

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

**MINUTES
Wednesday, December 10, 2014
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 until 6:50pm
George Jessop	Present
Mary Blair Petiet	Present
Ellen Merritt	Absent
Paul Richard, Alternate	Present

A quorum being met, Chair Bearse called the hearing to order at 6:45pm. 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. She then stated that she will be recusing herself from the remainder of the meeting and asked that a Temporary Chair be appointed in her absence. A motion was duly made by Mary Blair Petiet, seconded by Paul Richard to appoint George Jessop Temporary Chair for the evening. Chair Bearse then excused herself and left the building at 6:50pm.

CONTINUED APPLICATIONS

Kiryalejza, Mark & Annamaria, 109 Point Hill Road, West Barnstable, Map 136, Parcel 020

Construct New Single Family Dwelling
(Continued from November 12, 2014)

Applicant has requested a continuance to the January 14, 2015 meeting.

Motion duly made Mary Blair Petiet, seconded by Paul Richard to Continue the Certificate of Appropriateness for Mark & Annamaria Kiryalejza at 109 Point Hill Road, West Barnstable to January 14, 2015 at 6:30pm.

So Voted Unanimously

APPLICATIONS

Swift, Zachary & Kundel, Amanda, 1670 Hyannis Road, Barnstable, Map 299, Parcel 091

Construct 1-story 16' x 14' Addition, Extend Deck, Infill between 2 Existing Dormers
Represented by Will Swift, Contractor

George Jessop confirmed that the work will be on the rear of the building. Mr. Swift stated that the new materials will match those of the existing structure. Paul Richard asked the manufacturer of the windows and Mr. Swift replied they will be Harvey with applied exterior grills that match the existing windows.

Motion duly made by Paul Richard, seconded by Mary Blair Petiet to Approve the Certificate of Appropriateness (Exhibit A) for Zachary Swift and Amanda Kundel at 1670 Hyannis Road, Barnstable as Submitted.

So Voted Unanimously

Spurling, Daniel & Susan, 118 Commerce Road, Barnstable, Map 319, Parcel 040

Demolish Single Family Dwelling
Represented by Chris Childs, Patriot Builders

Mr. Childs indicated that the new owners wish to demolish the existing building to accommodate a new single family home. Mary Blair Petiet asked when the house was built and Mr. Childs stated that the assessing records list it as 1900. George Jessop stated that he believes the house was built later, perhaps the 1930's.

Motion duly made by Mary Blair Petiet, seconded by Paul Richard to Approve the Certificate of Demolition (Exhibit B) for Daniel & Susan Spurling at 118 Commerce Road, Barnstable as Submitted.

So Voted Unanimously

Spurling, Daniel & Susan, 118 Commerce Road, Barnstable, Map 319, Parcel 040

Construct New 1-story Single Family Dwelling

Represented by Chris Childs, Patriot Builders

Mr. Childs reviewed the plans for the new dwelling which will have approximately 1900 square feet of living space and a one car garage. A porch is proposed for the front. The siding will be birch bark, not birch wood as the plan indicates. Andersen 400 series windows are also proposed. George Jessop noted that the only issue he has with the design is the transom windows for the reason that they generally have less glass and thus, less light coming in. He asked that the contractor advise the owners to take a look at an actual transom window and perhaps to consider double hung windows instead. Mr. Childs added that they propose to use the flex frame which does have more glass and he would put the structure element above the header.

Motion duly made by Paul Richard, seconded by Mary Blair Petiet to Approve the Certificate of Appropriateness (Exhibit C) for Daniel & Susan Spurling at 118 Commerce Road, Barnstable as Submitted.

So Voted Unanimously

189 Harbor Point Road LLC, 189 Harbor Point Road, Barnstable, Map 352, Parcel 018

Addition & Alteration of Dwelling, Increase Roof Pitch, Construct 2-Car Attached Garage

Represented by Gary Ellis, Contractor and Gary Shechtman, Owner

Temporary Chair Jessop acknowledged two letters received from abutters Linda Nober and Forrest Broman and read their comments regarding the height of the dwelling into the record. **(Exhibits D & E)**

Mr. Ellis describes the scope of the project which consists of an existing two story house with the first floor at about five feet above grade at the front of the house. They propose taking the house and extending the pitch to create a 2nd floor and attached garage. The design of the garage is to try and break up the visual impact and they have dropped it a half story. The existing house does not have a front entrance or a front door so they have added a front entrance with a farmer's porch which connects to the new garage. There are many different roof pitches in order to try and break up the scale and a lot of effort was put into making the house impressive.

Linda Nober was present and the Chair opened Public Comment. Ms. Nober was concerned that this was a large change in the size of the house. Almost 2 ½ times the square footage of the original house. Her main concern is the pitch of the roof as it will significantly block her view.

Gary Ellis replied that the problem was that there is no visual front elevation and they tried to ease this by dropping the garage 2' so that when looked at from the street you do not see a tall house. They are not raising the first floor elevation, just changing the pitch to a 12/12 so it should not affect the view of the neighbors. They have met with the neighbors and tried to address their concerns. George Jessop noted that the trees around the property are not substantially taller than the proposed house. Mr. Ellis added that there is a tree that when you sit on Ms. Nober's deck that blocks her view and they are willing to trim this tree to allow a better view.

Ann Canedy, Councilor for the Precinct, stated that this application has been before Conservation and she feels it is an improvement over what is there now. The design is appealing. She also understands the concern of the neighbors as the size is considerably larger than the two abutting houses and the three across the street.

The members discussed the pitch and options in detail. George Jessop summarized the design in that what the 12/12 pitch does is draw the eye upwards and if you reduce the pitch it looks like the windows are crammed in. Feels it is an appropriate design. Mr. Ellis added that the pitch affects the aesthetics of the house and does not think by reducing the roof pitch it will have much affect on the neighbors because the gable runs front to back. The difference is only 20" and feels the house is more attractive at the 12 pitch.

The Commission then discussed the landscaping plan and the applicant stated they would be willing to plant whatever is needed and are open to any suggestions. George Jessop asked Ms. Nober if she had any preference and she stated it would depend on what they planted. The members concurred that the design of the house is appropriate, but would like to see a landscaping plan submitted by the January 28, 2015 hearing date.

Motion duly made by Paul Richard, seconded by Mary Blair Petiet to Approve the Certificate of Appropriateness (Exhibit F) for 189 Harbor Point Road LLC at 189 Harbor Point Road, Barnstable as Submitted with the condition that another Certificate of Appropriateness be filed for the landscaping plan by the January 28, 2015 hearing date.

So Voted Unanimously

Lane, Mark & Susan, 390 Cedar Street, West Barnstable, Map 131, Parcel 007-001

Construct 14' Addition, Farmer's Porch, Rebuild Chimney, Entryway, Increase Roof line

Represented by Paul Creswell, Contractor

Mr. Creswell detailed the project which proposing to construct a 14' addition on the right elevation and bump out the front elevation to add a farmer's porch and mudroom. The roof line will be raised at the rear elevation so that

the roof line is level all across. George Jessop asked if the windows will have grills and Mr. Creswell stated that the current windows have removable grills which have never been put in. Most likely they will install them when the project is complete. Discussion followed regarding the appropriateness of the overhang canopy on the existing front door and the representative agreed to remove this element.

Motion duly made by Paul Richard, seconded by Mary Blair Petiet to Approve the Certificate of Appropriateness (Exhibit G) for Mark & Susan Lane at 390 Cedar Street, West Barnstable as amended to reflect the deletion of the front door canopy.

So Voted Unanimously

Heslinga, Steven & Lynn, 342 Sandy Neck, Barnstable, Map 322, Parcel 001-00E

Demolish or move to non Sandy Neck site (sic)

Represented by Steven & Lynn Heslinga

Mr. Heslinga stated for the record that he is also the President of the Sandy Neck Colony Association. He is here for an unusual request to demolish or remove his cottage from the Colony. He and his wife feel that their camp should be preserved forever, but they own the brick & mortar of the cottage and the camp is on leased land. Currently, they are renewing with the Town and if they can not come to a lease agreement, the Town has stated that they shall remove their camp from the land. In addition, as part of the negotiations, the Town hired an appraiser and the appraiser has said that if they do not renew the lease and remove the cottage a similar cottage may be allowed to be built on the site. There is historic precedent in 2005 when the Town came before this Committee and asked to demolish the Nickerson Cottage. The Old King's Highway Committee denied the request and he believes that the same rationale of the Nickerson Cottage should apply here as well. There are 19 leased cottages in the Colony and Mr. Heslinga understands that the homeowners will each file a certificate of demolition or relocation thereby removing the entire area of these cottages.

Chair Jessop opened Public Comment

Patricia Anderson asked for the Committee's indulgence and provided the members with a detailed history of Sandy Neck beginning in 1644 with the first settlers to arrive. The cottages in this colony are considered significant and contribute to the determination of the area being a National Register and a Cultural Resource District. It is also an archeological site and referenced Sandy Neck's inclusion in the recent Preservation Plan, Local Comprehensive Plan, Article 27 as well as the Sandy Neck Management Plan. The list goes on and on. It is a most important asset and residents are lucky to have it. She requests that the Old King's Highway Committee deny this application.

George Buck, an abutter to the applicant, stated that he would hate to see any kind of change on the Neck and would not want to see any changes to the character of the area.

Ann Canedy, Town Councilor for the Precinct, stated that she could not add much more to Ms. Anderson's comments, however, believes this area is such an iconic and integral part of the Town. She was involved in the denial of the Nickerson Cottage demolition and worked to find a solution which was to relocate it on the Neck. She cautioned the applicant that even a new location on the Neck is very, very difficult. She is opposed to any removal or demolition of any cottage on Sandy Neck.

Dana Perry, a cottage owner, stated that the families that own these cottages are an integral part of the history of the Neck and he opposes the removal or demolition of these cottages. The cottage owners are keepers of the area and it would be a loss for Sandy Neck as well as the Town.

Chair Jessop closed Public Comment

Motion duly made by Paul Richard, seconded by Mary Blair Petiet to Deny the Certificate of Demolition (Exhibit H) for Steven & Lynn Heslinga at 342 Sandy Neck, Barnstable due to the significance and designation of the area.

So Voted Unanimously

Ferguson, George & Hugh, 240 Sandy Neck, Barnstable, Map 303, Parcel 003

Demolish or move to non Sandy Neck site (sic)

Represented by George Ferguson

Mr. Ferguson stated that he purchased their camp in the 1940's and he uses it as a hunting camp. His entire family enjoys the cottages and they have tremendous memories. All 19 cottages come under the Old King's Highway jurisdiction and believe someone had a lot of foresight in forming the District because if you drive down 6A today, it remains much as it was 40 years ago. He requests that the Committee deny his request.

Chair George Jessop opened Public Comment

Patricia Anderson reiterated her previous comments and requested that the Committee deny this application.

Steve Heslinga wished to inform the Committee that the Ferguson family owns property abutting Barnstable Harbor and has given over 100 acres of land to the Audubon Society. These families that have cottages on Sandy Neck are keepers of the land and will preserve the area.

Ann Canedy, Town Councilor for the Precinct stated she opposes the removal or demolition of this cottage for the same reasons and reiterated her previous comments and added that removal of the cottage would be almost impossible.

Mr. Ferguson added that for him, the experience of having property on both sides, Barnstable Harbor and the Neck, is seeing the views from both sides. If he did not have the cottage and the experience he had, he may have thought differently about giving the land.

Chair Jessop closed Public Comment

Motion duly made by Paul Richard, seconded by Mary Blair Petiet to Deny the Certificate of Demolition (Exhibit I) for George & Hugh Ferguson at 240 Sandy Neck, Barnstable due to the significance and designation of the area.

So Voted Unanimously

Franey, Robert & Amy, Lopes, Daniel & Kathleen, 144 Sandy Neck, Barnstable, Map 242, Parcel 001

Demolish or move to non Sandy Neck site (sic)

Represented by Robert Franey and Daniel & Kathleen Lopes

Mr. Franey acknowledged that the cottage owners are going through lease negotiations with the Town and wanted the Committee to know that the cottage owners take pride in their camps. If they end up not getting a lease, he wants to make sure he can keep taking care of his by taking it with him.

Chair George Jessop opened Public Comment

Ann Canedy, Town Councilor for the Precinct stated she opposes the removal or demolition of this cottage for the same reasons and reiterated her previous comments and added that removal of the cottage would be almost impossible.

Patricia Anderson reiterated her previous comments and requested that the Committee deny this application.

Chair Jessop closed Public Comment

Motion duly made by Mary Blair Petiet, seconded by Paul Richard to Deny the Certificate of Demolition (Exhibit J) for Robert & Amy Franey and Daniel & Kathleen Lopes at 144 Sandy Neck, Barnstable due to the significance and designation of the area.

So Voted Unanimously

Perry, Dana, 180 Sandy Neck, Barnstable, Map 263, Parcel 002

Demolish or move to non Sandy Neck site (sic)

Represented by Dana Perry

Mr. Perry wished to add a personal note regarding his cottage rather than re-hash the points about the historic nature of the area and the significant designations. This cottage was used by his father who has been deceased these past 11 years. These cottages can only happen once and will never happen again. His father used it for survival; his mother studied for the Board, his sister got engaged here, as did he. His father's ashes are scattered here. His family has helped preserve the Neck and they are stewards of the Neck. George Jessop added that Sandy Neck is also a barrier reef that protects the area and this Committee should protect it as well.

Chair Jessop opened Public Comment

Ann Canedy, Town Councilor for the Precinct stated she opposes the removal or demolition of this cottage for the same reasons and reiterated her previous comments and added that removal of the cottage would be almost impossible.

Patricia Anderson reiterated her previous comments and requested that the Committee deny this application.

Chair Jessop closed Public Comment

Motion duly made by Mary Blair Petiet, seconded by Paul Richard to Deny the Certificate of Demolition (Exhibit K) for Dana Perry at 180 Sandy Neck, Barnstable due to the significance and designation of the area.

So Voted Unanimously

Eleftherakis, Peter & Susan, 224 Sandy Neck, Barnstable, Map 283, Parcel 003

Demolish or move to non Sandy Neck site (sic)

Represented by Peter Eleftherakis

Mr. Eleftherakis and his wife are also cottage owners and he appreciates the actions the Committee has taken and asks for the same consideration. Like all the other cottages, his has a rich history and is part and parcel to what Sandy Neck has to offer.

Chair Jessop opened Public Comment

Ann Canedy, Town Councilor for the Precinct stated she opposes the removal or demolition of this cottage for the same reasons and reiterated her previous comments and added that removal of the cottage would be almost impossible.

Patricia Anderson reiterated her previous comments and requested that the Committee deny this application.

Chair Jessop closed Public Comment

Motion duly made by Mary Blair Petiet, seconded by Paul Richard to Deny the Certificate of Demolition (Exhibit L) for Peter & Susan Eleftherakis at 224 Sandy Neck, Barnstable due to the significance and designation of the area.

So Voted Unanimously

MINOR MODIFICATIONS

Tarnoff, Michael, 179 Sunset Lane, Barnstable, Map 319, Parcel 029

Addition of a Roof Deck on Rear Porch, Add sliding French Door

Motion duly made by Mary Blair Petiet, seconded by Paul Richard to Approve the Minor Modification (Exhibit M) for Michael Tarnoff at 179 Sunset Lane, Barnstable as Submitted.

So Voted Unanimously

Franey, Robert & Amy, 100 Alder Brook Lane, West Barnstable, Map 132, Parcel 010

Modify Front Entry to Include Dormer over Door

Motion duly made by Paul Richard, seconded by Mary Blair Petiet to Approve the Minor Modification (Exhibit N) for Robert & Amy Franey at 100 Alder Brook Lane, West Barnstable as Submitted.

So Voted Unanimously

Town of Barnstable, (WB Community Bldg), 2377 Meetinghouse Way, West Barnstable, Map 155, Parcel 040

Change of Material for Handicap Ramp

The members discussed the appropriateness of the trex material proposed. This is the same material that was approved for the boardwalk at Sandy Neck, which the members believe is appropriate for the beach but not for a historic building.

Motion duly made by Mary Blair Petiet, seconded by Paul Richard to Deny the Minor Modification (Exhibit O) for change of ramp material at 2377 Meetinghouse Way, West Barnstable.

So Voted Unanimously

Having no further business before this Committee, a motion was made by Paul Richard, seconded by Mary Blair Petiet to Adjourn the Meeting at 9:30pm.

So Voted Unanimously

Respectfully submitted,

Marylou Fair

Recording Secretary

Exhibit A – Certificate of Appropriateness – File 299/040 dtd 12.10.214

Exhibit B – Certificate of Demolition – File 319/040 dtd 12.10.2014

Exhibit C – Certificate of Appropriateness – File 319/040

Exhibit D – Letter from Abutter Linda Nober – File 352/018 dtd 12.10.2014

Exhibit E – Letter from Abutter Forrest Broman – File 352/018 dtd 12.10.2014

Exhibit F – Certificate of Appropriateness – File 352/018 dtd 12.10.2014

Exhibit G – Certificate of Appropriateness – File 131/007-001 dtd 12.10.2014

Exhibit H – Certificate of Demolition – File 322/001-00E dtd 12.10.2014

Exhibit I – Certificate of Demolition – File 303/003 dtd 12.10.2014

Exhibit J – Certificate of Demolition – File 242/001 dtd 12.10.2014

Exhibit K – Certificate of Demolition – File 263/002 dtd 12.10.2014

Exhibit L – Certificate of Demolition – File 283/003 dtd 12.10.2014

Exhibit M – Minor Modification – 2014 Minor Modification File

Exhibit N – Minor Modification – 2014 Minor Modification File

Exhibit O – Minor Modification – 2014 Minor Modification File