

Town of Sandwich

The Oldest Town on Cape Cod



Historic District Committee

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Sandwich, MA 02563

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Minutes of a public meeting held on **May 11, 2016**, at 6:30 pm by the **Sandwich Historic District Committee** in the Human Services Building Meeting Room, 270 Quaker Meetinghouse Road, Sandwich, MA.

Members Present: Mary Foley (MF), Bill Collins (BC), Terry Blake (TB), Richard Alger (RA) and Richard Claytor (RC)

Absence(s): Lynda Haller (LH)

The documents used or available at the meeting are as referenced below.

Chairperson, Mary Foley appointed Alternated Member, Richard Claytor as a voting member for the evening.

1. Certificate(s) of Appropriateness

16-79 Frederick Pollard

New shed at 68 Freeman Avenue, located at Map 89, Lot 85. Documents submitted with application as follows: Application of Certificate of Appropriateness, Shed Spec Sheet, Color/Sample Sheet, Statement of Understanding, Manufactured Photos, and Certified Abutters List Form. Present was owner, Fred Pollard who explained the project as listed in the application adding that all materials will match the existing home. No comments were added from the Committee or the general public. A Motion was made (RA) to approve the project as presented, Seconded (RC). The motion was passed with a vote of 5-0-0.

16-80 Lydia Broderick

Solar panels at 31 Tyler Drive, located at Map 81, Lot 11. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Statement of Understanding, Existing/Proposed/Manufactured Photos and Site Plan (as part of a detail plan packet), Certified Abutters List, and Representative Designation Form. Present was Representative, David Mortensen of Vivint Solar, who explained the project as listed in the application, adding that the color of the panels was dark blue and responding in the affirmative to the Committee inquiry of if the panels would be placed on the front of the home. No comments were added from the general public. A Motion was made (BC) to approve the project as presented, Seconded (RC). The motion was passed with a vote of 5-0-0.

16-81 First Church of Christ

New fence to surround supporting equipment for wireless antenna to be placed in steeple at 136 Main Street, located at Map 73, Lot 186. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Statement of Understanding, Existing/Proposed/Manufactured Photos and Site/Landscape Plan (as part of a detail plan packet), Certified Abutters List, and Representative Designation Form. Present was Representative, Betsy Mason of McLane Middleton, who explained the project as listed in the application, adding, in response to the Committee inquiry as to the height of the proposed fence and equipment, that the fence is proposed to be 8', the Assistant Inspector of Buildings, informed the applicant that a special permit would be needed for any fence over 6'. Ms. Mason was not sure of the height of the equipment. After further discussion it was agreed that a continuation would be necessary. The Committee requested the following information at the continued hearing: dimensions of proposed retaining wall and equipment to be placed inside the fence as well as material and height of proposed fence. No comments were added from the general public. A Motion was made (BC) to continue, at the applicants request, to the May 25, 2016 meeting, Seconded (RC). The motion was passed with a vote of 5-0-0.

16-82 13 Surrey Ln. Realty Trust WM Byrnes/Priscilla Phillips

New solar panels at 13 Surrey Lane, located at Map 39, Lot 041. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Statement of Understanding, Existing/Proposed/Manufactured Photos (as part of a detail plan packet), Certified Abutters List, and Representative Designation Form. Present was Representative, Patrick Kilduff of Solar City, who explained the project as listed in the application. No comments were added from the Committee or the general public. A Motion was made (RA) to approve the project as presented, Seconded (BC). The motion was passed with a vote of 5-0-0.

16-83 Karen DeFranchi

One car garage, enclosed breezeway and sunroom addition at 5 Fern Street, located at Map 70, Lot 5. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Statement of Understanding, Elevations, Plot Plans, Manufactured/Existing Photos, Certified Abutters List and Representative Designation Form. Present was Representative, Anne Michniewicz, who explained the project as listed in the application. No comments were added from the Committee or the general public. A Motion was made (BC) to approve the project as presented, Seconded (RC). The motion was passed with a vote of 5-0-0.

16-84 C. P.C.L. DeSantis

Three new skylights at 27 Carmen Avenue, located at Map 88, Lot 159. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Statement of Understanding, Elevations, Existing Photos, Certified Abutters List and Representative Designation Form. Present was Representative, Anne Michniewicz, who explained the project as listed in the application. No comments were added from the Committee or the general public. A Motion was made (RA) to approve the project as presented, Seconded (BC). The motion was passed with a vote of 5-0-0.

16-85D Thomas/Julia Courtney

Demolish two cottages at 151-153 North Shore Boulevard, located at Map 70, Lots 116 & 117. Documents submitted with application as follows: Application of Certificate of Demolition/Removal, Statement of Understanding, Existing Photos, Plot Plan, Certified Abutters List, and Representative Designation Form. Present was Representative, Anne Michniewicz, who explained the project as listed in the application, adding, in response to Committee inquiry of the date the cottage was built, answered 1920. No comments were added from the general public. A Motion was made (RA) to approve the project as presented, Seconded (TB). The motion was passed with a vote of 5-0-0.

16-86RB Thomas/Julie Courtney

New home and rebuild boardwalk and deck at 151-153 North Shore Boulevard, located at Map 70, Lots 116 & 117. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Statement of Understanding, Elevations, Plot Plan, Existing Photos, Certified Abutters List and Representative Designation Form. Present was Representative, Anne Michniewicz, who explained the project as listed in the application, demonstrating pictures of surrounding dwellings, in response to Committee inquiry. Abutters, Mr. and Mrs. Park inquired as to the height of the building with consideration to the pilings and the height of the boardwalk, in which Ms. Michniewicz responded, the dwelling is approximately 35' not including piles, adding that the walkway, will be 24' from the dune as required by Sandwich Conservation Commission. Committee Member, Richard Claytor did not feel sufficient information was provided as to the surrounding properties in regards to footprint. A Motion was made (BC) to approve the project as presented, Seconded (RA), Opposed (RC) & (TB). The motion was passed with a vote of 3-2-0.

16-87 Cari Casoli

New home at 0 West Meetinghouse Road, located at Map 137, Lot 31. The Committee was informed by the Administrative Assistant that the Engineering Department issued a proper address; the property is now known as, 62 West Meetinghouse Road. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Statement of Understanding, Elevations, Plot Plan, Manufactured Photos, Certified Abutters List and Representative Designation Form. Present was Representative, Steve Cook of Cotuit Bay Design, who explained the project as listed in the application. Chairperson Foley requested Public Comment, in which Resident, Mark Snyder asked the Representative, Mr. Cook, if they had obtained permission of the Homeowners Association, Mr. Cook responded to the affirmative, whereas Mr. Snyder informed the Representative that he was the President of the Homeowners Association and did not know about the filing. Committee Member, Terry Blake asked the other Committee Members if they were to take into consideration Homeowners Association Rules/Regulations. The Committee responded that they did not. A Motion was made (RA) to approve the project as presented, Seconded (BC). The motion was passed with a vote of 5-0-0.

16-88D Todd Nelson

Remove roof, second floor rear section and damaged walls at 236 Route 6A, located at Map 67, Lot 006. Documents submitted with application as follows: Application of Certificate Demolition/Removal, Statement of Understanding, Existing Photos, Plot Plan, Certified Abutters List, and Representative Designation Form. Present was Representative, Steve Cook of Cotuit Bay Design, who explained the project as listed in the application. No comments were added from the Committee or the general public. A Motion was made (RA) to approve the project as presented, Seconded (BC). The motion was passed with a vote of 5-0-0.

16-89RB Todd Nelson

New roof, siding, windows, doors, trim and repair damaged structure and new roof on garage at 236 Route 6A, located at Map 67, Lot 006. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Statement of Understanding, Elevations, Plot Plan, Manufactured/Existing Photos, Certified Abutters List and Representative Designation Form. Present was Representative, Steve Cook of Cotuit Bay Design, who explained the project as listed in the application. No comments were added from the Committee or the general public. A Motion was made (RA) to approve the project as presented, Seconded (BC). The motion was passed with a vote of 5-0-0.

16-90 Jeanne Jose

New deck, family room and screened porch addition at 56 Ploughed Neck Road, located at Map 61, Lot 27. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Statement of Understanding, Elevations, Plot Plan, Manufactured/Existing Photos, Certified Abutters List and Representative Designation Form. Present was Representative, Steve Cook of Cotuit Bay Design, who explained the project as listed in the application. Committee Member, Richard Claytor inquired to the setbacks of the septic system, which was responded to as not being the jurisdiction of this Committee. No comments were added from the general public. A Motion was made (RA) to approve the project as presented, Seconded (BC). The motion was passed with a vote of 5-0-0.

16-91D Christus Murphy/Janet Rodgers

Demolish residence due to major structural damage caused by a vehicle collision at 84 Wood Avenue, located at Map 89, Lot 112. Documents submitted with application as follows: Application of Certificate Demolition/Removal, Statement of Understanding, Existing Photos, Plot Plan, Certified Abutters List, and Representative Designation Form. Present was Representative, Steve Cook of Cotuit Bay Design, who explained the project as listed in the application, adding a change to the application description, as a partial demo. No comments were added from the

general public. A Motion was made (RA) to approve the project as amended, (partial demo, not full residence), Seconded (BC). The motion was passed with a vote of 5-0-0.

16-92RB Christus Murphy/Janet Rodgers

New residence at 84 Wood Avenue, located at Map 89, Lot 112. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Statement of Understanding, Elevations, Plot Plan, Manufactured/Existing Photos, Certified Abutters List and Representative Designation Form. Present was Representative, Steve Cook of Cotuit Bay Design, who explained the project as listed in the application, adding a change to the application description, as a partial rebuild. No comments were added from the general public. A Motion was made (RA) to approve the project as amended, (partial rebuild, not full residence rebuild), Seconded (BC). The motion was passed with a vote of 5-0-0.

2. Certificate(s) of Appropriateness (continued)

16-48RB Town of Sandwich

Rebuild rock wall and booth (gristmill) at 130 Main Street, located at Map 73, Lot 156 & 187. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Statement of Understanding, Notice of Intent Project Description to include Landscape/Plot Plans and Manufactured/Existing Photos, Certified Abutters List and Representative Designation Form. A Motion was made (BC) to continue, at the applicant's request to the May 25, 2016 meeting, Seconded (RC). The motion was passed with a vote of 5-0-0.

Committee Member, Richard Alger excused himself from the remainder of the meeting.

16-74 Justice Resource Institute

Relocation of existing garage on newly constructed concrete foundation. Alterations to existing garage to include window and garage door replacements also proposed replace/repair trim, siding and roofing in kind at 209 & 0 Route 6A, located at Map 67, Lot 13 & 52. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Statement of Understanding, Elevations, Plot/Landscape Plan, Manufactured/Existing Photos, Certified Abutters List and Representative Designation Form. Representative, Mike Whitmore was present, who explained the project as listed in the application, adding, in response to the Committee inquiry that all materials will be staying like for like. Chairperson Foley requested public comment. Resident, Warren Blake inquired as to the material of the trim, which the Representative responded, wood. Residents, Judith Stainbrook, Steven Jones and Mark Snyder all commented in opposition of the project. A Motion was made (BC) to approve the project as presented, Seconded (RC), and Opposed (TB). The motion was passed with a vote of 3-1-0.

16-32D Justice Resource Institute

Demolition of existing garage foundation, proposed relocation of existing garage (to be repaired to match existing building) on new foundation, at 209 & 0 Route 6A, located at Map 67, Lots 13 & 52. Documents submitted with application as follows: Application of Certificate for Demolition/Removal, Plot Plan, Existing Photos, Certified Abutters List, Representative Designation Form, and Statement of Understanding. Present was Representative, Michael Whitmore, explained the project as listed in the application. Committee Member, Bill Collins made comment that at a recent site visit it was evident that the foundation was not made of stone but had a veneer stone and was of no historical value. Committee Members, Terry Blake and Richard Claytor agreed with Mr. Collins comments in regards to the foundation not being of historic value. When asked for public comment, Residents, Judy Stainbrook and Mark Snyder commented in opposition of the project. A Motion was made (BC) to approve the project as presented, Seconded (MF) and Opposed (MF). The motion was passed with a vote of 3-1-0.

16-33 Justice Resource Institute

New 2 story building including basement with connected 1 story barn, improve curb cut and construct driveway along centerline of existing way. Construct walkways, retaining walls and parking area at lower elevation on property and landscaping in accordance with landscape plan, at 209 & 0 Route 6A, located at Map 67, Lots 13 & 52. Documents submitted with application as follows: Application of Certificate of Appropriateness, Building Spec Sheet, Color/Sample Sheet, Landscape Plan, which was drafted at this meeting, when the applicant submitted a new Landscape Plan, Elevation Plans, Grading & Drainage Plan, Certified Abutters List, Representative Designation Form, and Statement of Understanding. The Applicant submitted additional information on March 4, 2016, post submission, which included a 13-tabbed bound document summarizing project. This document was drafted and replaced at this meeting; the new submission included minor changes. The applicant also submitted to the office March 9, 2016, a Plan of Land. Additional information submitted at the meeting was as follows: Existing Photos, School Plans & Area Calculations, Perspective View, Overhead View, and Site Context & Scale. Present were Representative, Anne Michniewicz, Attorney, Benjamin Losordo and Design Consultant, Michael Whitmore. Ms. Michniewicz gave a quick summary of the project as presented in the previous meetings reiterating the comparable size and congruency to the immediate surrounding buildings. Attorney Losordo explained the changes made to Ox Pasture, entryways and turn arounds to be compliant with emergency vehicles. He explained that the parking is proposed to be screened with vegetation and a 2' stone wall as well as it being a lower elevation and he states the parking lot will not be visible from Route 6A. Committee member, Richard Claytor asked the applicant if the Site Plan, as shown, is as submitted, Mr. Whitmore replied in the affirmative. Committee Member, Terry Blake made comment in regards to some of the proposed dwellings used for comparison of size of immediate surroundings, and the fact that because some have yet to be built they should not be used for such comparison. Chairperson Foley, responded in opposition, explaining that the fact they were never built is a "moot point" as the projects were approved by the Historic Committee in the past. Ms. Blake continued by reading into the record a prepared statement (attached) which in summary listed her reasons for her opposition of all three applications before the Committee this evening. Chairperson Foley requested public comment. Attorney Brian Wall, representing abutter Gene Theroux, made comment in regards to documents being submitted to the Committee at this meeting, adding that in a previous meeting it was voted that all documentation should be submitted to the Committee Secretary the Friday before the scheduled meeting. He went on to explain his opposition to the project as it has aspects of an institution and its size is out of character with the area. Representative, Anne Michniewicz demonstrated with historical photos the size and style of area properties. Resident, Margo Mancinelli added her comments in opposition of the project adding the width of the driveway being 18' has a commercial look and does not belong off Route 6A. Resident, Steven Jones expressed, as in previous meetings, his opposition to the project, adding that "nonprofits" do not belong in the Historic District. Resident, Judy Stainbrook added her comments in opposition of the project and explained to the Committee that her and her husband have attended most of the Historic District Committee meetings over the that past two years, and there have been only a couple of denials for sheds, she implored that the Committee take responsibility and be accountable for maintaining the Historic Quality of Sandwich. Resident of Jarves Street informed the Committee that not everyone in Sandwich is opposed to this project and that change is inevitable and building is beautiful and does fit in the area. Committee Member, Bill Collins commented in opposition, although he applauds the design, but was not comfortable with the size/mass of the building and the parking lot; he feels will be an inappropriate and negative visual impact. Committee Member, Richard Claytor agreed with Mr. Collins comments adding his opposition of the width of the driveway/road.

Chairperson Foley expressed her high praise to the Applicant's for working tirelessly to try to present a plan that would be acceptable to this Committee. In response to public comment, Ms. Foley, explained that tonight's submission of material does not affect the Committees ability to vote this evening. She added that the submissions are under the discretion of the Committee. She further explained that the historical photos presented show evidence of many large buildings in the area along with very little vegetation. Ms. Foley does comment on the importance of Ox Pasture Way. She commented to Ms. Stainbrook's comments in regards to denials, she explains that the Committee works well with the applicants to revise plans and come back to the committee over and over again. She continues by saying that, we as a Committee; do not want to deny projects, but to work with the public, to help make people the dreams and visions come to fruition for their properties. She supports this project, disagreeing with her colleagues. Ms. Foley asked the Committee Members if there have any recommendations for the applicant to reconsider before voting on this application. Mr. Claytor explained that he would like to see architectural compatibility with the existing structures (in keeping with the era of 1930's), smaller footprint for the new structure and a different plan for entry/exit from Route 6A. Chairperson Foley explained to the Applicant their options on proceeding; 1, Withdraw the Application 2. Continue the Application or 3. Request a Vote. Attorney Losordo refused to withdrawal or continue and asked that the Committee vote. A Motion was made (BC) to deny the application, (Massive size of the proposed structure is inadequate for the proposed location by the ancient road...Ox Pasture) Seconded (TB), Opposed (MF). The motion was passed with a vote of 3-1-0.

3. Exemptions

16-18EX Shawn Hanson

New shed to meet the exemption qualification; project is not visible from a public way or place, as included in the OKHRHDC bulletin at 12 Torrey Road, located at Map 54, Lot 040. Documents submitted with application as follows: Application of Certificate of Exemption, Photos (demonstrating lack of visibility from a public way). After Committee review and no public comment, a Motion was made (BC) to accept the project as an Exemption, Seconded (RC). The motion was passed with a vote of 4-0-0.

16-19EX George/Virginia Gossios

New roof to meet the exemption qualification; Roofs, as included in the OKHRHDC bulletin at 71 Tupper Road, located at Map 87, Lot 036. Documents submitted with application as follows: Application of Certificate of Exemption, Color/Sample Sheet (demonstrating compliance with the exemption qualifications as listed in the OKHRHDC bulletin). After Committee review and no public comment, a Motion was made (RC) to accept the project as an Exemption, Seconded (BC). The motion was passed with a vote of 4-0-0.

16-20EX Scott Ryan

Convert screened porch into family room, windows and sliders to match existing house to meet the exemption qualification; project is not visible from a public way or place as included in the OKHRHDC bulletin at 10 Dale Terrace, located at Map 81, Lot 068. Documents submitted with application as follows: Application of Certificate of Exemption, Photos (demonstrating lack of visibility from a public way). After Committee review and no public comment, a Motion was made (BC) to accept the project as an Exemption, Seconded (RC). The motion was passed with a vote of 4-0-0.

16-21EX Miya Realty Trust

Extension of existing patio and addition of window to the rear of the building to meet the exemption qualification; project is not visible from a public way or place as included in the OKHRHDC bulletin at 1 Jarves Street, located at Map 73, Lot 022. Documents submitted with application as follows: Application of Certificate of Exemption, Photos (demonstrating lack of

visibility from a public way). After Committee review and no public comment, a Motion was made (BC) to accept the project as an Exemption, Seconded (RC). The motion was passed with a vote of 4-0-0.

16-22EX Douglas Amidon

New fence to meet the exemption qualification: Fences, as included in the OKHRHDC bulletin at 91 Route 6A, located at Map 88, Lot 007. Documents submitted with application as follows: Application of Certificate of Exemption, Description of Fence (demonstrating compliance with the exemption qualifications as listed in the OKHRHDC bulletin). After Committee review and no public comment, a Motion was made (BC) to accept the project as an Exemption, Seconded (RC). The motion was passed with a vote of 4-0-0.

4. Other Business

Committee consideration regarding recommendation to the Board of Selectmen (BOS), the Architect/Builder Member position, which is appointed, by the BOS, annually. Chairperson Foley explained that she would like the Committee to be more transparent in obtaining positions available by placing an ad in the local paper. The Committee expressed their concern and reiterated the importance of this position being filled as soon as possible. The Administrative Assistant reminded the Committee that the former Architect/Builder had been absent most of the winter and had finally resigned in February, adding the position had not been actually vacant as long as it seemed. Chairperson Foley informed the Committee that she would work with the Administrative Assistant to have an ad posted on the website as soon as possible.

Committee Member, Bill Collins informed the Committee that he would sit in for Chairperson Foley at the May 17, 2016 Appeal with the Old Kings Highway Regional Historic District Commission in regards to Application 16-62 NRG Canal LLC (Solar Array).

The Committee expressed interest in having the Exemptions approved administratively. After Committee discussion, a Motion was made (MF) to establish a Sub-Committee to include at least one Committee Member and Staff to review and confirm Exemption Applications outside of Public Body, Seconded (RC). The motion was passed with a vote of 4-0-0.

5. Minutes

A Motion was made (BC) to approve the minutes of the April 13, 2016 Historic District Committee Meeting, Seconded (RC). The motion was passed with a vote of 4-0-0.

Approval of the April 27, 2016 minutes was continued as they had yet to be prepared for a Motion.

6. Adjournment

A Motion was made (BC) to adjourn at 9:41 pm – Seconded (RC). The Motion was passed with a vote of 4-0-0.

Respectfully Submitted,



Michelle Y. Raymond
Historic District Committee Administrative Assistant

Date Approved: 5/25/16

Date and Time Received by Town
Clerk's Office

TOWN CLERK
TOWN OF SANDWICH

MAY 26 2016

12 H 43 M P M 06
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