

**Town of Barnstable**  
**Old King's Highway Historic District**  
**MINUTES**  
**Wednesday, March 10, 2010**

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:

**Committee Members Present: Carrie Bearse, George Jessop, Elizabeth Nilsson**  
**Alternate Member Present: Dorothy Stahley**

**Motion duly made by Elizabeth Nilsson, seconded by Carrie Bearse, that George Jessop be appointed temporary Chair for this evening.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

A quorum being met, Temporary Chair Jessop 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**

**Stuborn, LLC, 153 Freezer Road, Barnstable, Map 301, Parcel 006**

Construct New Single Family Home

(Continued from February 24, 2010)

Represented by Stuart Bornstein, Attorney Paul Revere III, David Sigl, Architect & Kieran Healy, BSC Group  
Attorney Revere stated that he would like to begin by clarifying items mentioned at the last meeting and in particular those regarding size of structures in the neighborhood and in Barnstable Village. He will try to respond to open issues in regards to heights in the neighborhood and they have done additional studies and have asked the Town's GIS Department to also do a study. Mr. Revere submitted a map prepared by GIS using Assessing information and this shows every building within a one mile radius that has over 7,000 square feet gross floor area – meaning everything. In addition, Mr. Revere presented a spreadsheet prepared with 79 buildings that shows every building over 7,000 square feet. The buildings noted in blue are commercial buildings on the GIS map. In Barnstable Village there are buildings that are the same size of this proposed building and are historical homes. The Barnstable House is a commercial building, but was built as a private residence and consists of 8,000 square feet. The Sturgis Library is 9,500 square feet. He chose these buildings primarily because they are in residential areas. Along 6A are some of the taller homes with stone walls in front raising the property. The home at the corner of Pine and 6A is a very tall home right next to the road. The Bacon Farm, now condos, is 14,000 square feet. It is a massive building and a historical building. It is hard to say that size discounts historical aspects. The Bacon Farm at its highest point is 42 feet high (the grade at the back of the house to the point on the roof). These buildings he mentions are next to smaller homes. Mr. Bornstein is proposing 10,000 square feet on approximately 7 acres of land. The structure at 277 Mill Way is 8,700 square feet of building on 8.28 acres and is a lot more building and massing. The neighborhood is full of large buildings.

George Jessop asked what the square footage of the existing house is and it was determine approximately 4,000 square feet. George Jessop noted that most of the residential structures are 4,000 square feet or less. Attorney Revere noted that there are 5,000+ square foot homes on Commerce Road and at 56 Rendezvous Lane, there is an 8,000 square foot home. George Jessop reiterated that the proposed structure is 10,641 total square feet and does include the guest wing, but not the basement. George Jessop noted that the basement is considered the first floor. Mr. Bornstein wished to note that the bathroom in the basement will disappear and that Conservation asked them to move the pool and eliminate the laundry.

Mr. Sigl addressed the Committee and commented that the height of the proposed home is 59.6', however, the height is actually 39.5, elevation is 59.6. The grade has been raised one foot on westerly side and 3-4 feet on easterly side. You will have a perimeter grade elevation of 15 feet and then it drops to 14 feet. George Jessop reiterated that the grade is 17.5 feet at the highest level. Mr. Sigl presented a letter dated 3/10/2010 from BSC which depicts other building heights in the area.

Mr. Sigl then presented samples and or photocopies of the materials. Samples of stone work were presented of a New England natural stone and wished to comment that most of the materials are from the local environment. Metal fence is 97% recycle content, cambia for decking which will weather to a natural grey and Marvin wooden doors and windows. They also found a company that recycles granite and they may use this for steps and outside work as much as possible. George Jessop asked that when they have the door material and style decided, the OKH would like to see those. Mr. Sigl continued that the stone walls will actually be concrete with a stone veneer similar to a field stone and the sizes of the stones will vary. White cedar shingles that will have a natural bleaching oil so that it weathers naturally. A sample of the roof shingle (weatherwood) was presented.

Windows will be the wine berry color presented at the last meeting with 4" casing with sills of traditional details. Mr. Sigl noted that they are looking at windows that will be 6/6 and casements will have muntin strips with grills up high and between the glass. Dorothy Stahley asked how many windows in total on the home and Mr. Sigl, after consulting plan and window schedule, confirmed 109 windows in total. There will be approximately a dozen exterior doors counting all floors, including atrium doors to deck.

Chairman Jessop opened the discussion up for Public Comment

Charles Fuller of Barnstable commented that it appears that with the size of this building it could be converted to condominiums.

Ann Canedy, Town Council and Liaison to OKH wishes to respond to some of the comments Attorney Revere made with regards to comparisons and noted that Bacon Farm was an interesting one as it was originally a farm and is on a natural hill. This proposed home will be on an 18' mound, not a gentle slope. It will stand from sea level to be an equivalent of a five story home. The comparisons made on structures around the harbor average 4,000-8,000 square feet and the 8,000 square foot structure is currently the largest home on the harbor and you do see it as you come into the harbor. The majority of homes in the area are much smaller. The commercial comparisons are apples to oranges and many are on pilings. On the land side these commercial buildings are not that high, only on the harbor side. Marine Services was built a long time ago and if it were to be constructed today, would need to go before the Cape Cod Commission.

No additional comments were taken and Chairman Jessop closed the Public Comment

Carrie Bearse noted that the height and massing of this structure is extreme and understands Attorney Revere's comparisons of the buildings in the area. She went to the site and commented that it is an attractive design, but it will stick out. Mr. Bornstein stated that the trees that are on the property now will hide the home and they will be planting more trees to conceal the home even more. To comply with Conservation and to get the house they want, they have to come forward with the location. Ms. Bearse requested that they lower the house and submit a revised site plan. If they could bring the house down in height, new plans could be revisited.

Elizabeth Nilsson agrees that the massing and height are not appropriate. They should not be comparing commercial buildings to a residence and noted that this structure is inappropriate.

Mr. Sigl wished to add that they are dealing with structures in the immediate surroundings and the information shows that they are dealing with buildings and houses that are similar to this size.

George Jessop added that many of these structure pre-date this Committee and most commercial structures have aluminum siding and the main point is that this home is out of sync with the surroundings. The trees mentioned may be there for another century, or they may go with the next hurricane.

Attorney Revere wished to respond to some of the comments. He has spent a lot of time in Barnstable Harbor and Freezer Point does not stick out into the Harbor. It is an area of land that doesn't stick out on the coast line at all and in contrast, is a hard place to see from the harbor. You can not see it from Commerce and briefly from Mill Way. Compared to the Cannery, which was much higher than this proposed building. When you get out into the Harbor and look back, this home will be backed by large commercial buildings.

George Jessop pointed out that perception is everything and there will be nothing on either side of it to block the view which will allow you to see a wider area. There are not any other buildings to scale except the building behind it. He also adds that what he sees as a bit awkward is the guest house. This is the one mass that seems to be contributing to the excessive height, but also seems to be added on.

Mr. Bornstein explained that originally they wanted it to be separate, but in conversations with Conservation, they wanted one structure so that is how they redesigned it. If he were to change that to get OKH what they want, Conservation may not approve it. Mr. Bornstein added that this is a good looking addition to the Harbor and bonuses come with it for the Town of Barnstable.

George Jessop added that the guest house is the highest point of the house and this is just the opposite of what a house normally is. The highest point is normally the main or middle portion. Mr. Sigl presented photo simulations in three dimensional for review. Mr. Bornstein commented that they could take a look at lowering the roof down to see if that would work. George Jessop would like to see what you can do with bringing the roof line down on either end. Mr. Sigl asked for clarification that they are talking about only the guest house and how it compares to the massing of the main house and see how that matches up with the master bedroom roof line.

Attorney Revere added that they also have another Conservation meeting coming up so they may want to see what transpires at that meeting.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Continue the Certificate of Appropriateness for Stuborn, LLC at 153 Freezer Road to March 24, 2010.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**NOTE: Alternate Dorothy Stahley departs the Meeting at 8:20pm**

### **New Applications**

#### **Lewis, Elizabeth, 2085 Main Street, Barnstable, Map 216, Parcel 074**

Demolition of Single Story Mudroom/Kitchen and Master Bedroom

Represented by Rick Fenuccio

Mr. Fenuccio detailed the request to demolish two sections of this house; the kitchen section located on the easterly side and the westerly section that contains a bedroom. They will be adding approximately 208 square feet to the home.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Demolition for Elizabeth Lewis at 2085 Main Street, Barnstable as Submitted.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

#### **Lewis, Elizabeth, 2085 Main Street, Barnstable, Map 216, Parcel 074**

New Additions, Doors, Windows, Roofing, Siding & Wood Deck

Represented by Rick Fenuccio

Mr. Fenuccio explained the details of the additions including new doors for the existing garage, new windows on front of house, new roofing, siding and a new wood deck. They will be removing two windows and adding a box bay window. All windows will be Andersen 400 tru divided light with exterior grills. Carrie Bearse asked if they intend to put a light in the cupola and the answer was that they did not. The transom over the door does have divided light and is not shown as such on the drawing. George Jessop asked if there is a difference in roof heights where the addition meets the garage and Mr. Fenuccio commented that this has to do with how they need to resolve the existing garage with the new addition and it is just a small section.

Abutters, Mary Anne & William Fenney were present and voiced support of the project.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Elizabeth Lewis at 2085 Main Street Barnstable as Submitted.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

#### **Mass Audubon Society, Inc, 345 Bone Hill Road, Cummaquid, Map 337, Parcel 010-001**

Install Photovoltaic Modules on South-facing Roof

Represented by David Richardson, Global Resource Options, Inc.

Mr. Richardson spoke on behalf of the owners in that they wish to install 8 modules on the south facing shed roof portion of the home as per photographs submitted with the application.

**Motion duly made by Elizabeth Nilsson, seconded by Carrie Bearse to Approve the Certificate of Appropriateness for Mass Audubon Society at 345 Bone Hill Road, Cummaquid as Submitted.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**O'Donnell, Brian, 172 Church Street, W. Barnstable, Map 153, Parcel 033**

Replace Existing Deck with 16'x24' Sunroom

Represented by Brian O'Donnell

Mr. O'Donnell wishes to build a three-season sunroom on the back of the house to match an addition they did in 2006. Dimensions of sunroom will be 16 x 24 the materials will match existing and the sunroom itself will cover the dimensions of an existing deck. George Jessop clarified that you will not see this from the front of the house and that it will not exceed the roofline of the main house.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Brian O'Donnell at 172 Church Street, W. Barnstable as Submitted.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Hemr, William, 122 Salt Rock Road, Barnstable, Map 316, Parcel 008**

Replace Existing Deck with 14'x12' Three-Season Room

Represented by William Hemr & Brad Sprinkle

There is currently a 14 x 12 deck and they wish to convert this into a three season room and referred to the plans which they submitted. Materials will match those on the existing home, however, would like to use azek for the trim as you would not need to paint. George Jessop added that you do need to paint azek. Would like to change the beige trim to white all around and would like to re-paint a section of the home sage brush. Carrie Bearse consulted the Application and notes that change of paint color was not included, nor did it get advertised this way. They would need to submit a separate application for a change in paint color for the home so that it can be properly noted in the legal ad and abutters can be notified. They can re-paint the trim to white, as white is always an acceptable color. They propose to re-shingle the entire roof including the new sunroom with cobblestone architectural asphalt.

George Jessop asked if the lattice work would be single or double board and Brad Sprinkle indicated that it will be overlapping, not single board with holes cut out.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for William Hemr at 122 Salt Rock Road, Barnstable for the removal of existing deck and rebuild a three season sunroom and all trim to be changed to white and composite lattice on bottom of sunroom will be overlapped and painted white.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Ojala, Arne & Sarah, 211 Maple Street, W. Barnstable, Map 132, Parcel 005**

New 12'x24' Workshop Attached to Existing Garage

Represented by Arne & Sarah Ojala

Mr. & Mrs. Ojala outlined the details of this proposed 12 x 24 workshop which will be attached to the existing garage. Carrie Bearse asked if the windows on the workshop will match the existing home and received confirmation that they would. The Committee concurred that the new structure is appropriate.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for Arne & Sarah Ojala at 211 Maple Street for a 12 x 24 workshop as Submitted.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**HBS Holdings, LLC, 164 Beale Way, Barnstable, Map 280, Parcel 004**

Demolish Existing Wood/Plastic Bow Shed

Represented by Peter & Tracey Eastman

The Committee reviewed the photographs of the existing plastic shed and voiced no objection to the demolition of this structure.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Demolition for HBS Holdings, LLC at 164 Beale Way, Barnstable as Submitted.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**HBS Holdings, LLC, 164 Beale Way, Barnstable, Map 280, Parcel 004**

New 15'x25' Two-Story Post & Beam Workshop

Represented by Peter & Tracey Eastman

Mr. Eastman outlined the details of the proposed two-story workshop of post & beam construction. Elizabeth Nilsson asked if it would be made of brick and Mr. Eastman confirmed that it will be white cedar shingles as that is what's existing and they wish to incorporate the workshop with the other structure. Carrie Bearse confirmed that the windows will be true divided light and have single pane with traditional double hung to match the existing structure as well.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Certificate of Appropriateness for HBS Holdings, LLC at 164 Beale Way, Barnstable as Submitted for a new 15 x 25 two story workshop of post and beam.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Humane Society /Cape Wildlife, 4011 Main Street, Cummaquid, Map 335, Parcel 060**

Restoration of Garage - Siding, Trim, Paint, Roofing, New Windows, Doors, Garage Doors

Represented by Donald Luoni, Ward Janos, Scott Mitchell & Heather Rockwell

Chairman Jessop read aloud a letter received March 3, 2010 from an abutter who raised concerns regarding outstanding issues at this location from a previous application and in particular the screening of the animal cages. Carrie Bearse referred to an application approved in 2007 for renovations of the garage and the removal of a 6 foot stockade fencing to be replaced with plantings and screening for the animal cages. She voiced hesitation in reviewing a new application when issues are outstanding on a previously approved application and Elizabeth Nilsson believes the members should visit the site prior to making any ruling.

Don Luoni identified himself as the Architect and stated he was not involved in the past application. He wishes to submit updated plans. George Jessop questioned the difference in plans and Mr. Luoni explained that they put more notes and details on the drawings for materials and noted elevations. He is not aware of the previous submission and is here tonight to review the revisions on the restoration of the garage. If the issues concern landscaping, that will need to be addressed with the applicants.

Mr. Luoni described the existing barn as a 2,700 square foot greek revival and they wish to convert it to something more appealing and in the style of a New England carriage house. The windows existing are gothic style and proposed replacements will be double hung, 6/6 with fixed grills. On the back side the siding is T1-11 and they would like to replace this with clapboard, the trim has never been taken care of and is rotted and the roof shingles will also need to come off. The facility is back 975 feet from the road and is very dense. They intend to replace doors, windows and all trim. The main color will remain the same pale yellow.

Chairman Jessop opened the discussion for Public Comment

Marcie Elliot, a direct abutter was present and voiced concerns that the promised screening of the animal cages has not been completed. Feels the property looks awful and agrees that she would like something done to the barn to make it look better, but hopes that these other items will be addressed first.

Chairman Jessop asked if any of the other Representatives present could address these concerns. Those present all noted that they were not with the facility at the time of the previous application and requested additional time before commenting.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Continue the Certificate of Appropriateness for The Humane Society/Cape Wildlife at 4011 Main Street, Cummaquid to March 24, 2010.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Minor Modification**

**Hallett, William, 126 Plum Street, W. Barnstable, Map 195, Parcel 024**

Change of Siding Material from Cedar Shingles to Grey Clapboard

Mr. Hallett noted that after this past summer and all the rain, he has noticed a mold problem on the house with the cedar shingles he intended to use for the previously approved garage. He asked if the Committee would consider the option of a cement hardi plank and George Jessop added that he believes this molds as well. The hardi plank also expands and contracts and none of these composites are water resistant. The Committee will approve the change to grey clapboard as submitted on this Minor Modification.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Request for a Minor Modification for William Hallett of 126 Plum Street, W. Barnstable from cedar shingles to clapboard painted grey.**

**AYE: ALL**

**NAY: None**

**So Voted Unanimously**

**Lukas, Edmund, 381 Sandy Neck Rd, W. Barnstable, Map 136, Parcel 011-002**

Change Approved Garage Shed Dormer to Two Dog House Dormers

Mr. Lukas wishes to change the approved shed dormer to two dog house dormers to soften the look. Carrie Bearse commented that this would be appropriate.

**Motion duly made by Carrie Bearse, seconded by Elizabeth Nilsson to Approve the Request for a Minor Modification for Edmund Lukas at 381 Sandy Neck Road, W. Barnstable.**

**Having no further business before this Committee, a Motion was duly made by Elizabeth Nilsson, seconded by Carrie Bearse to Adjourn the Meeting at 9:25pm.**

**So Voted Unanimously**

Respectfully submitted,  
Marylou Fair, Recording Secretary