



Town of Barnstable
Hyannis Main Street Waterfront Historic District Commission
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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 is being held at Town Hall, 367 Main Street, Hyannis, MA Selectmen's Conference Room, 2nd Floor at 6:30 pm on **Wednesday, September 18, 2019.**

MINUTES

Members Present: Cheryl Powell, Taryn Thoman, Betsy Young, Cecelia Carey, Tim Ferreira, David Dumont, David Colombo and Marina Atsalis

Members Absent: Jonathan Kanter and Jack Kay

Staff Present: Karen Herrand, Principal Assistant, Planning & Development Dept., Paul Wackrow, Senior Planner, Planning & Development Dept. and Gloria McPherson, Planning & Economic Development Coordinator

An announcement was made by Cheryl Powell, Chair, 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. *Please silence your cell phones.*

Call to Order

Roll Call

Welcome to New Members, Special Guests, and Advisors

Housekeeping

Chair Cheryl Powell - There is a new layout/different setting for seating. We have a procedure guide and also some draft motion and finding templates to help guide the Commissioners.

Reminder of Commission's Purpose and Proper Procedure

New Business

David Colombo asks for clarification regarding acknowledgment for any recusals and the procedure and announcement at the beginning of each application and/or at the beginning of the meeting?

Gloria McPherson replies that after the Chair opens the public hearing and reads the legal notice, then after that if anyone needs to recuse they may do so at that time.

Certificate of Appropriateness

Dhaval Prajapati d/b/a Heritage House at present – proposed name change to Comfort Inn – 259 Main Street, Hyannis – Map 327 Parcel 127

Paint Color Change

Dhaval Prajapati in attendance. He gives an explanation of the application and the exterior changes proposed, three colors, trim, white, the body of bldg. a greyish color, and accent is silver strand color. No structural changes to be made. Color scheme only. He refers to Exhibit A, pg. 2 of the submitted proposed elevation sketch. The paint samples are passed around, Exhibit B.

Taryn Thoman asks about submission for business signage.

Dhaval Prajapati replies that they would like to come back for the signage application, they do not have it now. Requesting an extension to October 16, 2019.

Betsy Young asks for clarification of the 3 colors, trim white, grey body, accent color is silver.

Dhaval Prajapati refers to the accents, boxes on the bldg., Exhibit A, this will be on all 3 levels. Uniform for the entire bldg, any area that has the box windows, infill panels.

Marina Atsalis asks for clarification of where the colors will be and what part of the building.

Dhaval Prajapati points out the boxes, they will be the silver color, the body will be the grey color, exposed concrete bricks, the color is a mustard/yellow now. This will be silver uniform color. White trim. Railing will be black all around.

Tim Ferreira asks for clarification of brick/this is concrete block – Applicant confirms yes, concrete.

David Colombo asks about and clarifies the same palette/matching colors.

Chair Cheryl Powell opens for public comment in favor - None.

Chair Cheryl Powell opens for public comment in opposition – None.

Chair Cheryl Powell confirms no correspondence received from the public.

Marina Atsalis suggests keeping the lower floors not painted white in between and have all silver color, maybe a better blend.

Dhaval Prajapati replies that they like the contrast in color. All one color seemed dull to them.

Chair Cheryl Powell closes public comment.

Chair Cheryl Powell entertains a motion to make Findings, moved by Dave Dumont to find this application to be compatible with the preservation and protection of the district as the proposed paint colors correspond with Commission Guidelines, seconded by Taryn Thoman, so voted unanimously.

Vote: Cheryl Powell, Taryn Thoman, Betsy Young, Dave Dumont, David Colombo, Marina Atsalis, Tim Ferreira - 7 Commission members all voted positive.

Chair Cheryl Powell entertains a motion on the Certificate for Appropriateness, moved by Taryn Thoman to issue a Certificate of Appropriateness for the application at 259 Main Street, Hyannis, as described in the submitted materials, seconded by Betsy Young, so voted unanimously.

Vote: Cheryl Powell, Taryn Thoman, Betsy Young, Dave Dumont, Marina Atsalis, David Colombo, Tim Ferreira – 7 Commission members all voted positive.

**Dhaval Prajapati d/b/a Heritage House at present – proposed name change to Comfort Inn– 259 Main Street, Hyannis – Map 327 Parcel 127
New Business Signage**

Dhaval Prajapati in attendance. He explains that the hotel will change to a Comfort Inn, which is a franchise Flag Company. He would like to continue this application to mid October meeting, does not have all materials yet. Confirms the process of color changes and if needs to come back if an approved color changes.

Dave Dumont suggests having a sketch with a list of materials regarding signage, no backlit allowed and some restrictions.

Dhaval Prajapati thinks they will keep the same goose neck lighting, and 4 areas of signage will be in the same as the present locations.

Chair Cheryl Powell entertains a motion for a continuance, moved by Dave Dumont to continue this sign application for 259 Main Street, Hyannis to October 16, 2019, at 6:30, seconded by David Colombo, so voted unanimously. Vote: Cheryl Powell, Taryn Thoman, Betsy Young, Dave Dumont, Cecelia Carey, Marina Atsalis, David Colombo, Tim Ferreira – 8 Commission members all voted positive.

This item is moved out of order from the Agenda - Approval of September 4, 2019, Minutes

Chair Cheryl Powell entertains a motion to accept the minutes, moved by Betsy Young, seconded by Taryn Thoman. Cecelia Carey abstains. The motion passes.

Continued Business

Certificate of Appropriateness for Demolition or Removal

**R.F. & R.M. LLP – 183 Iyannough Rd., Hyannis – Map 328 Parcel 201
New York, New Haven and Hartford Railroad Roundhouse (1901)**

Continued from August 7, 2019

Chair Cheryl Powell asks if there is anyone whom needs to recuse themselves should do so now.

Marina Atsalis states that she would like to recuse herself, due to this business, Hy-Line, being a neighbor to her.

Chair Cheryl Powell states that this Applicant has made a request to withdraw without prejudice.

Chair Cheryl Powell reads the letter into record: Exhibit C.

In June of this year, 2019, Hy-Line Cruises made a decision to consider and explore the possibility of seeking approvals from the Hyannis Main Street Waterfront Historic District Commission to allow for the demolition of the Pufferbellies/Roundhouse Building located at 183 Iyannough Road, Hyannis.

From the outset, as we began this process, Hy-Line has been very respectful of the concerns of the local community regarding this matter. As such, we intentionally made a decision to refrain from filing any required demolition related applications or project notification forms with the State of Massachusetts Historical Commission, so that we could first listen to, learn from, and be respectful of the sentiments of the local Hyannis community regarding the possible demolition of the building.

Based on concerns we are now aware of, as expressed by local organizations and residents of the local community, including: The Hyannis Civic Association; The Hyannis Historical Society; The Historian for the New Haven Railroad Historical and Technical association; and several local residents.

Hy-Line Cruises has made a decision to withdraw our application for demolition of the Pufferbellies/Roundhouse Building, Without Prejudice, to give us time to work with various interested stakeholders, including the Town of Barnstable and the Cape Cod Regional Transit Authority, to see if it is possible for the building to be preserved in a manner that will be positive for the benefit of the local community and all parties. As such, Hy-Line Cruises respectfully asks the Hyannis Main Street Waterfront Historic District Commission to vote to approve our request to withdraw our application for demolition of the Pufferbellies/Roundhouse Building located at 183 Iyannough Road, Hyannis Without Prejudice at this time. End.

Marty Reilly in attendance, representing the Applicant, Hy-Line Cruises. He states that Hy-Line made the decision not to file any paperwork with the Massachusetts Historical Commission in order to be respectful to this Commission. They reached out to Cape Cod Regional Transit Authority (CCRTA) and asked if they had any interest in the property. However, much interest from the community/correspondence received. They have met with Mass DOT to see if they had any interest, not interested. This building was built in 1901, then purchased by Bourne & Eldredge in 1954, then John Morgan had a business here, Pufferbellies Nightclub. The nightclub was a source of several criminal activities and a danger to the community. The former leasing persons did not do much repair. There was a 2 year lease agreement that was not renewed in order to take this public safety issue out.

Hy-Line cleaned up the building and the area. Asked CCRTA to help with cleaning up the area. The property around the building is for parking and thinks this is helping with the Ocean Street congestion. The bldg. is approved for Hy-Line storage. Hy-Line has never used it for this. The building is vacant now and they have only used it for Toys for Tots in 2017 program for storing/use and they obtained a permit for this. The community came together for this. Now they are aware of concerns, they are hoping to work with the other parties that have expressed concerns we would like to work together for preservation efforts/discuss. Respectfully ask approval of request to withdraw without prejudice.

Chair Cheryl Powell clarifies the members for the vote, there will be a total of 7 Commissioners that will be voting.

Tim Ferreira asks for the definition of "without prejudice" - does this mean they can come back?

Paul Wackrow confirms, typically they would be able to come back per zoning language and Chapter 40A, under this certain applications cannot re apply within 2 years, but this is not the case with Chapter 40C.

Chair Cheryl Powell entertains a motion to withdraw, moved by Cecelia Carey that the Commission accept the withdrawal of the Certificate of Appropriateness application for Demolition of the New York New Haven and Hartford Railroad Roundhouse at 183 Iyannough Rd., Hyannis Without Prejudice, seconded by Tim Ferreira;
Vote: Cheryl Powell, Dave Dumont, David Colombo, Betsy Young, Tim Ferreira, Cecelia Carey
Abstain – Taryn Thoman. The motion passes.

Taryn Thoman asks if a condition can be placed on this so as to not see a demolition for a certain amount of time? Maybe put on record for a certain amount of time?

Chair Cheryl Powell replies she does not think so, they are asking for a withdrawal without prejudice. This is not an open public hearing, so therefore no conditions can be placed.

Gloria McPherson confirms that you cannot condition it, can allow a request to withdraw, a request to withdraw without prejudice or deny the request.

Chair Cheryl Powell states that this is for a request for a withdrawal – they are investigating other options.

Taryn Thoman directs to the Applicant and asks if something is already in place?

Marty Reilly replies that they have already began to commence/spoken with CCRTA as part of their transit oriented development project, these discussions will continue and we are hoping that all the people that have expressed their interest and concerns will help with this effort as a community.

Chair Cheryl Powell calls for a 5 minute break.

Next HHDC meeting scheduled for October 2, 2019

Other Business

The Hyannis Main Street Waterfront Historic District Commission may go into executive session under G. L. c. 30A s. 21(a)(3) to discuss the following matter: the pending Hyannis Main Street Waterfront District Appeals Committee appeal by Verizon of the Commission's decisions dated June 12, 2019 to deny Verizon a certificate of appropriateness and certificate of hardship for a tower extension at 49 Ocean Street, Hyannis if the chair declares that an open meeting may have a detrimental effect on the litigating position of the Commission.

Chair Cheryl Powell notes that there were some recusals for this matter and asks that any persons that have recused may leave at this time.

David Colombo, Dave Dumont and Betsy Young recuse and leave.

Chair Cheryl Powell states that the Commission will be going into executive session Under Massachusetts General Law Chapter 30A Section 21(a)(3) and not reconvene in open session.

The pending Hyannis Main Street Waterfront District Appeals Committee appeal by Verizon of the Commission's decisions dated June 12, 2019, to deny Verizon a Certificate of Appropriateness and Certificate of Hardship for a tower extension at 49 Ocean Street, Hyannis.

I as Chair declare that in this case that an open meeting may have a detrimental effect on the litigating position of the Commission. This Commission will not reconvene in open session.

Chair Cheryl Powell asks for a motion to go into Executive Session, so moved by Taryn Thoman;

Roll Call Vote:

Cheryl Powell – Yes
Taryn Thoman – Yes
David Dumont – Recused
Marina Atsalis – Yes
David Colombo – Recused
Betsy Young – Recused
Jonathan Kanter – Absent
Timothy Ferreira – Yes
Cecelia Carey – Yes
Jack Kay - Absent

There are five Commissioner's in attendance.

The meeting ended at 7:31 p.m. – Executive Session began.

Respectfully submitted
Karen A. Herrand

List of Exhibit Documents

Exhibit A – Plan – proposed elevation – paint areas – 259 Main St., Hy Map/Par 327/127

Exhibit B – Paint samples – 259 Main St., Hy Map/par 327/127

Exhibit C - Lt. dated Sept. 18, 2019 – Hy-Line, COA re demolition of 183 Iyannough Rd., Hy Map/Par 328/201