

MINUTES

Subcommittee to Review Chapter 112

**Barnstable Historical Commission
367 Main Street, Hyannis
Growth Management Conference Room
April 25, 2012
1:00pm**

Members Present: Jessica Rapp Grassetto, Chair, Laurie Young, Marilyn Fifield
Staff: Ruth Weil, Art Traczyk, Marylou Fair, Administrative Assistant

Chair Grassetto opened the meeting at 1:10pm. The purpose of the Subcommittee is to review the Town's Historic Ordinance and provide suggestions for changes to allow the Commission to be more in keeping with other communities.

The following changes were discussed:

Initial Review:

- Currently, upon filing with the Town Clerk, an applicant must receive written determination on the structure's significance within seven business days of filing.
- Jessica Rapp Grassetto would like to see this time period extended to 30 days
- Ruth Weil suggested the Subcommittee reach out to Building Commissioner Tom Perry and Chris Skelley of Mass Historical Commission to inquiry why most Town have such a short time period for the initial review
- Initial review could be handled by staff in conjunction with the Chair. Depending upon initial review, a meeting of the Commission could commence within the 7 business days, applicant could proceed directly to Public Hearing, or be able to submit their building permit upon determination

Public Hearing:

- Currently, public hearing must occur within 30 days of filing with the Town Clerk
- The Subcommittee suggests 45 days

Abutter Notification:

- Currently, no abutters are notified
- Subcommittee suggests notification to abutters within 300 feet (as ZBA does)
- Applicant responsible for notification and proof of notification
- Questions were raised regarding properties along bodies of water and whether abutters across the water would be notified

Legal Advertising:

- Currently, legal ads are required if application is referred to a Public Hearing. Ads are placed at least 14 and 7 days prior to hearing date
- No changes were suggested

Demolition Delay Time Period:

- Currently, if structure is found significant a six month demolition delay is imposed
- Jessica Rapp Grassetti suggested a 12 month demolition delay at the minimum
- A suggestion to obtain a list of all Cape Town's demo delay periods was made (See attached list)

Other Topics Discussed:

Currently, there is no expiration on an application that has come before the Commission, and the application is considered to be connected to the property, not the property owner.

The Commission discussed the option of being more specific as to what clarifies as demolition and found the Ordinance, as it is, suitable.

A separate Demolition Delay and a Demolition by Neglect Article was discussed. Art Traczyk noted that this could be added as Article III and the Subcommittee concurred. However, it may be wise to proceed with the other items, as this process could take some time.

The next meeting of the Barnstable Historical Commission's Subcommittee to Review Chapter 112 is scheduled for May 16, 2012 at 1:00pm in the Growth Management Conference Room, 3rd Floor, Town Hall, 367 Main Street, Hyannis, MA

Chair Grassetti adjourned the meeting at 2:30pm.

Respectfully submitted,
Marylou Fair, Administrative Assistant

TOWN	DEMO DELAY PERIOD	
Barnstable	6 Months	
Bourne	12 Months	(Adopted 2006)
Chatham	18 Months	(Adopted 2007)
Dennis	12 Months	(Adopted 2007)
Eastham	6 Months	
Falmouth	6 Months	(Adopted Late 2007)
Harwich	12 Months	(Adopted Spring 2011)
Orleans	12 Months	(Adopted 2005)
Sandwich	0	(Proposed 18 Months Failed Spring 2007 @ TMTg)
Welfleet	6 Months	
Yarmouth	2 Months	