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Town of Barnstable
Hyannis Main Street Waterfront Historic District Commission

www.townofbarnstable.ma.us/hyannismainstreet

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, October 18, 2017.**

MINUTES APPROVED AS AMENDED

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

Members Absent: David Colombo

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

Kilwins – 386 (aka 376) Main Street, Hyannis – Map 327 Parcel 001
Storefront Renovations and Signage

Brian Walsh of Sargenti Architects in attendance, Senior Project Manager. He makes reference to the plans, Exhibit A (sheets C1.0, A5.0 - A5.5) that has a change to the project. He reviews the site plan. This will be the main space, the bookstore. Proposed seating, Paint back storefront, new gooseneck lighting. Seating in the back/rear as well is being proposed. Review of existing conditions. New awning, paint the façade, new vent for pumping the chocolate smell out.

Chair Paul S. Arnold clarifies the area/address, proposed seating. Asks what type of business/other locations?

Brian Walsh replies, ice cream, homemade chocolate, candy apples. They do have other locations throughout the U.S.

Marina Atsalis clarifies the colors and what parts of the bldg.

Brian Walsh confirms the colors and makes reference to Exhibit A, pg. A5.3.

Tim Ferreira asks if they are proposing to paint over the brick in the back/rear? Corner of the building? Any thought to washing away the white color and maintaining the red brick?

Brian Walsh replies that he doesn't have that proposed as an option from the Designer.

Marina Atsalis suggests that this be presented as a possibility.

Chair Paul S. Arnold confirms the design on the awning.

Brian Walsh states that they want to do a pop out of the storefront, the doors will meet code. The proposed pop out storefront would give more visual presence.

Chair Paul S. Arnold confirms the width of the storefront, retail sales, venting, seasonal or year round? Confirms the proposed signage.

Brian Walsh replies that the landlord is putting in a hallway, reference to the plan, a common hallway. Kilwins is a Mars chocolate brand company. The chocolate venting is used to entice customers in, this will be a year round business.

Marina Atsalis confirms that it will be the bookstore that is being taken over.

Brenda Mazzeo asks for clarification about bumping out the storefront.

Brian Walsh reviews the sketch, Exhibit A, request for 18 inches out for this proposed bump out, 16 inches and then seating added as well. The neighbors are aligned the same way, with a recessed vestibule. This is legal and to code.

Brenda Mazzeo confirms that 16 inches of sidewalk will be lost?

Chair Paul Arnold states that they will need approval for the outdoor seating/tables and chairs that they want to use. They will have to come back to the HHDC for this.

Brian Walsh clarifies bump out space.

Chair Paul Arnold confirms that this can be done. The Building Dept. can confirm what the walk way space for this would be. It cannot be in the public way. He doesn't know for sure.

Marina Atsalis comments that the other businesses have outdoor seating and this has been managed ok. Asks for clarification that the baseboard will be black?

Brian Walsh confirms, yes, black.

Taryn Thoman comments that she is amazed and really likes the design and all the work put into the project.

Chair Paul S. Arnold entertains a motion, (leaving out the seating for the front and back, which the Applicant will have to come back for), moved by Marina Atsalis to accept the application as presented, including suggestion for brick to be uniform red color for the whole bldg., seconded by John Alden, so voted unanimously.

Other Business

Matters not Reasonably Anticipated by the Chair

Chair Paul S. Arnold comments that Brenda Mazzeo will be leaving/resigning, thanks her for her service, she will be missed. Brenda Mazzeo states that her work makes it difficult to do all that's why she is leaving.

Chair Paul S. Arnold refers to the letter dated Sept. 22, 2017, Exhibit B, that he considers to be an outline of the thoughts of the Commission for the Sea Captains Row proposal. He apologizes if he did this incorrectly but stated that he felt it was his job/position as Chair, people needed to know where we were at. I understand some people had trouble with this.

Timothy Ferreira comments and asks for clarification if/about a vote taken not to send the letter?

Chair Paul Arnold replies that there was no vote taken. He thinks people need to know where we are at.

Taryn Thoman interjects/comments that it is inappropriate and that there are Town codes. She makes reference/refers to a September 11, 2017, letter, Exhibit C, we met on Sept. 20, 2017, and we did not have this letter, we were unprepared and misinformed.

Chair Paul Arnold clarifies that the Commission doesn't have a vote for this, this is a regulatory agreement and they are looking for input, but no vote.

Taryn Thoman reads her notes into the record: Exhibit D – *The Commission shall issue a certificate of appropriateness based upon the application if it determines that the construction, alteration, or demolition for which an application has been filed will be appropriate for or compatible with the preservation or protection of the district. In deliberating on applications for certificates, the Commission shall consider, among other things, the historical and architectural value and significance of the site, building, structure, setting, or place;*

*In cases of demolition or removal, the Commission shall consider whether such demolition or removal of a building, structure, setting, or site element whose architectural or historical significance contributes to the historic character of the district would impair the public interest and the general welfare of the people of Barnstable; whether the demolition or removal of the building or structure would undermine the purpose and intent of this article, whether the building or structure has so deteriorated that preservation or restoration is not structurally or economically feasible, provided that the owner's self-created hardship or failure to maintain the property in good repair shall not qualify as a basis for the issuance of a certificate of hardship. The Commission may seek advice from individuals or organizations in making these determinations. The Commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historical aspects or the architectural and other physical characteristics of the surroundings and of the district. **How would demolition preserve/protect the district - ?!***

In all her research; town codes etc., nowhere can she find that HHDC should serve as an advisory board, this is possibly a legal issue and anything to do with this seems inappropriate.

John Alden comments that these buildings have been here for many years and nothing has been done, they have been left in disrepair.

Marina Atsalis reads her notes/letter into record; Exhibit E.

My statement is to the Hyannis Main Street Waterfront Historic District Commission Members and our viewers, on Oct. 18th, 2017.

You are all aware that a letter from Preservation Massachusetts, dated Sept 11th, 2017, to Elizabeth Jenkins was only just received by our Historic Commission in the Oct 18th packet for tonight's meeting.

Mrs. Jenkins, who received this communication, obviously didn't think it necessary or important enough to make it available to the Commission Members as soon as possible.

I was going to concentrate on only one paragraph in the letter, but quickly realized that every paragraph is too important and informative to neglect. That we did not have access to this valuable letter, early on, is an injustice to the validity and function of this Board. Perhaps those of you that are giving your support to the DEMOLITION of these "buildings of significance to the history and character of Hyannis and their centrality to the integrity of the National Register", will in fact review your decision! As a Historic Commission, our purview is in fact to the preservation of Historic Homes and Structures. We should all be committed to that endeavor...Sea Captains Row is listed on the "MOST ENDANGERED" list of Historic Homes in the Village of Hyannis AND the State of Massachusetts! How can we possibly support this DEMOLITION proposal as members of the Historic Commission?? I can only envision how this Board will be remembered! I am sure we will be the "Talk of the Towns" by adjoining Historic Commissions and future Historic Publications.

Is the Hyannis Main Street Waterfront Historic District Commission simply a Commission of Convenience?

As a Board Member since 1992, when the Commission was established, I am now constantly left to wonder, these recent years, how fast forward projects of significance that are changing our landscape and wiping away our History, are ultimately allowed to proceed. Preservation Massachusetts has offered "to recommend qualified preservation professionals to assist with the evaluation of the Capt. Peter Norris House, 1830, the Capt. William Barse House, built 1832, and the Captain Nelson Kelly House, built c.1842, Sea Captains Row.

I did not sit on this Board only to approve flags, a-frames, outdoor furniture, signs and colours!!

It is obvious that whenever a project of importance is brought to this Board, when we have carefully looked at the project and brought forth our recommendation and concerns, if the Applicant is not happy with us, then he is fast on his way to a Regulatory Agreement process. That, in fact negates the Hyannis Historic Commissions recommendations, as shown in the

Ocean Street newly built Hotel, the Dockside project, and now Sea Captains Row. All of these projects changing the landscape of the Designated Historic District in the most prominent and endangered area in our Village! I do not see any support of the Hyannis Historic Commission by members of Regulatory, Planning Board, Town Council, Growth Incentive Zone authorities, (formally known as Growth Management) etc.

WILL ANY OF THES BOARDS TAKE THE OFFER PROPOSED BY PRESERVATION MASSACHUSETTS TO EVALUATE THE PROPERTIES BY AN INDEPENDENT OFF-CAPE PRESERVATION SPECIALIST????

It is incomprehensible that wiping away this very important piece of our Historic History will be granted by ALL involved in our Town political system, Organizations, the Business Community, and the Community itself. The SHAME will be on ALL the proponents of this "BULLDOZE AND BUILD" project, and and the EMBARRASMENT carried by those of us that tried our best to stop it! END

Marina Atsalis comments that any historical house/bldg.. should be kept, restoration is an option. Maybe bring to the Town and have them preserve it, they spend money on a lot of other things, this would be for something good and lasting. There is a lot of land on these properties.

Marina Atsalis continues/comments: I know that people are talking, well, it's going to look better, it's going to clean up the street, but when any historical district, any historical house, look at Route 6A, they say no, they preserve them and it's beautiful. Someone has to come forth, maybe the town should come forth and do something for the historical value that we have here, because we are have very few historical houses, it can be more and these are three more that could still be here fifty years from now, a hundred years from now. They are quite beautiful, the architecture, the façade is very nice, you see them all in a row, they are beautiful even though they are white with the black colors, that's kind of contrary, but that was Mr. McEvoy saying this is ok, but restoration is a lot of work. If this fellow is going to develop there is tons of land on the properties that he's wanting to bulldoze, on the side, between, in the back and probably if it came before Historic and it didn't alter it and follow the line that he wanted to add something to a historic house, cause he wanted it bigger and have more apartments, maybe we would approve it, that goes way beyond, but I think saying that no one has touched it for thirty years, maybe we should propose to the town, can you pick up that property, can we preserve it in the name of our historic street? Why not, they spend millions of dollars on land conservation, green space, well maybe it's time they spend a little bit in town, where they're so concerned with the citizens and do something good and lasting. Thank you.

Timothy Ferreira is looking for clarification he is confused about what he did as a vote previously.

Brenda Mazzeo comments that the letter from Preservation Massachusetts, Exhibit C, is a good and interesting letter with some good options/recommendations that could help restore/save the properties. It would be good to at least look into what Preservation Mass has said in the letter. She reads a paragraph from Exhibit C letter into record: *Which could include moving one or more of the existing buildings on their sites/lots, to help facilitate the building of new structures around them.* Clarification regarding preserving the buildings and that this letter is not against the project. They want to preserve the bldg's but not against the project. She refers to the Chair's letter to the Planning Board, dated Sept. 22, 2017, Exhibit B and states that we should have had a chance to review this letter.

Chair Paul Arnold comments that their purview is historic and it is possible to do any of these things discussed tonight. This neighborhood looks bad, maybe the bldg's can be moved, where is the money and the will going to come from in order to restore or move these buildings? He is in agreement with the project going forward. He doesn't want to see more non-profits here, he would like to see a neighborhood.

Marina Atsalis comments that everyone is going/applying for a regulatory agreement now. HHDC doesn't have a say. A lot of things have been around for 30 or more years, the Town should make the owners take care of homes/houses.

Marina Atsalis interjects/comments that as historic members, we are on historic, this was established in 1992, I'm not here, I'm no longer going to be here probably because I'm not here to approve A frames, flags and things like that, no, the important things, the Dockside, out the window, the hotel across the street from me, which I have great big arborvitae, I cannot stand looking at it, regulatory agreement, everyone is going to regulatory agreement that comes here, for the big projects that are going to visually impact this town, the village of Hyannis, and I'm not going to do it anymore, because I worry so much about it, I think so much about it I go to bed not being able to sleep, in writing my letter because there were so many more things that I disapproved of and I thought we were going the wrong way, but people have to think it out and I just don't wanna hear that,

you know what, it's been that way for thirty years, a lot of places, look at that brick building on the corner of Main Street and Barnstable Rd., across from the Cape Cod Times, now that is a disgrace, not the old movie theatre, it was a very well known artist who had her gallery there, look at that corner, no one is upset about that, our tourists travel it daily and can see the side windows, the front windows, we can see it, nothing, no one is doing hoopla about that, I don't know why, is that person or that landlord exempt from criticism? I'm hearing about the terrible look, if the town said to the owners, alright, this is a blight, get your lawn mowers, at least cut the lawn, sweep the parking lots and the houses are left there alone and you can see the houses and then determine, but I still maintain maybe the town should be doing something, these are three historic houses, I can't believe it, I cannot believe it.

Discussion amongst members.

Chair Paul Arnold states that he is happy to step down if the Commission isn't happy with him and he is acting out of line, he is happy to resign. He doesn't think it is economically feasible that these buildings be renovated. They have been left alone for many, many years.

Marina Atsalis comments that maybe the Developer wasn't aware, but should be aware that these are historic buildings when he decided to buy the properties and develop.

Taryn Thoman states that she has read a lot of information about historic and preservation, this is our main purview/thing. There needs to be an independent look at these buildings. Comments that HHDC should not be taking the Developer's word, it's our job to preserve historic.

Marina Atsalis comments that maybe another Developer can come in to restore these bldg's. We have to think about historic preservation.

Chair Paul Arnold states/asks what is our recommendation?

Taryn Thoman replies that the recommendation is not to waive our statutory responsibility to look at these houses and do our due diligence, to not waive our review and to not grant any demolition. Inform the Planning Board.

Discussion regarding writing a letter from a third party/independent person to come in and evaluate the homes and give an opinion, traffic in the area, preservation in other towns/historic.

Chair Paul Arnold asks the Commission what is our recommendation to the Town and Planning Board? Independent person/entity, makes reference to the Sept. 11, 2017 letter from Preservation Mass, Exhibit C?

Marina Atsalis states yes.

Taryn Thoman interjects and states no, send letter to the Planning Board and tell them we don't agree with waiver of our statutory responsibility and we don't agree with demolition of these buildings and would like them to defer to Sept. 11th letter from Preservation Mass and arrange an independent structural review of each building, individually.

Marina Atsalis asks if we can take a vote on this tonight?

Chair Paul Arnold states that the Commission is divided on this by 4 to 2.
Discussion regarding voting on an item that is not on the Agenda.

Chair Paul Arnold suggests putting this on the next November 1st, HHDC Agenda?

Taryn Thoman interjects that the Planning Board is meeting on October 23rd so she will go and speak as she did at the last Planning Board meeting. She cancelled the last October 4, 2017, HHDC meeting because no one from legal could come to clarify what this advisory position is all about.

Timothy Ferreira clarifies that a vote should/could be put on the next Agenda for this or is this considered matters not reasonably anticipated by the Chair?

Chair Paul Arnold would like it to be put on an Agenda.

Chair Paul Arnold refused a vote.

Taryn Thoman suggests requesting that a letter be sent, the Chair could deny it. Four members would like it to be sent and three probably not.

Chair Paul Arnold would like to see any letter that goes out and states that this is a divided Board/Commission.

Taryn Thoman states that she will go to the Planning Board and speak for herself. She reads the September 11, 2017, Preservation Massachusetts letter into record, Exhibit C:

This letter was sent to the Planning Board on September 11, 2017, for their Sept. 11, 2017, meeting regarding the Sea Captains Row project. HHDC had a meeting on September 20, 2017, and was copied on the letter, but did not have a copy of the letter at the meeting. Planning Board failed to supply the letter at the meeting.

Dear Ms. Jenkins,

I write in regard to an item on tonight's Planning Board Agenda involving Capebuilt Pleasant Street, LLC's application to enter into a Regulatory Agreement with the Town of Barnstable to redevelop nine parcels on Pleasant and South Streets in Hyannis, specifically numbers 24, 28, 43, 44, 53, 56, 64 and 66 Pleasant Street and 86 South Street.

These properties have been determined to have historic and architectural significance as evidenced by their being listed both on the National Register of Historic Places (as part of the Pleasant-School Street Historic District (11/10/1987) and the Barnstable Multiple Resource Area (11/10/1987) and as being within the boundaries of the Hyannis Main Street Historic District (10/03/1996).

Preservation Massachusetts became aware of these properties when our organization included Sea Captains Row among its list of Massachusetts' Most Endangered Historic Resources in 2016, responding to the nomination of the properties by The Keepers of Sea Captains Row. Since 1993, Preservation Mass has endeavored through the Most Endangered Resource List to identify and aid in the preservation of important historic resources from across the Commonwealth. Local groups or individuals who are deeply concerned about the potential loss of significant resources in their community nominate sites from across the state. The list is one of the first steps in focusing statewide attention on the condition of these historic resources and their importance to communities, and often serves as a catalyst for successful preservation outcomes.

Sea Captains Row was selected for the 2016 list through a highly competitive process in recognition of its historical and architectural importance to Hyannis and because of its potential for loss. This concentration of Greek Revival style mariners' homes on Pleasant and School Streets, which connect Main Street to the Inner harbor, are an important witness to Hyannis' history and represent a compelling reminder of Hyannis' past as a major seafaring port. As the Main Street Waterfront Historic District survey report notes, "An exceptionally fine cluster of these Greek Revival style houses, all fronted by imposing porches with fluted Doric columns, remains on the east side of Pleasant Street...Despite some alterations this group is a centerpiece of the Pleasant/School Street NRHD." Although the buildings have been neglected in recent years, we believe that it is too soon to say that they are beyond rehabilitation and preservation or that the only positive outcome for Sea Captains Row includes the demolition and replacement of many of its surviving historic buildings.

We believe that—given these buildings' significance to the history and character of Hyannis and their centrality to the integrity of the National Register and Local Historic Districts of which they are a part—at the very least, any changes to them should go through the proper Local Historic District and demolition delay review processes, and we respectfully recommend that the request for waivers proposed in the Regulatory Agreement Application regarding these reviews should be denied.

Further, we would strongly advocate for the preservation of at least 3 of the properties—numbers 43 Pleasant St. (Capt. Peter Norris House, built c. 1830), 44 Pleasant St. (the Capt. William Bearse House, built 1832), and 56 Pleasant St. (the Capt. Nelson Kelly House, built c. 1842)—which further study could prove are salvageable and could possibly be incorporated into the new development as valuable features, rather than being swept away and totally replaced.

Our organization would be happy to recommend qualified preservation professionals to assist with the evaluation of at least the 3 properties mentioned above, to advise on their preservation and rehabilitation (which could include moving one or more of the existing buildings on their sites/lots, to help facilitate the building of new structures around them), and to help coordinate this study process, were the appropriate authorities to determine that such a study should be undertaken. As well, we have connections with experts in the use of federal and state historic preservation tax credits, which could possibly be used to help

rehabilitate the historic properties in an appropriate manner. Our Preservation Circuit Rider for Eastern Massachusetts, Jeffrey Gonyeau, has already visited the site and has met with local people and organizations interested in preserving the structures since they were named to our Most Endangered Resource list last year; we would be happy to continue his involvement with these important properties.

We thank you for the opportunity to express our opinion on the future of Sea Captains Row, and hope that, at the very least, the Hyannis Main Street Waterfront Historic District Commission is allowed to provide a thorough and thoughtful review of the proposed project and its impact on these historic resources.

Copies to: Hyannis Main Street Waterfront Historic District Commission, Hyannis Historical Commission (BHC people), Barnstable Town Council, Dominic Alessandra, Cape Cod Maritime Museum, and Cape Cod Commission

Chair Paul Arnold would like to put on the next Agenda for discussion of what a Regulatory Agreement means and what it doesn't mean and we will vote on it accordingly.

He states that Taryn Thoman is a citizen of the Town and as such is free to go before the Planning Board and state what she wants. He is in basic disagreement. He thinks both opinions have merit.

Other Business

Approval of September 20, 2017, minutes

Motion made by Taryn Thoman to continue the September 20, 2017, minutes to the next meeting, seconded by Brenda Mazzeo, so voted unanimously to continue.

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

Matters not Reasonably Anticipated by the Chair

Next HHDC meeting scheduled for November 1, 2017

Meeting adjourned at 7:38 p.m.

Respectfully submitted
Karen A. Herrand

List of Exhibit Documents

Exhibit A – Kilwins set of plans (7 pgs.) – storefront renovations, 386 Main St., Hyannis, Map/Parcel 327/001

Exhibit B – Sea Captains Row Project - Letter dated September 22, 2017, addressed to Planning Board Chair from Paul S. Arnold, Chair, HHDC

Exhibit C – Sea Captains Row Project - Letter dated September 11, 2017, from Preservation Massachusetts, addressed to E. Jenkins

Exhibit D – Sea Captains Row Project – Notes/Comments submitted by Taryn Thoman

Exhibit E – Sea Captains Row Project – Notes/Comments (not yet submitted) by Marina Atsalis