Old King's Highway. This project did go through Site Plan Review and the Building Commissioner made the condition that this needed to go before this Commission. He received the response from staff that this would fall under Section 1 – Purpose of the Act. Attorney Kenney disagreed with this and cited related cases such as Mass Highway and again, questioned the jurisdiction. Chair Bearse stated that although she is not an attorney, she understands that they do have jurisdiction and that it was the Director of Growth Management, Jo Anne Buntich that confirmed it would fall under Section 1. In any event, Chair Bearse noted that an application is before us and added that Attorney Kenney's objections will be on file for the record.

Attorney Kenney stated that this is a relatively straight-forward project. He reviewed the plans regarding the existing pavement and the proposed new pavement. Drainage will be going underground per the Site Plan Review. Also minor septic work, but the only thing above ground is the additional paving and landscaping. Carrie Bearse asked if when increasing the parking lot, will there be any clearing of existing trees and if there will be any exterior lighting changes. Attorney Kenney stated that it is mostly grass and there may be one tree that will have to be removed and the only additional lighting proposed is a cupola that had fallen off of the existing building that they propose to repair. George Jessop commented regarding Mr. Eaton's letter and understands why the homeowner would like the entrance moved. If this could be done, it would be a positive change. Mr. Morin indicated that he has spoken to the homeowner and is working with him to move the entrance approximately 10 feet. Attorney Kenney added that they are working under a time restraint and are presenting this application today and will come back with a revised drawing. Mr. Morin indicated that they have also revised where the handicap ramp will be located. The setting along Route 6A will be augmented to allow for more plantings and trees. Attorney Kenney has also discussed the relocation of the dumpster with a neighbor. This location was a condition of the Site Plan Review and he did try to reach out to the Building Commissioner who was not in. He will contact him to see if they can relocate it. Ellen Merritt questioned the number of parking spaces and asked if any of the parking area was gravel. Attorney Kenney stated that the area is all asphalt as it is currently and they were approved by Site Plan for 160 spaces as they currently have 150 members and the Church intends to grow. Ellen Merritt asked if the applicant would be willing to either not pave these 10 spaces at this time or consider using grass or some type of paver. Attorney Kenney noted they are also augmenting the drainage so that it is on-site and this requires additional catch basins which will need to be included in the paving project. It would be financially irresponsible not to pave the 10 spaces in question. Ellen Merritt also would encourage the use of white oaks, maples, white pines and shrubs such as bayberry and Leland cypresses rather than arborvitae as the Leland cypress is a fast growing species and stronger than arborvitae when it comes to storms. Attorney Kenney stated that he does not feel that his client would object to this.

Chair Bearse opened the discussion for Public Comment

Orrin Eaton spoke first and stated that he has spoken to both Attorney Kenney and Mr. Morin. Both responded very quickly and a conversation has taken place that there is a 10 foot buffer existing and the Church is willing to go another 10 feet. This is acceptable as he wishes to be a good neighbor as well. He would also like to add that he supports the suggestions of Ellen Merritt for the landscaping.

Stephen Bettencourt & Barbara Morse stated that they own property immediately south and also have met with both Attorney Kenney and Nile Morin. They have concerns over the property line as well as a light that stays on all night. He was told the light was needed as there is a tank there and the light is for safety reasons. Mr. Bettencourt also asked if a fence could be put up. Attorney Kenney suggested that if they wish a fence, they could put one up on their property line. Mr. Morin added that he will take up the issue of the light with the Church. Mrs. Morse's concern is the new parking spaces and the lights that will shine into her house. As it is, you can now see right into her kitchen. Carrie Bearse asked if the applicant would consider an enhanced landscape plan in the 10 foot buffer between the two properties. Mr. Morin noted that there is a lot of mature growth now and they would have to remove this to add new plantings.

Kim Catalano & Paul Childs spoke next. Mr. Childs stated that the dance studio is already encroaching on their property and requested a 10 foot buffer. Carrie Bearse addressed the owners concerns, but relayed that encroachment issues are not within the jurisdiction of this Committee. Ms. Catalano commented that if this is true, then she would request a 10 foot landscaping buffer. Attorney Kenney stated that if this is true, would they be agreeable to plantings that the applicant would purchase, but they would need to be on their property line. Attorney Kenney added that if a surveyor does go out there and there is encroachment, it would have to be settled and asked again if the abutters would be willing to allow plantings on their property. Ms. Catalano stated that she would then like to come back to address what will be planted. Chair Bearse pointed out that currently, there are no plans for plantings in this area, however, believes that the applicant is in agreement, for the most part, on additional landscaping on the front elevation with Leland cypresses or similar fast growing species. She asked that the applicant consider screening on the south/left side elevation. Ms. Catalano asked for clarification on what drainage is being done and Attorney Kenney stated that they propose new catch basins.

Ellen Merritt added that she would appreciate some consideration to an alternative to the additional 10 parking spaces in asphalt and suggested grass pavers or cobbles to the area of parking that is currently not needed. Attorney Kenney explained that heavy equipment will be needed to reconstruct the parking area and the focus on 10 parking spaces would require them to return to Site Plan Review in a year or two to get those parking spaces back, and in addition, they would be required to provide re-engineered plans. His client has already agreed to additional landscaping.

Carrie Bearse reminded members that this is an existing parking lot and her objective is simply to enhance the landscaping. She believes the additional plantings for the front landscaping is appropriate and asked that consideration be made for the south side for plantings or perhaps a fence. She stated that the applicant is actively investigating the relocation of the dumpster and entrance and will review the lighting issue. Attorney Kenney added that if the lighting is a safety issue, perhaps they can consider shading or screening. Chair Bearse indicated that she would be receptive to a motion that enhances the landscaping on the south side, along John Maki Road and consideration of landscaping on the north side. Attorney Kenney inquired if the same suggestions for species by Ms. Merritt would be appropriate on the north side. Ellen Merritt stated that if there are existing trees with large root systems, she suggests that trees would be better. Species such as white oak, which are slow growing, but hardy, no smaller than 3 ½ calipers, and Leland cypress which are fast growing. Dogwoods would be very nice as well.

Motion duly made by Ellen Merritt, seconded by Paul Richard to Approve the Certificate of Appropriateness (Exhibit F) for the Christian Congregation in the United States, Inc., at 49 John Maki Road, West Barnstable as Amended for additional screening along both north and south elevations as well as along John Maki Road to include a variety of species such as white oak, white pine, Leland cypress, shrubs such as bayberry. A revised landscaping plan for the site to be submitted. So Voted Unanimously.

Town of Barnstable/Barnstable Village Cultural District, 329 Mill Way, Barnstable, Map 301, Parcel 009

Install Cultural District Village Map on Mill Way Bath House
Represented by Roberta Miller

Ms. Miller reviewed the propose sign to be installed on the Mill Way bath house. There will also be a rack card for people to take a brochure with them. Carrie Bearse pointed out that Vetorino Landscaping was spelled wrong on the map and asked if the sign would remain year round. Ms. Miller confirmed that it will be permanent as long as it lasts and then they will replace it.

Motion duly made by Paul Richard, seconded by Ellen Merritt to Approve the Certificate of Appropriateness (Exhibit G) for Barnstable Village Cultural District at 329 Mill Way, Barnstable as Submitted. So Voted Unanimously

Cape Cod Art Association, 3480 Main Street, Barnstable, Map 299, Parcel 071

Construct Addition Rear & Side Elevation, New Front Entry Way, Roof Deck

Represented by Roberta Miller and Alyssa LaMora, Lineal, Inc.

Ms. LaMora detailed the project which includes an addition that is mostly on the rear elevation. There are a few changes to the front elevation along Route 6A which will change the entryway and part of the side addition will be visible on the left elevation. They are also proposing a roof deck with a glass railing system. On the rear of the building, the lot slopes down and the addition will include the entire length of the existing building. The materials are in keeping with what is existing. Also propose reusing some of the windows on the rear and any new windows will match the existing. Ellen Merritt commented that she appreciates the use of gravel for the parking spaces.

Motion duly made by Ellen Merritt, seconded by Paul Richard to Approve the Certificate of Appropriateness (Exhibit H) for Cape Cod Art Association at 3480 Main Street, Barnstable as Submitted. So Voted Unanimously

CERTIFICATE OF EXEMPTIONS

Hausser, Peter, 10 Acorn Drive, West Barnstable, Map 216, Parcel 027

Construct Chicken Coop

Motion duly made by Paul Richard, seconded by George Jessop to Approve the Certificate of Exemption (Exhibit I) for Peter Hausser at 10 Acorn Drive, West Barnstable as Submitted.

So Voted Unanimously

Champlin, James, 49 Rendezvous Lane, Barnstable, Map 279, Parcel 49

8' x 12' Shed

Unfortunately, the members could not determine the location of the shed due to the poor quality of the print out of the map indicating where the shed will be located. This matter was continued to the June 24, 2015 hearing date.

MINOR MODIFICATION

Mangan, Deborah & James, 28 Sturgis Lane, Barnstable, Map 278, Parcel 037

The members reviewed the modification which includes the removal of the study addition.

Motion duly made by Ellen Merritt, seconded by Paul Richard to Approve the Minor Modification (Exhibit J) for Deborah & James Mangan at 28 Sturgis Lane, Barnstable as Submitted.

So Voted Unanimously

APPROVAL OF MINUTES

Minutes of May 13, 2015

Motion duly made by George Jessop, seconded by Paul Richard to Approve the Minutes of May 13, 2015 as Submitted.

So Voted Unanimously

Having no further business before this Committee, a motion was made by Paul Richard, seconded by Ellen Merritt to Adjourn the Meeting at 8:17pm.

So Voted Unanimously

Respectfully submitted,
Marylou Fair
Recording Secretary

Exhibit A – Certificate of Appropriateness – File 279/058-002 dtd 6.10.2015

Exhibit B – Certificate of Appropriateness – File 298/026 dtd 6.10.2015

Exhibit C – Certificate of Appropriateness – File 316/083 dtd 6.10.2015

Exhibit D – Certificate of Appropriateness – File 131/001 dtd 6.10.2015

Exhibit E – Letter Received from Orrin Eaton – File 217/020-004 dtd 6.10.2015

Exhibit F – Certificate of Appropriateness – File 217/020-004 dtd 6.10.2015

Exhibit G – Certificate of Appropriateness – File 301/009 dtd 6.10.2015

Exhibit H – Certificate of Appropriateness – File 299/071 dtd 6.10.2015

Exhibit I - Certificate of Exemption – 2015 Exemption File dtd 6.10.2015

Exhibit J – Minor Modification – File 278/037 dtd 10.8.2014 & 2015 Minor Modification File