



TOWN OF YARMOUTH

1146 ROUTE 28, SOUTH YARMOUTH, MASSACHUSETTS 02664
Telephone (508) 398-2231 Ext. 292 Fax (508) 398-0836

OLD KING'S HIGHWAY REGIONAL HISTORIC DISTRICT COMMITTEE

MINUTES – April 13, 2009

The Old King's Highway Committee met on **Monday, April 13, 2009**, in the **Hearing Room at Yarmouth Town Hall, 1146 Route 28, South Yarmouth**. MEMBERS PRESENT: Chairman Joseph Sullivan (Architect/Contractor), Vice Chairman Richard Gegenwarth, Marilyn Swenson, John Walsh, George Kilian, Alternate Patricia Sherman, and Alternate Donata Restuccia. Also Present: Colleen McLaughlin, Office Administrator.

A quorum present, Mr. Sullivan opened the meeting with a brief explanation of how the meeting is run and mentioning the 10-day appeal period. The regular meeting convened at **7:15 P.M.**

Mr. Sullivan then stated for the record that the OKH Committee has been working with the Building Department and has revised the procedure for the paperwork. All applicants must pick up their paperwork at the OKH office, not the Building Department, and use the stamped OKH-approved plans for all town departments. In addition, the Building Department and OKH are working together to ensure compliance with OKH-approved plans. To that end, OKH is inspecting at framing and occupancy permit times and reporting to the Building Department whether or not approved construction has taken place or if changes requiring further OKH review have been generated.

Jeffrey & Denise Balboni (owners), JP Shipman (agent), 9-A034: to seek approval for a sign at **194 Route 6A**. Agent present. Mr. Shipman is president and CEO of American College Headquarters. He is seeking approval for a round, handcarved wooden sign (30" x 30") that would hang from an existing wrought iron fixture that was used by a previous tenant. The sign's colors will be white, antique blue, and antique gold in a matte finish. He will use the same uprights as the previous tenants; the lights will be on timers that go off at 11:30 pm. Ms. Swenson moved to approve as presented. **APPROVED: 5-0-0**

John Rukstalis (owner/agent), 9-A035; to seek approval for a shed at **381 Route 6A**. Mr. Rukstalis was present. The shed has already been built without prior OKH approval; this application was submitted to clear the violation. The project calls for a 9'2" x 11'7" shed. Siding is white cedar shingles with bleaching oil; roof shingles are black architectural asphalt shingles. The elevations showing the entry door and false door (with louvers) were reviewed. Then the side elevations showing windows were looked at. Ms. Sherman stated that she did not believe that the windows used were appropriate. They did not match those used in the house. Mr. Rukstalis explained that the difference was intentional. The shed was modeled after an 18th century ice house and was not supposed to have matching windows. Chairman Sullivan asked for comments on the windows from the other Committee members. The other members felt that the windows were appropriate. Mr. Kilian then moved to approve the application as presented. **APPROVED: 5-0-0**

Jack & Carolyn Bell (owners), Charles Whitcomb (agent), 9-A036; to seek approval for an addition at **29 Old Cedar Lane**. Agent present. Mr. Whitcomb explained that the project was designed to provide additional living space on the rear of the existing house. The addition will be 16' x 18'. Siding will be cedar clapboards painted to match existing house. The roof will have asphalt shingles which will match the existing roof. Most of the existing windows will

remain; a new bay window will be added to the rear elevation on the new addition. Mr. Gegenwarth asked why there weren't any grilles used in the middle section of the bay window. Mr. Whitcomb explained that he had brought updated plans which showed grilles on the section of the window. Chairman Sullivan instructed the members to add grilles to the rear elevations. Mr. Gegenwarth moved to approved the application as presented.
APPRVED: 5-0-0

Michelle Lind (owner), Lineal Construction, Inc. (agent), 9-A037; to seek approval to enlarge an existing bump out, to add a bump out on the rear of the house, and to install new windows and patio door at **15 Railroad Avenue**. Alyssa LaMora, representing the agent, was present. Ms. LaMora explained that the project was a kitchen renovation. On the left elevation, the dimensions would be changed from a 7'8" x 3'3" bump out to a 12'7" x 5'3" bump out. A second bump out (approximately 3' x 6') would be added on the right side to relocate the washer/dryer. On the north elevation, the existing structure would be widened by 3'; window alterations will also be made to this side. On the south elevation, the structure will be widened, also, and a double hung window and 15-lite French door will be added. On the western elevation, one small window will be removed, the picture window will be removed to allow 2 smaller double hung windows to be installed, and 2 tiny windows will be replaced by one casement window. Wood trim will be 1x4 painted white. Ms. Swenson moved to approve. **Approved: 5-0-0**

Yarmouth New Church Preservation Foundation, Inc. (owner), Brian Basler (agent), 9-A038; to seek approval to replace existing sign at **260 Route 6A**. Owners' representatives were present. The current sign is historic due to its age and length of use. The design of the new sign is based on the old one. The new sign will be installed closer to Route 6A, but will still be placed parallel to the church and street (as it is now). The New Church is available for community use. Currently, each group that uses the church erects its own temporary sign. To eliminate this practice, the new sign will have removable letters that can be changed for each group. The sign will be white with black letters. A glass or plexiglass cover will be used to protect the changeable lettering from the elements. There will not be any lights used. Mr. Kilian moved to approve as presented. **APPROVED: 5-0-0**

Our First Home, Inc. (owner), Michael Wolfson (agent), 9-A039; to seek approval for a shed at **5 Old Cedar Lane**. Agent present; also present was Pearl Wolfson, who was also representing Our First Home, Inc. The shed has already been built without prior OKH approval; this application was submitted to clear the violation. The siding is rough wood, perhaps T1-11. Ms. Sherman suggested adding battens to the siding so that it would become board and batten siding. Mr. Wolfson agreed to that suggestion and will use board and batten on all 4 sides. Ms. Swenson moved to approve the application as discussed.
APPROVED: 5-0-0

TABLED ITEM: None

EXEMPTIONS AND OTHER BUSINESS:

EXEMPTIONS: None

MINOR CHANGES: None

APPROVAL OF MINUTES: Minutes will be presented at next meeting.

NEW BUSINESS:

OTHER BUSINESS:

VIOLATIONS:

NEW~

32 Pheasant Cove Circle – Outdoors shower has been erected without OKH approval. **Update: Owner has contacted OKH office and responded that a new C/A for the shower will be filed soon. Update #2: Owner has filed C/A and is scheduled to appear at 4/27/09 meeting.**

193 Union – Construction of shed in progress without OKH approval. **Update: Chairman Sullivan is looking into this matter.**

62 Willow Street – Handicapped ramp erected with OKH approval last July. **Update: Violation letter has just gone out. Awaiting response from owner/agent.**

CONTINUING~

25 Amy Lane – Plastic fence and wooden stockade fence. The owner asked OKH for a vinyl fence and arbor and a wooden stockade fence in March, 2008 (C/A 8-A038). The Committee approved the application with the following amendment concerning the picket fence and arbor: "The entire fence (picket and stockade) and arbor will be constructed of wood." **Violation letter sent. Update: Receipt card from owner has been received by OKH office. No other response as yet. Update #2: Owner has submitted a letter in response to the violation. (Letter is included in members' packets.)**

34 Arthur Lane – Plastic fence **Violation letter sent.**

2 Boulder Circle – Bright blue house. **New letter has gone out; awaiting response.**

10 Freeman Road – Exterior paint color has been changed without an application for a Certificate of Appropriateness. **(Original complaint: 11/19/08) New violation letter sent 4/09.**

24 Green Teal – Vinyl arbor. **New letter has gone out. Awaiting response.**

38 Hockanom Road—Paul Sweeney, homeowner and direct abutter at 686 Route 6A, has complained that the owner of this property has erected sheds, etc. without OKH approval. More info and photos are needed to address this complain. **UPDATE 2/9/09: Ms. Sherman will have to contact Mr. Sweeney to see if he took the photos, or Ms. Sherman will need to take the photos. Update 3/23/09: Ms. Sherman has taken new photos from Route 6A showing a chain link fence, a shed, and a wooden stockade fence. All have been erected without OKH approval.**

84 Homers Dock Road -- Some sort of white trellis has been added to the top of the deck railing without approval. Ms. Sherman will take photos. **New letter to go out 3/09 Update: Ms. Swenson has provided the name and address of the real estate company which is listing this property (Engel & Volkers, 846A Main Street, Osterville, MA 02655). Update #2: Letter has just gone out to this company; awaiting response.**

Junction of North Sandyside Lane and Summer Street—Gate which was approved by OKH last October has been installed. However, metal is exposed; wood cladding has not been installed. **(Original violation: 12/08) Letter sent: 1/09 Update 3/09/09: Signed return receipt cards have been received by OKH office. Waiting for input from applicants. Ms. Sherman should check for compliance. Update 3/23/09: Ms. Sherman has visited the site and taken additional pictures which show the work still has not been done. No response has been received from the Homeowners Association. Update #2: The Building Dept has inspected this property and determined that the metal fence is still there. Fines will be issued the week of April 13th.**

Ridgewood Drive – vinyl fence and vinyl railing at door. (Original violation 7/07) Letter sent: 1/09. Update: No response yet. Ms. McLaughlin will follow up week of April 20th.

7 Starbuck Lane – Framing inspection resulted in need for C/A for changes: 1) no roof over door, 2) stair changes, 3) window oversized, 4) door eliminated, 5) multiple changes on stairs which are enclosed in places underneath. C/A required. Letter sent: 1/09 Update 3/9/09: **As-built plans were sent to the OKH office by Mr. McBride right before he left for Florida. No C/A application was enclosed. The secretary is looking for Committee direction in pursuing this matter.** Update #2: Building Dept has informed OKH office that Mr. McBride will be submitting a C/A application for this violation. No communication from Mr. McBride has been received to date.

55 West Great Western – Stockade fence has been erected without OKH approval. (Original complaint: 11/08) Violation letter sent 3/09 Update #2: Ms. McLaughlin will follow up with Building Dept during week of April 20th.

WATCH LIST:

39 Mariner – The sunroom approved by OKH is built; however, windows and trim, which were to be painted white to match sunroom (per C/A), are still red. It has been 2 years since the original C/A; violation letter #1 to be sent requesting owner to paint before July 1, 2008. (Original violation: 12/07). Update 11/5/08: **A letter had been received from the owner regarding this violation; the letter gives the Committee permission to act on his request in his absence. He would like to paint the sunroom to match his house's trim, rather than paint the trim to match the sunroom. He has left for Florida and would like permission to paint upon his return in the spring. APPROVED by Committee; check in late May, 2009.**

CORRESPONDENCE: Jim Wilson has forwarded a letter from MA Highway Dept regarding the moving of a stone wall at 82 Route 6A closer to the street. Mr. Wilson has referred the matter to the Committee for further investigation and resolution. (Ms. McLaughlin has checked OKH records, and no application for this change has ever been filed with OKH.)

MEETING ADJOURNED: 8:15 pm

NEXT MEETING: April 27, 2009