



Town of Barnstable
Hyannis Main Street Waterfront Historic District Commission
www.townofbarnstable.ma.us/hyannismainstreet

BARNSTABLE TOWN CLERK

2017 SEP 12 AM 8:40

To all persons deemed interested or affected by the Town of Barnstable's Hyannis Main Street Waterfront Historic District Commission Ordinance under Chapter 112, Article III of the Code of the Town of Barnstable, you are hereby notified that a hearing was held at Town Hall, 367 Main Street, Hyannis, MA Selectmen's Conference Room, 2nd Floor at 6:30 pm on **Wednesday, August 16, 2017.**

MINUTES

Members Present: Paul S. Arnold, John Alden, Taryn Thoman, Marina Atsalis and Brenda Mazzeo

Members Absent: David Colombo and Timothy Ferreira

Staff Present: Karen Herrand, Principal Assistant, Planning & Development Dept.

A quorum being duly present, Paul S. Arnold, Chair opened the meeting at 6:30 p.m.

An announcement was made by Paul S. Arnold, stating the meeting is being recorded and broadcast on Channel 18 and in accordance with MGL Chapter 30A, §20; and requested that anyone taping this meeting to please make their presence known.

New Business

Eva Alessandra – 35 Pleasant Street, Hyannis – Map 327 Parcel 123
Solar Panels

Nathan Tissot of Solar City in attendance. He gives an explanation of the solar panels that they are proposing to install. Dormer roof, black solar panels.

Chair Paul Arnold asks if there is enough sun and is it beneficial for climate change?

Nathan Tissot replies yes, 39 solar panels and the efficiency would be .

Chair Paul Arnold states that they are very hidden, this is not an issue as far as aesthetics goes.

Marina Atsalis asks what happens if something happens to the roof underneath the panels?

Nathan Tissot replies that they can be removed, each panel.

Taryn Thoman asks if they will be replacing the roof?

Dominick Alessandra in attendance, he states they will be re roofing as well when they install the solar panels.

Chair Paul Arnold entertains a motion, Marina Atsalis moves to accept the application as presented, seconded by John Alden, so voted unanimously.

Other Business

Approval of July 19, 2017, minutes

Chair Paul Arnold entertains a motion to approve the minutes, moved by Taryn Thoman, seconded by Brenda Mazzeo, so voted unanimously to approve the minutes of July 19, 2017.

Matters not Reasonably Anticipated by the Chair

Elizabeth Jenkins, Director of Planning and Development Dept. in attendance.

Chair Paul Arnold asks about the Legacy Trail and the utility boxes that were done without HHDC approval. He states that we as a Commission are supposed to have purview for certain things. It seems as if the Town does what they want regardless. temporary signage/banners. Also he asks about the Shoestring Properties/Dockside Project that had come to them previously and was passed to the Town Council even though Planning Board wanted HHDC's input.

Elizabeth Jenkins replies that there are some things that Staff has to make some judgment calls on. Temporary art is temporary and fluid. Jurisdiction isn't always clear.

Staff does have to make some judgement calls on some things. The Kennedy Legacy decals, these are temporary art, Guyer Barn. The jurisdiction isn't always clear. The utility boxes again, a temporary installation, please read/review the ordinance. The utility boxes were a BID (Business Improvement District) project.

Chair Paul Arnold asks about a follow up on temporary and the definition i.e., the Legacy Trail painted decals. He doesn't think it's a bad thing or that it would be objected to, but HHDC didn't know about it at all.

Elizabeth Jenkins replies these will last about a year, painted. What she is hearing from this Commission/HHDC is the desire to be able to fit in and have a more inclusive process.

Chair Paul Arnold asks about the process for the Shoestring Properties/Dockside project.

Elizabeth Jenkins answers that the project needs certain waivers from zoning/relief, and other areas per the Town Code. Chapter 168 ordinance. An example of this is a Chapter 40B that gets done by ZBA (Zoning Board of Appeals) in that one Board reviews one project in its entirety. Mr. Bornstein came before HHDC with an original application with a modern design and one for a demolition. Eventually he withdrew this application. In the alternative he applied to the Planning Board for the waivers from the general and inclusionary ordinance in order to pursue a Regulatory Agreement. The Planning Board advised him to go back informally to HHDC. They wanted HHDC's input. And then he changed the design and had some additional revisions as well, came back another time and then went back to the Planning Board, there were public hearings and the Planning Board took a vote as to the waivers, their role is to make a recommendation to Town Council.

The Planning Board voted: Waivers

Positive for density

Negative for height

Negative for waiver from HHDC.

Conditional for inclusionary ordinance. Planning Board did not grant those waivers and Town Council can override. Town Council can modify.

Chair Paul Arnold confirms Town Council can independently approve without Planning Board. Clarifies that there is a lot of division in other places, Civic Association is divided and other groups/entities as well.

Elizabeth Jenkins states that this matter will be before Town Council for a first read this Thursday, tomorrow.

Chair Paul Arnold confirms that this Commission would welcome more inclusion.

Elizabeth Jenkins confirms that she helped with developing guidelines for this Commission and suggests a revisit of these guidelines, renew the vision and also any new members may not know/be as educated as to what these guidelines are.

Taryn Thoman comments/refers to the Chapter 168 Regulatory Agreement guidelines, Exhibit A. She has learned how the process works somewhat for Regulatory Agreements from a previous project. Confirms that this was implemented in 2005 as part of the GIZ (Growth Incentive Zone). She was surprised to learn that in the Hyannis Harbor Hotel the Planning Board's Decision was changed. The HHDC doesn't really have any meaningful input. The Attorney for the Developer did not think it was important/necessary for the Planning Board to get HHDC's input. Electrical boxes, very colorful, large, she would have approved of, however they did not come to us and anyone else would have been in violation. Reference to the Regulatory Agreement, Exhibit C.

Elizabeth Jenkins (re the Dockside Project) confirms that the Planning Board advised the Developer to go back informally and get input/feedback from HHDC. They wanted to make sure this Commission's voice was heard. Confirms that this, Exhibit C, Regulatory Agreement is a proposal/considered by the Planning Board. The Town Council will have this document, less the waivers. This will not be the document that Town Council ultimately will use.

Elizabeth Jenkins points out and refers to Chapter 112, Article 3, Exhibit B - outlines and talks about structures and temporary uses. Clarifies that utility boxes are temporary. The utility boxes have never been regulated as with bldg's/structures.

Marina Atsalis comments that the Hy Arts shacks were also supposed to be temporary.

Brenda Mazzeo comments that this discussion is very helpful. Thanks Chair Paul Arnold for arranging as well. She does think it would be a good idea to discuss what/where does HHDC's purview fall. Comments that maybe the Planning Board was respectful in recognizing the request for the HHDC waiver in considering the Dockside Reg. Agreement project.

Marina Atsalis statement - inclusions:

She only wants to hear the facts. She doesn't think it's fair that the Town is treated differently than regular citizens who come before this Commission. The utility boxes were illegal/not temporary. We should be included of upcoming projects, not after the project is completed. There are banners across Main Street, i.e., Citizen's Bank, the church cannot do a banner, why can the Town do it? i.e., Pops by the Sea. Ocean Street, doesn't like the banners between the sails, why don't these have to come before HHDC for approval? She supports Art and just because it's art doesn't mean it's acceptable. The shacks don't have to be promoted, they are right there in your face, you cannot miss them. The Town/Growth Management, whomever is in charge, they promote this. Why are banners and signs everywhere, they are ugly, taudry looking? The flags on Main Street should be reviewed by HHDC, anything added to the flagpoles on Main Street. The JFK museum is here and it should be American flags up and down Main Street. There is no sense of cohesiveness of design, no approval or steps for approval, no proper planning. The hotel (another regulatory agreement) on Ocean St., Hyannis Harbor Hotel is 60 ft. high. The signage is different now, this look changes things. This was a GIZ project.

John Alden comments that it is his feeling that there are a lot of grey areas and some confusion as to what they are to decide on as a Commission. Would like to know that we accomplish things with our meetings. Things needed to be reviewed/talked over. He appreciates Elizabeth Jenkins coming to this meeting.

Chair Paul Arnold thanks Elizabeth Jenkins for coming as well. He also thanks the Commission members.

Chair Paul Arnold directs/comments to Marina Atsalis, that he looks at Hyannis as a little engine that has to perform at super levels for a few months of the year, he's amazed that it happens and he understands her comments about things looking tacky. However, not everyone knows about the shacks, the Pops concert is a big deal here, he agrees maybe a nicer banner and maybe for a shorter period of time.

Marina Atsalis states there are different rules for different people. The church was told that they could no longer have banners (Greek Orthodox Church, on Route 28, Hyannis for the Greek Festival) she doesn't know why. Told the Town does not permit banners any longer.

Brenda Mazzeo directs to Marina Atsalis/comments that she understands this is a cultural event. It shouldn't be ok for some and not for others.

Taryn Thoman notes a correction. That what the Attorney stated re Dockside project, this was in the Barnstable Patriot article and not at the public meeting.

Elizabeth Jenkins states that her door is always open. We are under staffed but she will get back to all who have questions.

Chair Paul Arnold entertains a motion to adjourn, moved by Taryn Thoman, seconded by Brenda Mazzeo, so voted unanimously.

Next HHDC meeting scheduled for September 6, 2017

Meeting adjourned at 7:19 p.m.

Respectfully submitted
Karen A. Herrand

List of Exhibit Documents

Exhibit A – Copy of Regulatory Agreements – Chapter 168 (Planning Board SPGA)

Exhibit B – Chapter 112, Article III. Hyannis Main Street Waterfront Historic District Authority – ordinance

Exhibit C – Draft Regulatory Agreement – 110 School St and 53 South St., Hyannis – Dockside Residences project