

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

**MINUTES
Wednesday, July 24, 2013
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 on the following application:

Carrie Bearse	Present
George Jessop	Present
Bill Mullin	Present
Mary Blair Petiet	Present
Ellen Merritt	Present

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.

NEW APPLICATIONS

Waluck, Susan & Bruce named Buyers on a Purchase & Sales Agreement with Owner, Loughnane, Audrey, 22 Burning Tree Lane, West Barnstable, Map 136, Parcel 025

Construct 1 ½ Story House w/attached 2 Car Garage and 14' x 14' Screen Porch, 16' x 16' Pool House, 16' x 30' Pool, Fence

Represented by Susan Waluck & Anne Michniewicz, Architect

Ms. Michniewicz noted for the record that there was an omission on the drawings submitted with the application; on the front elevation the side view of the dormer is missing. Revised plans were submitted and entered as received 7/24/2013 (Exhibit A1). The proposed dwelling is a 1 ½ story gambrel with two car garage, a pool house and pool. Members reviewed the plans and the proposed black chain link fence to be located at the rear of the property. Carrie Bearse confirmed that the grills on the windows will be between the glass and asked if there are similar windows on houses in the neighborhood. Ms. Waluck confirmed that there are several.

Motion duly made by Bill Mullin, seconded by Mary Blair Petiet to Approve the Certificate of Appropriateness (Exhibit A) for Susan & Bruce Waluck, named Buyers on a Purchase & Sales Agreement with Owner Audrey Loughnane at 22 Burning Tree Lane, West Barnstable as amended to reflect plans received 7/24/2013.

Barnstable Historical Society, Inc. 3087 Main Street, Barnstable, Map 279, Parcel 039

Install Bronze Statue in Natural Setting, Replace Existing Sign

Represented by Rich French & Marilyn Fuller

Chair Bearse wished to note for the record that she is a member of the Barnstable Historical Society; however, she does not believe that she has a vested interest and does not feel compelled to recuse herself from the discussion. She also noted the large audience attendance and reviewed the process that the applicant will present first, the Committee members will follow with questions and comments and then she will ask for Public comment. The Committee is tasked with evaluating the historical aspect of the statue and setting and reminded anyone who wishes to speak to direct all questions and comments through the Committee.

Eight letters were received which the Chair read into the record.

Matthew Rueter of Barnstable wrote in opposition (Exhibit B1)

Carol & Sarah Lummus of Barnstable wrote in opposition (Exhibit B2)

Rob & Purdy Stewart of Barnstable wrote in opposition (Exhibit B3)

Susan Littlefield of Cummaquid wrote in opposition (Exhibit B4)

John Lothrop Rueter of Barnstable wrote in opposition (Exhibit B5)

Arne & Sarah Ojala of West Barnstable wrote in opposition (Exhibit B6)

Mike Segar of Barnstable wrote in opposition (Exhibit B7)

Robert Frazee of Marstons Mills (and formerly of Barnstable) wrote in support (Exhibit B8)

The Committee reviewed the proposed new sign which will replace the old worn out sign. It will be made of wood with vinyl lettering. Ellen Merritt asked where the sign will be located and Marilyn Fuller stated it will hang from the existing post. There will be a smaller hanging sign below the proposed sign to indicate open or closed.

The statue was reviewed next. Marilyn Fuller wished to apologize to the Committee for the statue being erected prior to obtaining approval. The Barnstable Historical Society is the oldest historical in the Town and they are true believers that history is made every day. The Lorusso family founded the Lyndon Lorusso Foundation in memory of their son and they have funded many ventures throughout the Town of Barnstable and she believes the Foundation will continue to make history.

Rich French also apologized for the delay in filing with the Old King's Highway Committee. The Historical Society was approached before Lila Lorusso's passing that the family and the Foundation would like to give a gift to the Society, which was the statue. The timing of the gift was to be after her passing and there was a lot of work being done that was not in their purview. The Society received a call in May and was told that they were going to take delivery and a memorial was scheduled for June 15, 2013. They had to get all the preparations together and on the 12th of June the statue arrived with a six ton piece of granite which they were not expecting. They were expecting the statue to sit on the ground. The Lorusso's have given so much to the Town, but no where do you see the family but on their lawn. They did want it visible and not located at the back of the property where no one will see it. The rear of the property is proposed for an expansion at a later date. You look along Route 6A and you see many different pieces of art. The area where the statue is located is to be a reflective garden and a tribute to the Lorusso family. He then referred to the landscape plan that was submitted with the application and the attempt to minimize the visual impact of the granite slab, which again, they were not anticipating. He believes the statue will be for future generations to enjoy.

George Jessop commented that he has seen other sculptures and believes this could be a category where the statue becomes part of the garden with several benches; however, this is only one bench. He would like to see a setting that was totally designed and not such a formal setting. The fact that it is not part of a sitting area enclosed under trees or encircled by trees. After a quick look at the site, he would have set it back and off to the side for a more inviting look. Marilyn Fuller added that this is an area that they had planned to do some informal garden with benches when they purchased the property three years ago.

Ellen Merritt noted that Marilyn Fuller referred to the placement as a reflective garden, but she believes that when you sit you see Route 6A rather than a secluded area for a reflective moment. Rich French stated that they have not done any plantings since the arrival of the statue as they wanted to come before this Committee with a landscape plan. Ellen Merritt added that simply putting flowers and plants around it does not necessarily make it a reflective area. She would like to see a detailed landscape plan.

Carrie Bearse reminded the members that they are determining the appropriateness of the structure. Referring to Section 10 of the Guidelines, the real question is whether the structure is appropriate and consideration should be for historical value, materials, relationship to immediate surroundings and size.

Bill Mullin asked how the location was chosen and Mr. French answered that originally it was thought that the site should be to the side of the house set back. The statue was to be placed on sonar tubes that would be put in the ground and the legs of the bench of the statue would fit on top. This was changed without the Historical Society's knowledge and when the statue arrived, it came with the six ton piece of granite. When the truck with the crane came to place the slab it began to slip into the lawn and where you see it, is as far as the truck was willing to go.

Carrie Bearse reviewed the historical value and significance aspect and stated that there is no doubt the charitable contributions of the Lorusso's have benefited the town citizens in the past and most likely the future, but will this be reflected in years to come, she does not know. The materials are appropriate; however, she believes the setting is inappropriate as it relates to the building and those around it. Her concerns are the setting.

Ellen Merritt added that the granite base appears large in relationship to the statue as there seems to be 2-3 feet on either side. Mr. French replied that the granite base was not chosen by them so he does not know. He does think they can fix this with tasteful landscaping, bringing the grade up to cover the slab and adding other benches to the area.

Chair Bearse opened the discussion up for Public Comment

Harold Tobey of Hyannis spoke in favor of the application and noted that they have a statue by the same sculptor at the Zion Museum. He believes that the Lorusso family will become part of the town history and can not see that the statue takes anything away from Route 6A.

Nancy Vail Shoemaker of West Barnstable spoke in favor of the application noting that she is a historian for the Barnstable Historical Society, the Airport Historian and is a member of the Barnstable Historical Commission. She addressed the historical significance and importance of the Lorusso family and how events do become historic over the next 50 years.

Roy Richardson of Centerville stated that when he heard there would be a statue on the lawn of the Historical Society he could not think of anybody who deserved a better spot than this family. In time to come, people who drive by will want to know the history and because of this placement the will. He encourages the members to vote in favor of the application.

Elaine Bartlett of Barnstable stated that she is the Treasurer of the Lorusso Family Foundation and lives two doors away from the Historical Society. She believes the location of the statue is inappropriate or suggests that a better location would be at the College, hospital or in front of the Old Jail.

David Munsell, Jr of Barnstable, an abutter to the west commented that the Family are prominent figures in the Town and will continue to be so. The statue is in view of his house and he feels it is appropriate.

Bob Frazee thanked the Chair for reading his letter of support and wished to add that he finds the statue to be inviting and plainly visible and encourages a discussion as to if it could be slightly altered and relocated, but not hidden from view. Agrees with other speakers that history is made every day.

Larry Thayer of Cummaquid stated that he has been before this Committee for a house on 6A for CapeAbilities that was made possible through funds from the Lorusso Foundation. The new community stage in the Village was constructed with help from the Foundation. Addressing the comment about the bench not facing Route 6A, there are benches now throughout the Village that create a sense of energy and not just to support the businesses. There is support for a Cultural District in Barnstable Village and he believes a statue certainly supports this and urges the members to support the statue where it currently sits.

Dave Munsell, Sr of Barnstable encourages the members to work with the Historical Society to see if it can be approved with conditions. It is a beautiful statue and improvements could be made.

Peter Eastman identified himself as the President of the Barnstable Village Civic Association; however he is here on his own behalf. He owns a business and a house in Barnstable and passes the Historical Society every day and would not even know that the statue was there if he had not seen the crane. He believes the statue is appropriate and that the Foundation's reach is far and wide and this should be recognized. Part of the historical preservation is to preserve the names of those who make a contribution.

Frances Edwards stated that this is her 67th summer on Cape Cod and loves Route 6A. She objects to the slab and feels it is appalling and not a beautiful statue. It would be appropriate for a memorial garden or a cemetery, but not right on Route 6A, even with shrubbery. The question should be whether they want statues at all along 6A.

Henry Ramage of Barnstable stated that he had lived right across the street from the Historical Society for 16 of his 18 years. It is a location that is very prominent for those who live here and visit here. His issue is the location. The statue stands out in the middle of the side yard. The Historical Society has a wonderful area at the rear of the property and believes that this could be a focal point at the back of the yard.

Sid Davidson, representative of the Lorusso Foundation wished to thank all who have spoken and stated that he worked closely with the sculptor. The Historical Society is correct in their comments about the slab. The sculptor, after inspecting the ground thought that the statue would crack and suggested the slab. The Foundation had no idea this would be an issue. They received great response after the memorial service and asked the members to consider what the Lorusso Family has done for this community.

John Ehret of Barnstable stated that there is no question that this family was a good family. The question is whether the statue is historic and appropriate. The statue should exist someplace else other than at the Historical Society. It is in the wrong spot at the wrong time.

Chair closes Public Comment.

George Jessop wishes to see a detail plan for the area as it does not appear to be a garden setting. If there are to be more benches, he would like to see where they are to be placed.

Mary Blair Petiet agrees that the Lorusso Family has contributed in many ways, but they need to stay on base with what their purview is. She believes there could be a more appropriate setting and agrees the idea of a garden setting such as at St. Mary's Church may be more appropriate.

Bill Mullin would like to see a detail plan as well. He believes an area that appears to be something you enter could be designed. He would also like to see the plan for the whole property to determine why it can not be placed at the rear of the property.

Rich French clarified that the issue is the placement. They would like to leave the statue where it is and make it more of a memorial garden area. They do not have a lot of money but are willing to spend some on a landscape architect, but would like to make sure that if they go out and make enhancements, it won't come back that they would need to move it.

Carrie Bearse stated that her concern is the setting. The Historical Society building was a private residence and still looks like a residential house. A more appropriate location is behind the house. She believes it is a wonderful tribute and the materials are appropriate, however, the setting is not appropriate.

George Jessop asked where the statue would have been placed if it didn't have the slab. Rich French stated that the original plan was to place the bench back almost to the tree line and then have a garden coming off the driveway with shrubbery to make it almost so you could not see it. Most likely it would have gone another 20 feet or so. They also are proposing to bring up the grade in the lawn area to cover the slab so that it appears the bench is ground level.

Motion duly made by George Jessop, seconded by Bill Mullin to Approve the Sign portion of the Certificate of Appropriateness (Exhibit B) for The Barnstable Historical Society at 3087 Main Street, Barnstable to replace the existing sign.

So Voted Unanimously

Motion duly made by George Jessop, seconded by Bill Mullin to Continue the Statue portion of the Certificate of Appropriateness (Exhibit B) for The Barnstable Historical Society at 3087 Main Street Barnstable to Wednesday, August 14, 2013 at 6:30pm.

So Voted Unanimously

Johnston, Daniel & Paige, 3715 Main Street, Barnstable, Map 317, Parcel 081

Replace Windows, Install Above Ground Pool

Represented by Paige Johnston

Chair Bearse noted that this is a historic house built in the 1700's. Ms. Johnston apologized to the Committee for replacing the windows before obtaining approval. She had been in touch with the Town offices regarding what changes needed approval, however, her Dad went ahead and replaced windows and started to re-side the house without receiving permission. Carrie Bearse asked if the orange stained shingles will be removed and replaced with cedar shingles bleached white and Ms. Johnston confirmed that they would. Carrie Bearse also noted that her issue is with the windows that were replaced without fixed exterior grills as this Committee requires that all windows facing Route 6A must have fixed exterior grills, including the side elevations. Ms. Johnston agreed to apply grills to these elevations and Carrie Bearse confirmed that the grills would be permanently applied and not snap in. The proposed pool was reviewed next. Mary Blair Petiet asked if there are any above ground pools in the district and Ms. Johnston added that you will not see it from any view from Route 6A and only from one neighboring lot. George Jessop asked if they would be willing to put shrubbery to a height of 4 feet around the entire pool. Carrie Bearse commented that it would be required on her part.

Motion duly made by George Jessop, seconded by Bill Mullin to Approve the Certificate of Appropriateness (Exhibit C) for Daniel & Paige Johnston at 3715 Main Street, Barnstable as Amended for permanent fixed exterior grills on the front and side elevation windows and the addition of evergreen shrubbery to a height of 4 feet surrounding the entire pool and change of siding to a prefinished bleached white cedar shingle.

AYE: Jessop, Mullin, Petiet, Merritt (Windows & Pool)

NAY: Bearse (Above Ground Pool)

Hannoosh, James & Linda, 35 Williams Path, West Barnstable, Map 111, Parcel 033

Construct 24' x 42' Detached Garage/Barn, Install Solar Panels on South Elevation of Garage/Barn

Represented by Dr. James Hannoosh & Chris McGrath of Pine Harbor Wood Products

Carrie Bearse confirmed that the grills on the house are removable interior grills and that is what is proposed for the garage. She also noted that azek is proposed for the trim and they have been approving this material as long as it is painted. The solar panels on the garage were reviewed and confirmed that they will face the house.

Motion duly made by Mary Blair Petiet, seconded by Bill Mullin to Approve the Certificate of Appropriateness (Exhibit D) for James & Linda Hannoosh at 35 Williams Path, West Barnstable as Submitted.

So Voted Unanimously

Dewey, Daniel, 1375 Main Street, West Barnstable, Map 177, Parcel 003

Demolish Existing Barn

Represented by Daniel Dewey

Members reviewed photographs submitted with the application and agreed the barn is in a deteriorated state.

**Motion duly made by George Jessop, seconded by Mary Blair Petiet to Approve the Certificate of Demolition (Exhibit E) for Daniel Dewey at 1375 Main Street, West Barnstable as Submitted.
So Voted Unanimously**

Dewey, Daniel, 1375 Main Street, West Barnstable, Map 177, Parcel 003

Construct 22' x 14' Barn

Represented by Daniel Dewey

Carrie Bearse asked if the new barn would be located in the same spot and Mr. Dewey replied that it would be placed approximately 15 feet north of the existing garage and closer to Route 6A and further back from the marsh area. Carrie Bearse confirmed that the windows will be a 2/2 pattern with fixed exterior grills to match those on the house.

Motion duly made by Mary Blair Petiet, seconded by Ellen Merritt to Approve the Certificate of Appropriateness (Exhibit F) for Daniel Dewey at 1375 Main Street, West Barnstable as Submitted.

So Voted Unanimously

MINOR MODIFICATIONS

Drew, Eric, 1190 Main Street, West Barnstable, Map 178, Parcel 015-001

Modification of Double Hung Windows on House and Garage

Motion duly made by Mary Blair Petiet, seconded by Bill Mullin to Approve the Minor Modification (Exhibit G) for Eric Drew at 1190 Main Street, West Barnstable to replace all 6/6 double hung windows with a 2/2 windows with fixed exterior grills.

AYE: Bearse, Mullin, Petiet, Merritt

NAY: Jessop

APPROVAL OF MINUTES

Minutes of July 10, 2013

Motion duly made by Bill Mullin, seconded by Ellen Merritt to Approve the Minutes of July 10, 2013 as amended.

AYE: Bearse, Jessop, Mullin, Merritt

ABSTAIN: Petiet

Having no further business before this Committee, a motion was made by Mary Blair Petiet, seconded by Bill Mullin to Adjourn the Meeting at 9:15pm.

So Voted Unanimously

Respectfully submitted,

Marylou Fair

Recording Secretary

Exhibit A – Certificate of Appropriateness – File 136/025 dtd 7.24.2013

Exhibit B – Certificate of Appropriateness – File 279/039 dtd 7.24.2013

Exhibit B1-B8 – Public Letters Received – File 279/039 dtd 7.24.2013

Exhibit C – Certificate of Appropriateness – File 317/081 dtd 7.24.2013

Exhibit D – Certificate of Appropriateness – File 111/033 dtd 7.24.2013

Exhibit E – Certificate of Demolition – File 177/003 dtd 7.24.2013

Exhibit F – Certificate of Appropriateness – File 177/003 dtd 7.24.2013

Exhibit G – Minor Modification – File 178/015-001 dtd 5.23.2012