



Town of Barnstable
Hyannis Main Street Waterfront Historic District Commission

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BARNSTABLE TOWN CLERK

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, February 7, 2018.**

MINUTES

Members Present: Taryn Thoman, John Alden, David Colombo, Timothy Ferreira and Betsy Young

Members Absent: Paul S. Arnold, Marina Atsalis and David Dumont

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

An announcement was made by Taryn Thoman, 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.

Vice Chair Taryn Thoman states that former Commission member Bill Cronin has passed away and asks for a moment of silence in his honor and for his dedication to this Commission.

New member Betsy Young is introduced. Asked if she has read the minutes (4 sets).
Betsy Young replies yes.

New Business

Vice Chair Taryn Thoman moves an item out of order on the Agenda – Tequila Charlie's -

James Carey d/b/a Tequila Charlies – 577 Main Street, Hyannis – Map 308 Parcel 113
Paint color change front doors, awning and signage

James Carey in attendance. He explains that he is painting front doors and would like to change the sign.

Tim Ferreira replies that he doesn't like the yellow color in the sign.

Betsy Young asks where it will be placed?

James Carey answers, where the existing signage and the post is now. It will be placed over the same existing sign.

David Colombo asks about the colors of the awnings, will it match the colors on the sign? He would prefer just the name of the business there. He thinks the sign as it is now is too busy.

John Alden comments that he likes the colors.

Vice Chair Taryn Thoman agrees that the sign is busy, wordage.

Motion entertained by Vice Chair Taryn Thoman to approve as presented, moved by John Alden, seconded by Timothy Ferreira. David Colombo is a no vote. The motion passes by 4 to 1 vote.

Yes: Taryn Thoman, John Alden, Timothy Ferreira and Betsy Young
No: David Colombo

Raphael Oliveira d/b/a Discovery Insurance Agency – 668B Main Street, Hyannis – Map 308 Parcel 049
David Colombo has some concerns.
Paint colors and signage

No one in attendance for this application.

David Colombo states that the sign has a phone number on it, which we discourage. Also they want two flags, only allowed one. And the transparent signage in the windows as well, not allowed. The Bldg. Dept. dictates the amount of signage.

Vice Chair Taryn Thoman asks for confirmation of where the bldg. is.

This application will be continued to the next meeting.

Michael Gustafson d/b/a Harborview Restaurant and Bar – 235 Ocean Street, Hyannis – Map 326 Parcel 034
New Business Sign

Michael Gustafson in attendance. He explains that this is the logo of the restaurant.

Vice Chair Taryn Thoman clarifies the size of the border.

Michael Gustafson confirms and states it is blue. They have existing spotlights which were there and used previously, they would like to continue to use these.

Motion entertained by Vice Chair Taryn Thoman to approve as presented, moved by Betsy Young, seconded by David Colombo, so voted unanimously.

Sarah Cericola d/b/a The Studio by the Sea – 292 Main Street, Hyannis - Map 327 Parcel 255
Storefront renovations and signage

Sarah Cericola in attendance, owner and photographer of the business. She gives an explanation of the proposed work.

Taryn Thoman confirms/clarifies where the repair is needed.

Sarah Cericola states that she has a change/modification from the original application, they would like to use Azek instead of plywood.

Tim Ferreira asks for clarification of what the front materials are now. Exhibit A.

Sarah Cericola answers that it is stamp steel all the way down to the awning and fake brick. Would like to replace so it will look similar, the whole front.

Betsy Young clarifies that the top of the bldg. is painted, red ?

Sarah Cericola explains that this is just rusted out metal, the rust is seeping through the paint as well. Pretty simple, plain white trim along the top and then dental molding, keep the windows basically the same, would like air up there. Take awning off and then go back to a non awning front with dental molding. Flat fronted same color, keeping the brick as is. Water is coming in behind the façade now.

Betsy Young thinks nice and clean.

David Colombo asks about the existing windows are that are there now and the grill sizes, clarifies the divider size.

John Alden confirms they are fixed or open?

Sarah Cericola replies that they would be open and insulated glass.

David Colombo asks about the sign material, clarifies solid plastic. Solid sign, not lit, no external lighting.

Sarah Cericola replies yes, solid plastic, no external lighting, colors are grey that they have now with a white trim.

Vice Chair Taryn Thoman entertains a motion to approve the application as presented, moved by David Colombo to approve application with the exception of substituting Azek for wood, seconded by John Alden, so voted unanimously.

Other Business

Approval of September 20, 2017, Amended Minutes

Vice Chair Taryn Thoman would like amendment to pg. 5, 5th paragraph up from bottom to add "No" where Rob Brennan answered her.

Vice Chair Taryn Thoman entertains a motion to accept as amended, moved by John Alden, seconded by David Colombo, so voted unanimously.

Approval of October 18, 2017, Amended Minutes

Vice Chair Taryn Thoman would like pg. 6, amended to state "Chair refused a vote". Also pg. 6, line 9, amend to state "Planning Board failed to supply the letter at the meeting".

Vice Chair Taryn Thoman entertains a motion to accept the minutes as amended, moved by Betsy Young, seconded by John Alden, so voted unanimously.

Approval of November 15, 2017, Minutes

Vice Chair Taryn Thoman comments re Capebuilt project, about letter from the Planning Board, they were denied communication with the Planning Board. This should have been legal to be discussed under Matters not Reasonably Anticipated by the Chair. At the October meeting, Chair Paul Arnold denied this and said this would be put on the next November 15th Agenda and it was not.

Amendment: Pg. 5, 3rd paragraph from the top, clerical error for the word tassid, this is misspelled (tacit).

Amendment: Pg. 2, 12th line down from the top, 2nd sentence, amend to read – This application should be withdrawn, and resubmitted we cannot issue a demo certificate on a building that an applicant does not own. –

Vice Chair Taryn Thoman entertains a motion to approve the minutes as amended, moved by David Colombo, seconded by John Alden, so voted unanimously.

Approval of December 6, 2017, Minutes

Vice Chair Taryn Thoman states that if anyone would ever like to tape a meeting they may do this, just inform the Chair.

Vice Chair Taryn Thoman entertains a motion to accept the minutes of Dec. 6, 2017, moved by John Alden, seconded by Tim Ferreira, so voted unanimously.

Matters not Reasonably Anticipated by the Chair

Tim Ferreira makes comment that he would like to be respected. He heard his name was slandered.

John Alden comments that there was a lot of different opinions re the Sea Capt Row project and he thinks we need to treat everyone, that comes before the Board with respect.

Vice Chairman Taryn Thoman comments that she made a trip to the Bldg. Dept. with Marina Atsalis re the Hyannis Harbor Hotel Regulatory Agreement – there were revisions that were approved by the Town Manager. She comments that most people do not know what a Regulatory Agreement is and how it can over run what HHDC's Chapter 112 states.

Discussion re how a regulatory agreement works and the logistics of it, procedure.

David Colombo comments that with a regulatory agreement applicants don't have to come to HHDC. Regulatory agreement is a negotiation between the Town and the applicant. An applicant will come as a courtesy. We are by passed because of this.

John Alden comments that it should be spelled out what are the responsibilities of HHDC.

Discussion re regulatory agreements and projects in general.

Vice Chair Taryn Thoman comments – her problem is with the process, are we really acting as Historic Board?

Discussion among members regarding procedures for this Commission, the regulatory agreement process, preservation, enforcement and legal.

Vice Chair Taryn Thoman reads into record a letter with her comments: Exhibit B

I asked that the application be withdrawn and resubmitted, or that the town attorney be consulted.

In response, the applicant submitted an extensively redacted and curiously long Purchase & Sale agreement, along with an un-notarized glorified permission slip from the legal owner of the property, with crossed out signatures and signatures that did not match, plus a quit-claim deed that had not been filed, notarized or dated.

With no ruling from the town attorney and the applicant's refusal to re-submit, I did not vote in favor of the project, and the vote failed to pass. Had he simply resubmitted a proper application, it would have had our prompt approval.

The subsequent Appeals Committee hearing did not include all of the materials we received for review, but again several documents were withheld from consideration, and we did not receive proper notice of the meeting by mail.

The Appeals Committee chose to lambaste commissioners who voted NO, including false accusations and personal attacks in our absence.

Throughout the Town's schizophrenic regulatory agreement process, it seemed that no one is accountable for anything, and the Town Government is like a ship without a rudder. Without consideration for preservation, you may as well dissolve the Hyannis Historic District Commission and replace it with an architectural review board, since we no longer act in concert with town codes or our intended function to preserve the town's rare and valuable heritage.

Tim Ferreira comments that parking is something Historic should have purview over.

Vice Chair Taryn Thoman comments that we need guidance from our Town Councilor.

Motion entertained by Vice Chair Taryn Thoman to adjourn, moved by John Alden, seconded by Betsy Young, so voted unanimously.

Next HHDC meeting scheduled for February 21, 2018

The meeting adjourned at 7:36 p.m.

Respectfully submitted
Karen A. Herrand

APPROVED