



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, November 15, 2017.**

MINUTES APPROVED AS AMENDED

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

Members Absent: Brenda Mazzeo has resigned – awaiting formal letter

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

James J. Sullivan, Jr. AIA – 135 Main Street, Hyannis – Map 327 Parcel 229
New Building

James Sullivan in attendance. He gives an explanation about the proposed work for the new proposed building, curb cuts, parking. This will be a mixed use property with three stories. Refers to pictures and Form B, Exhibit A of the building, Capt. Jacob Hawes House, Greek Revival style. He reviews the proposed materials to be used. Perspective views shown/plans, Exhibit B. He passes around samples of the bldg. material to be used and paint samples, traditional clapboard siding, Exhibit C. Paint will be white on white, with navy color for the shutters. Navy for shutters, doors, front door color will most likely be the navy or a stain. Reference to rendering A4 Elev. North/South and landscape plan, Exhibit D.

Also, they plan to have a sign that will be gold and black.

Chair Paul Arnold clarifies that they will probably have to come back for and with a sign application.

Marina Atsalis comments about the front door and having it navy as well. Clarifies where the lighting will be at the entrance.

Timothy Ferreira asks how many parking spaces?

James Sullivan replies 18, this has gone through site plan - approval for this already.

David Colombo asks about the shutters/clarification of the type of material, it is a solid material? Are there going to be corner boards?

James Sullivan replies, yes, they will have corner boards and yes the shutters will be a solid composite material.

David Colombo asks about the location of any outside compressors and screening in the dumpster with fencing or enclosure?

James Sullivan replies and refers to site plan, Exhibit A, plans, states they have not selected an area yet for compressors/mechanicals but will most likely be along the fence in the rear. They will have a dumpster on the side that is concealed, this will be fenced in with a gate.

Marina Atsalis suggests that there is a nice white enclosure on Ocean Street and Channel Point Rd., the Scudder property, and they also have bushes there to conceal. Suggests having mechanical stuff on the back side of the house.

Taryn Thoman comments that she appreciates their interest in the history of the house. Asks if there are any bricks involved that could be re used?

James Sullivan replies they will be using pavers, Beacon Hill bricks. He wants to do the walkways. The original bricks are really not salvageable.

David Colombo confirms/clarifies that there will be a paver and asks where.

James Sullivan replies in the front, where the farmers porch is. He will do brick pavers up to the front.

Marina Atsalis asks about the front door color, she thinks the navy blue will be good and match shutters.

David Colombo agrees, he likes the navy blue and side lights.
James Sullivan replies, yes, clarifies it will be.

Chair Paul Arnold entertains a motion, moved by Marina Atsalis to accept the application as presented with the front door to be the same shade as shutters, navy and an enclosure (white) made of solid material to be placed around the dumpster and around the mechanicals as well, seconded by John Alden, so voted unanimously.

Suggestion Discussion: possibly doing an enclosure like the one that Hy - Line/Scudder has, a solid material, white enclosure.

Cape Built Development – 255 Main Street, Hyannis – Map 327 Parcel 247
Renovations and partial demolition

Taryn Thoman interjects – Point of order - States that this application is being submitted by an Applicant, Cape Built Development, and they are not the owner. This application should be withdrawn, and resubmitted, we cannot issue a demo certificate on a building that an applicant does not own.

Chair Paul Arnold replies they have asked for a continuation and he would like to leave the continuation on for now. He would like to check this information out regarding the owner/applicant.

Kilwins – 386 (aka 376) Main Street, Hyannis – Map 327 Parcel 001
Outdoor Seating and Minor Modification (Awning)
This item is moved out of order.

Karina Hernandez d/b/a El Mariachi Loco – 569 Main Street Hyannis – Map 308 Parcel 111
Business Sign

Karina Hernandez in attendance. She explains that they have been there for 5 years and would like to be able to bring more business/people in. Some people still don't know they are there. They only have an awning now with their name on it.

Chair Paul Arnold suggests maybe a border on the sign and clarifies the colors.

Tim Ferreira asks for clarification of where the sign will be, new sign on sidewalk, is it on their property?

Karina Hernandez confirms not on sidewalk, near the tree. They have clarified with the landlord and neighbors where to place the sign.

Marina Atsalis refers to pictures of sign, Exhibit E, suggests maybe not having the address on the sign 569 Main Street. You should have this on your door.

Karina Hernandez explains that they would like to put their business address out front because their business is getting mixed up with another restaurant, that has a similar name in West Yarmouth. Want to make sure people know that they are who they are.

Taryn Thoman agrees with Marina about the address on the sign. Suggests a border as well, suggests another color besides the yellow, white maybe?

Karina Hernandez replies, possibly, white or black?

David Colombo clarifies that the business is having issues due to a similar name.

Chair Paul Arnold doesn't think the address should be on the sign out front either.

Timothy Ferreira clarifies which sign, reference to Exhibit E, pictures of proposed signage.

Motion made by Tim Ferriera to deny this application.

Some discussion of possibilities for modifications to the sign.

Motion is withdrawn by Timothy Ferriera.

David Colombo thinks a black border will overpower the sign, maybe white, lettering white with black outline.

Discussion about colors – white and black colors.

Chair Paul Arnold suggests maybe utilize the Mexican flag motif, possibly green color for the lettering?

Marina Atsalis suggests changing the wording/lettering to black and outline in white and then reverse. Don't use the Mexican image, to busy.

Discussion regarding what type of border/color.

Chair Paul S. Arnold entertains a motion, moved by David Colombo to approve the sign without any Mexican image on it, place a white ½ inch border on it, no address on the bottom, "El Mariachi" and "Mexican Restaurant" in white with black outline and "Loco" in black with white outline, seconded by John Alden, Tim Ferreira votes no. The motion passes, 5 yes and 1 no.

Kilwins – 386 (aka 376) Main Street, Hyannis – Map 327 Parcel 001

Outdoor Seating and Minor Modification (Awning)

No one in attendance for this application.

Discussion regarding the minor modification to the sign and awning.

David Colombo asks for clarification of the words on the awning. He thinks it is an improvement. .

Marina Atsalis agrees, that it looks balanced.

Chair Paul S. Arnold entertains a motion for the sign, moved by David Colombo to approve the sign with the larger writing, seconded by Tim Ferreira, so voted unanimously.

Marina Atsalis doesn't think the word/name "Kilwins" needs to be on the awning, the sign for Kilwins is right above it. This is to repetitive.

Chair Paul S. Arnold entertains a motion for the awning, moved by Marina Atsalis to approve the awning and remove the name "Kilwins" from the awning, seconded David Colombo, so voted unanimously.

David Colombo states that the outdoor seating looks good to him.

Marina Atsalis clarifies the type of umbrella, Exhibit F, asks how works?

David Colombo replies that the table has plug for the umbrella.

Chair Paul S. Arnold entertains a motion, moved by David Colombo to approve the outdoor seating as presented, seconded by Marina Atsalis, so voted unanimously.

Other Business

Approval of September 20, 2017 and October 18, 2017, minutes

Taryn Thoman states that there needs to be an amendment to the September 20, 2017, minutes, pg. 5, 5th paragraph, there is an omission regarding the Developer's reply to Taryn's question, if the properties are on an endangered list. Exhibit G.

Taryn Thoman states, pg. 5, 8th line from the bottom – Chair's comment - *Chair Paul Arnold replies that there is no real process, this is a regulatory procedure* - there was an objection to the vote, the vote was taken and the vote failed, the letter went anyway. Also, the Chair stated that we would be able to review and we did not know about the letter until it was sent. Exhibit G.

Chair Paul Arnold did his best with what he had and sent summarizing it, he felt, as Chair that they needed to know where the Commission was at with this matter, we were divided about sending a unified letter. He did send a summary of what each individual's thoughts were, not an approval, but a division. The Board/Commission is divided

David Colombo clarifies/directs to Taryn Thoman that if he recalls he thought she was in support of the project/liked the project, but wanted to see that it was vetted a little more.

Taryn Thoman replied that they were lied to and given inaccurate information and withheld the letter from Preservation Mass that the Planning Board was allowed to have in consideration. Our meeting was Sept. 20th, this letter was sent Sept. 11th, we should have had it.

Discussion amongst members regarding the Sept. 20, 2017, minutes.

Chair Paul S. Arnold entertains a motion, moved by David Colombo to approve the minutes with the amendments as suggested and then for return to the Commission for final approval, seconded by John Alden, Tim Ferreira abstains.

October 18th minutes.

Marina Atsalis would like paragraph 2 on pg. 4 and paragraph 6 on pg. 4 amended to include her exact comments (This will be reviewed for amendment) Exhibit H.

Chair Paul S. Arnold suggests tabling the minutes of October 18, 2017, and any further information get to Staff for amendment.

Discussion amongst members regarding the Oct. 18th, 2017, minutes.

Motion made by Taryn Thoman to move/postpone the Oct. 18, 2017, minutes to the next meeting, moved by Timothy Ferreira, David Colombo abstains and Chair Paul Arnold abstains.

Matters not Reasonably Anticipated by the Chair

Chair Paul S. Arnold comments that he is doing his best to stay the course of his term, which is done in June.

Chair Paul S. Arnold entertains a motion to adjourn, Taryn Thoman interjects – Point of Order, this is a violation of the Mass Open Meeting Laws. She would like to read her statement and a letter from Barnstable Historical Commission into the record.

Taryn Thoman reads her statement/letter into record, Exhibit I: (Exhibit for the record not received).

I don't want my presence at this meeting to lend ~~tacit~~ tacit approval of the leadership which has been abusive of individuals seemingly reserved, especially for the women of this Commission, also the process, the Council President is aware of the outrageous behavior of the Chair and is considering disciplinary actions, including his removal. The Chair's refusal to allow a vote during Matters Not Reasonably Anticipated by the Chair violated Mass Open Meeting Laws and a formal complaint is forthcoming. The Chair's attempt to refuse reading the letter from Preservation Mass into the record at the Oct. 18th meeting would have been another violation of Mass Open Meeting Laws. End.

Taryn Thoman reads a letter from Barnstable Historical Commission dated Oct. 18, 2017, into record, Exhibit J:

To: Town of Barnstable, Planning Board – Marry Barry, Chair

Re: Regulatory Agreement Application, Capebuilt Pleasant Street, LLC – Sea Captains Row

The Barnstable Historical Commission (BHC) is writing regarding the proposed development of Sea Captains Row on Pleasant Street in Hyannis by Capebuilt Pleasant Street LLC.

Specific to our concerns, the developer is seeking relief from oversight by the BHC for Chapter 112 Article 1 and from the Hyannis Main Street Waterfront HDC for Chapter 9, Article III. We offer our comments as the Commission charged with "safeguarding the Town's historical, cultural and architectural heritage."

We feel that the plans submitted to date, while offering sorely needed housing opportunities in downtown Hyannis, unnecessarily jettison many historic buildings that might better be incorporated into the plan.

Despite erroneous reports to the contrary, the properties marked for demolition under the current plan (initially 43, 44, and 56 Pleasant Street) are all listed in the National Register of historic Places and represent an important part of our sea-faring heritage. Constructed in the 1830s and 1840s, they are excellent examples of the Greek Revival architecture prevalent at that time. Although they may currently exhibit a state of disrepair, they appear to be structurally sound and could potentially form the basis for a unique and attractive architectural design for the proposed development.

Further, these important historic properties are on the current Preservation Massachusetts list of the State's Most Endangered Historic Resources. We strongly endorse their offer to work with the developer and the Town to involve appropriate structural professionals and explore Federal and State historic preservation tax credit opportunities.

Far too many unique, historic properties in this area have already been demolished or allowed to atrophy in the name of progress. Barnstable Historical Commissioners are not opposed to new development, but feel it should not come at the expense of our National Register assets, so we urge serious consideration of these important historic buildings as distinct components of this proposed new development, consistent with the Town's adopted policies and plans.

To quote from the Town of Barnstable Historic Preservation Plan Update of 2010, "Preservation of Barnstable's build resources is integral in protecting the town's unique sense of place."

Thank you for your attention and concern. We at the BHC stand ready to provide any clarification or assistance that your request.

Sincerely,

Laurie K. Young

Chair, Barnstable Historical Commission

CC:

Barnstable Town Council c/o Cindy Lovell, Council Administrator

Town Manager – Mark Ells

*Town Clerk – Ann Quirk
Building Commissioner – Brian Florence
Conservation Commission – Darcy Karle, Conservation Administrator
Board of Health – Thomas McKean, Director of Public Health
Zoning Board of Appeals c/o Carol Puckett, Administrative Assistant
Barnstable Housing Authority – Lorri Finton, Executive Director
Cape Cod Commission c/o Sarah Korjeff
Greater Hyannis Civic Association – Deb Krau, President
Hyannis Main Street Waterfront Historic District Committee c/o Karen Herrand, Administrative Assistant
Preservation Massachusetts – James E. Igoe, President
Cape Cod Maritime Museum – Christopher Galazzi
Keepers of Sea Captains Row – Dominic Alessandra
End.*

Marina Atsalis comments that these Historical Commissions that have sent letters in support of going further to find out about these homes, they have not heard back/gotten any response from the Town.

David Colombo comments that he is looking at the practicality of the project, he likes to preserve history as well.

Chair Paul Arnold comments that he is concerned that Hyannis is the default for every non profit that comes in, concerned that we don't get any middle class people here/market rate housing is needed. He is for this project.

Taryn Thoman comments that she is not opposed to the project, she is opposed to the mass demolition. Why was there no discussion about these homes prior, our job is about preserving history. The letter states 5 National Registered properties, but 3 that are very important, historically. A regulatory agreement is supposed to be a negotiation. Why weren't we allowed to discuss preservation/designation of these homes, this is our job.

Chair Paul Arnold entertains a motion to adjourn, moved by John Alden, seconded by David Colombo, so voted unanimously to adjourn.

Next HHDC meeting scheduled for December 6, 2017

Meeting adjourned at 8:03 p.m.

Respectfully submitted
Karen A. Herrand

List of Exhibit Documents

Exhibit A – 135 Main St., Hyannis – Map/Par 327/229 – Form B Inventory Sheet
Exhibit B – 135 Main St., Hyannis – Map/Par 327/229 – Plans
Exhibit C – 135 Main St., Hyannis – Map/Par 327/229 – building materials/samples
Exhibit D – 135 Main St., Hyannis – Map/Par 327/229 – plans/landscape
Exhibit E – 569 Main St., Hyannis – Map/Par 308/111 – picture of sign
Exhibit F – 386 Main St., Hyannis – Map/Par 327/001 – picture of umbrella
Exhibit G – Sept. 20, 2017, draft minutes
Exhibit H – Oct. 18, 2017, draft minutes
Exhibit I – Taryn Thoman's statement/letter to the Commission
Exhibit J – Letter dated Oct. 18, 2017, from Barnstable Historical Commission