



**TOWN OF OAK BLUFFS
COTTAGE CITY HISTORIC DISTRICT COMMISSION
AGENDA**

Meeting of Wednesday, November 10, 2021 at 05:00 PM. This is a virtual meeting via Zoom

Matt calls the meeting to order at 5:05 PM.

Members Present: Matt Cramer, Phil Regan, Amy Billings, Barbara Baskin, Shelley Christiansen, Denby Olcott, Jojo Lambert.

Review of the minutes of the CCHDC meeting of October 12, 2021.

Phil points out the meeting minutes reflect "40C" application, as mentioned by Mr Sawyer, rather than 40B application. Alexa confirms that this is not a typo, but was misspoken by the applicant, and since it was a quote, was written as spoken.

Phil also points out that 31 Circuit ave extension was approved, as amended, not as presented.

Amy makes a motion to approve the minutes, as amended. Phil-2nd. Approved 6-0. (Barbara abstained)

Public Hearings

5:15PM

3 Uncas Avenue, Map 11 Parcel 156

Presented by Robert Sawyer

Proposed Demolition

Matt shares his screen with the application and documentation. Mr Sawyer addresses the board and the public and states that the objective is to demolish the building, as there is no redeeming value in retaining it. It is in a commercial area totally surrounded by commercial and there is no financial benefit for anybody to do anything but tear it down. the ultimate plan is to build 8 small workforce housing units with parking that are desperately needed by this Community, and an atm. This was previously a bank but has been removed from the plans.

Phil asks about zoning. He asks if this lot, 3 Uncas, is commercial or residential. Mr Sawyer states that it is relevant, as they have 40B approval ^{FOR} of the 8 workforce housing units. This lot is currently residential but the surrounding area is commercial. Phil also states that the zoning isn't an issue for this board and not in their jurisdiction. Matt asks if the 40B approval shows the mixed use portion of the application. Mr Sawyer confirms that the approved 40B application has the bank on it. ^{IRRELEVANT}

Shelley inquires whether any of the recommendations from the previous meeting have been followed up on; the engineers report, or the highway dept. Mr Sawyer states that they have been volunteering an engineers report all along, to confirm what they believe is true, but they are reluctant to spend the money. He states the highway department has no role here because of 40B, and that the ZBA, being the licensing authority, would go to the highway department for feedback. He explains that the asbestos report was required by the demolition permit, per the building department. Barbara reminds the applicant that Shelley had specifically requested the engineers report at the previous meeting, and that the 40B approval has a list of 7 items that need to be resolved, none of which have been addressed. Barbara

addresses the board and states that this building is on MACRIS, and indicated to have historical significance. She reads a portion of the CCHDC By Laws aloud, in regards to historic buildings: "It is also the intent of the CCHDC to promote the repair and restoration of original building elements, when possible, rather than the replacement of such elements." She also reminds the applicant that the guidelines also state ordinary maintenance, inclusive of exterior paint, maintenance, and minor carpentry repairs shall be expected of all property owners within the historic district.

"demolition of entire buildings within the historic district shall be prohibited, unless the Commission deems the building architecturally insignificant to the district". he addresses the zoning, and states that there are some commercial lots in this neighborhood, but the majority of the street is residential in character. Barbara reiterates that she is advocating for renovation of this structure, versus demolition.

Mr Sawyer states the he was unaware that an engineers report was requested and that we did not provide an order requesting this information.

Amy and Jojo are both direct abutters, and thus abstaining from this conversation and will be acting as members of the public.

Denby asks if we are reviewing this as a hardship. Phil says that we are reviewing the demo, but are also interested in what will be going in its place.

Phil brings up the confusion around historic buildings, and that demolition is often the solution, when renovations are so cost prohibitive. Once a renovation of this magnitude is done, the structure is technically no longer "historic". He has asked these questions of the state, but cannot get clear answers.

It is confirmed that the application, though applied for as a hardship, was denied "hardship" status by the board at the last meeting. And that it is being reviewed as applicable.

Matt opens the hearing up to public comment.

Diane Street, 14 Hiawatha. Has lived there for 25 years. She asks how this house got in bad shape? Prior to these owners, the house was lived in and habitable. They removed the siding and have let the property deteriorate.

Mr Sawyer states there are several building code violations that prevent this home from being occupied. He also states that the siding was required to be removed per the building department and the state guidelines for demolition.

Matt reminds him that prior to getting the approvals to demolish the building, the owners went ahead and made the situation worse for themselves and the Community and now we've been living with it for years. The owners did not NEED to do this prior to gaining that approval. Matt asked if they were given a timeline from the building department, to which Mr Sawyer stated, No.

Mrs Street also inquires about the 40B letter, and states that the letter states that the Copeland District must approve this demolition. She asks if this has happened? Matt clarifies that, no, the Copeland district would have to reverse their original denial. Mrs Street's concern is that if this demo is allowed, then while the owners are waiting for their Mass Housing approvals, this will be a large gaping hole with problems for the neighborhood.

Amy Billings- Speaking personally for herself, not for my family or on behalf of the board. The building across the street is owned by her family and she works there, so she is speaking as an abutter, not as a board member. Clarifies that the Copeland district did already deny a demolition permit.

She states that 113 circuit ave is residential home. 105 is a residential home, and operates a home based business a few months out of the year. One Grant lane, which is the entrance to the campgrounds, is also a private home.

Mr Sawyer has offered up a engineering report quite a few times and numerous Members here and at Copeland have said they would like to see it.

If the owner would like a formal request, perhaps someone can get in touch with Alexa and let her know that the board needs a formal letter stating this.

The asbestos removal was done through the state, it was not done through the local Board of building inspector and Board of health. The town came down to see what Mr Sawyer's crew was doing and they found the permit in hand, but the permit was from the state, it was not from the local board. She believes this was done after the Copeland Board denial.

Peggy Barmore of 10 Hiawatha ave-residential condominiums. Peggy asks for more time. The neighbors have a lot of questions. She asks the board give the neighbors, and new owners in the community more time to be brought up to speed. The plans show egress on Hiawatha, but the Mass Housing determination does not reference Hiawatha ave at all. A lot of things have changed since the original letter was written by Mass Housing in regards to the 40B. Are we still in such a dire situation for affordable housing? She would like to see updated plans and to really understand of what the commission's vision is.

Mr Sawyer states that this property costs money just to sit there and they would like to move this quickly. Businesses on this island are struggling to get employees and it has been determined that the key reason is workforce housing. Phil reminds the group that this isn't a forum to discuss affordable housing.

Kathleen Köhler of 16 Hiawatha. Just bought this on Oct 7. Hiawatha park has historic value. She thinks it is a bad precedent to allow this demolition. She previously lived in a home on the cape built in 1690 that was on the national historic register. She is appalled that this home was allowed to deteriorate over the years, and that there are rules in place to address the deliberate neglect of a property to devalue it in order to qualify it for demolition. New siding, roofing and windows, and that that can't be used as a criteria. the 400 SF studio apartments are worker housing, and a more pressing need is affordable housing for families. These are geared to bringing in employees from off island seasonally.

Kathleen Barnett at 12 Hiawatha. Agrees with her neighbors comments, especially in reference to it being habitable prior to these owners. It has been in disarray since it was purchased. When she bought her house, they had to renovate it. Since 3 Uncas was purchased, nothing but trash and broken glass has been throughout the neighborhood. She asks about the traffic flow to Mr Sawyer. He claims that the exit is on Uncas. Matt clarifies that the entrance/exit to the parking lot will be on Hiawatha, but the entrance to the ATM will be on circuit. She mentions that all of this will change the neighborhood, and that for all of this time, they don't pick up their property. She would not like to see this happen.

* Amy Billings adds that per 40B, the ZBA can ask the owner to do many things, including the MVC. How do you allow a demolition on a property that has no permission to do what they are proposing to do?

Peggy adds that the letter from Mass Housing makes no reference to Hiawatha. It states that all access and egress will be on Uncas and Circuit Ave. There are so many issues. There are so many steps left in this process.

Donna Brilliant-10 A Hiawatha Ave. Agrees with all of the abutters. There are children on this street. It is residential. The owners have ignored the house to the point that there is always litter everywhere at 3 Uncas ave. There seems no interest by the owner to monitor the property and police the area. Nor do they clean it up. The activity from the Barn is detrimental to the neighborhood. Employees and patrons frequent Hiawatha Park and leave garbage and litter. These are the same owners, and they do not police the neighborhood now in regards to the Barn. She would like what goes there to be aesthetically pleasing to the neighborhood.

Phil says there is clear opposition from the neighbors in regards to access and current care of the property. Our current role is to address the demolition. We haven't spent a second going over what the replacmeent building would actually look like.

Matt addresses the plan. The current home is a continuation of Circuit Avenue. The new plan pushes the building to Uncas ave, with a parking lot on Hiawatha. He has confusion on where the front to the building even is. There is one small window on circuit ave side, which isn't appealing for the neighborhood. Floorplans show 8 studio apartments. A bike rack doesn't even have room for access of the bike rack. No accommodation for garbage, and with multiple people in each unit, garbage needs to be addressed. This is a clear issue called out by the neighbors already. Looking at the site plan, Matts concern is that if allowed coming up Circuit ave, or are on Hiawatha park, we will continue an eyesore of parking lots and garbage enclosures. Matt would like to see this remain as a residential home facing Circuit ave. The façade shown on Circuit ave is not keeping with the Victorian character of the neighborhood at all. Architecture needs serious consideration before he votes on this. This was references at the first time this came to them a couple of years ago, and has yet to be addressed.

Matt reads four letters in to the record from abutters.

Mr Byron Barnett at 12 Hiawatha ave-In opposition.
Peggy Barmore at 10 Hiawatha Ave-In Opposition.
Diane Street at Hiawatha ave-In Opposition.
Donna Brilliant at Hiawatha ave-In Opposition.

Shelley comments that it was recommended to get an engineer's report in at least three meetings so far, that has yet to be supplied. She does not feel that this is a fit for the neighborhood. She is not opposed to mixed use, but this proposal is not in keeping with the neighborhood and is out of character. She also comments that the parking situation would be a continuation of the current eyesore.

Phil comments that while they are different projects, the visibility of the parking lot at the barn was a big concern during permitting. Coming in to town, all you see is parking, tents for outdoor dining, and garbage. This project extends what is a parking lot. Replacing the building can be worked on and could potentially work, but if the bank component wasn't a component, and the parking wasn't a component, it could add greenspace to what might be an attractive looking building. Mr Sawyer explains that the existing parking component is mandated by the commission. Taking away the parking lot so that patrons would park on the street, would be another issue for the neighbors.

Mr Sawyer claims that the Eversource lot is being purchased by the Town and will be a municipal parking lot. Maura McGroarty adds, as a member of the public, that the money has been allocated the funds for the eversource property, but the town has not yet purchased the property. In regards to 3 Uncas ave, the visual, looking down at the site plan, half of this proposal is parking. The traffic is a huge issue. The perception of how this will be used, the housing is equal to the parking. You will see a giant parking lot and a drive-through. That is a concern.

Mr Sawyer states that he would be happy to provide an engineer's report, but he would like two things: confirm that you want it, and indicate what kind of report you want. Can he go to retired building inspectors or a contractor and have them write something up? Phil asks they hire a structural engineer to walk through to inspect the structure and indicate what it would take to rectify this and the associated costs. The demolition decision will be based on the structural condition of the home, not the cost of improvements.

Mr Sawyer states he understands what the board is looking for and they will proceed in that regard.

Mr Sawyer has no problems with the design changes mentioned. He doesn't want to spend money on drawings without an approval to demolish this building.

Matt would be open to this demolition knowing what is going to do there. Without investing in the design phase, we cannot approve this. He reminds them there is a Copeland Denial. Mr Sawyer asks if they should go to Copeland now, instead of Cottage City. Mr Sawyer states he cannot invest in the design without an approval to demolish. Can CCHDC agree to demolish with a stipulation to review the design? Phil expresses that that is a lot of risk for this board. Matt needs the requested information in order to vote. He suggests that they ask for a continuance while the applicant sorts through the Copeland issues. They could then return with that approval, and the engineers report and architectural plans.

Phil states that for him to approve demolition, he needs to see the engineers report and believe it, and he has to love what is being put there.

Mr Sawyer asks for a continuance, and during that time they will get the engineers report and builder information.

Jojo Lambert, speaking as a member of the public, asks why the drawings don't reflect the Victorian area in which they are in.

Barbara agrees with matt and phil. She will not move forward with a decision until better architectural drawings, as that is how this board has always operated since 2003. What is being presented is not adequate.

Shelley adds that we typically do not approve a demo without knowing what is going there. We need to see exactly what is going there, not preliminary drawings.

Mr Sawyer requests a continuance to the January meeting. Meeting is set for January 12, 2022. The hearing will be scheduled for 5:15 Pm. Motion to accept is made by Phil, for January 12 2022, with engineer's report and additional architectural drawings to be presented at the time. Barbara-2nd. 5-0. (Amy and Jojo recused as abutters).

7:05PM

49 South Circuit Ave, Map 18 Parcel 16

Presented by Architect Chuck Sullivan on behalf of owners

Addition of a front porch and a new screen porch. Moving of the HVAC condensers, and the outside shower. Installation of roof mounted solar.

Chuck Sullivan shares his screen to present. House is down by Farm Pond. Modification to the plans. Condensers have been moved to behind the outdoor shower, rather than beside the new porch. Existing deck at west side which will enclose as screen porch. Outdoor shower will be relocated to north side. South side has a landing which will be removed a new covered porch will be added. All setbacks are met, and conservation has approved the project. Trim board samples were available for review by the board at his office this week. Chuck presents plans, inclusive of elevations, as well as photos from various vantage points throughout the neighborhood. Proposed solar panels have been modified to make them less busy. They are proposing panels on the east and west facing roof surfaces.

Phil comments that the move of condensers is an improvement. He did not get to see the trim pieces.

All trim to be solid body paint, per chuck.

Phil has questions in regards to the solar panels. And in regards to the panels on the neighboring house. This applicant did apply appropriately during covid, and the building official allowed it without CCHDC review. Alexa confirmed this. Shelley states that she feels that these are more visible due to the pitch of the roof. Wishes they could be only on the west facing roof. Otherwise, in favor of the other elements of the project and thinks it will look organic.

Barbara agrees with Shelley on the solar panels, and would prefer to see them on the west side. She also agrees that she likes the plans overall. She inquires about the HVAC conduit.

Chuck says the existing will have to remain, but the new will be underground.

Matt asks about the materials list, with the fiberglass gutters, and doesn't see them on the plans. Chuck says they will go around the porch, and the screen entry.

Opened to public comment.

Maura McGroarty is an abutter and in support of the project. She is concerned that if the board requests they remove the east facing panels, it doesn't appear there would be enough to make it worth it. She advocates for the east facing panels, in a sequenced way.

Ms Schneider, one of the owners, states that they need to reroof now due to the storm, and asks what color the board would prefer, in order to minimize the contrast with the panels. Board members agree they would ideally like to see dark roof shingles, to minimize the contrast. Laurel states they have asked to have the panels be dark, not silver. The board agrees this is preferred.

Public Comment is closed.

Phil makes a motion to approve the project as presented, with dark panels, dark panel trim, and dark roof shingles. Barbara-2nd. Approved 7-0.

New Determinations

7:42 PM

5