



**Hyannis Main Street Waterfront
Historic District Commission**

367 Main Street
Hyannis, Massachusetts 02601
Phone: 508-862-4064

1 MAR '24 PM 12:25
BARNSTABLE TOWN CLERK

PETITION FOR APPEAL

Hyannis Main Street Waterfront Historic District Commission Appeals Committee

0 School Street, LLC
Appellant

vs.

Hyannis Main Street Waterfront Historic District Commission

1. This is an appeal from the decision of the Hyannis Main Street Waterfront Historic District Commission (copy attached) on Shoestring Properties, LLC (Applicant) application for certificate of appropriateness (Project) located at 110 & 115 School St, Hyannis dated Dec. 27, 2023 and approved / disapproved by the HMSWHDC on Feb. 21, 2024 (date) and filed on Jan. 2, 2024 (date).
2. The reason for the appeal is: The Board was arbitrary and capricious in its decision. The Board applied criteria outside its jurisdiction and authority and failed to consider reasonable impacts of the project, particularly the density, massing, scope and proportion.
3. The relationship of the appellant to the subject of the appeal is that of A butter (Applicant/butter/other aggrieved party).
4. The remedy sought by the Appellant is overturn approval and deny the Applicant's request (reversal of HMSWHDC decision/annulment of HMSWHDC decision/remand application to HMSWHDC)
5. I hereby certify that I have given notice of this appeal to Town Clerk, Town Committee & Applicant, if different. 2-26-24 (date)

Appellant's Signature David V. Lawler Attorney at Law Tel. Number 508-778-0303

Appellant's Address 0 School St, Hyannis, MA 02601

Also include name, address & telephone of designee if appellant is not self-represented.
LAW OFFICE OF DAVID V. LAWLER, 540 Main St, Ste 8, Hyannis, MA 02601
508-778-0303



21 FEB '24 PM 3:47
BARNSTABLE TOWN CLERK

Town of Barnstable
Planning & Development Dept.
Hyannis Main Street Waterfront Historic District Commission
www.town.barnstable.ma.us/hyannismainstreet
Decision – Certificate of Appropriateness
Shoestring Properties, LLC – New Construction/Dockside Condominiums
110 & 115 School Street, Hyannis

The Hyannis Main Street Waterfront Historic District Commission, pursuant to the Code of the Town of Barnstable Chapter 112, Historic Properties, Article III, Hyannis Main Street Waterfront Historic District, hereby approves a Certificate of Appropriateness for the following property:

Property Address: 110 & 115 School Street, Hyannis
Assessor's Map/Parcel: 326-121 & 125

The public hearing on this application was opened on January 17, 2024, and continued to February 7, 2024, when it was closed. After consideration of the testimony given and materials submitted by the applicant and members of the public, the Commission found the proposed new construction project will appropriately contribute to the historic character of the Hyannis Main Street Waterfront Historic District. The Commission considered the materials, design, color, size, location, and context of the proposed project and found it to be appropriate for the protection and preservation of the district. Based on these findings, the Commission voted to grant the certificate of appropriateness subject to the following conditions:

1. The application is approved and the activity shall be completed substantially in conformance with the application submitted and updated materials and plans provided for new construction per the Approved Plans entitled:
 - a) Plans and Elevations entitled Hyannis Dockside Condos, by Gienapp Architects, dated December 27, 2023, Sheet numbers A101, A111, A121, A131, A141, A201, A202, A203, A900, A901 and A902;
 - b) Supplemental Detail Sheets entitled Dockside Condominiums Historic Review Set, by Gienapp Architects, dated January 25, 2024, Sheet numbers HD05, HD10, HD15, HD20, HD25, HD30, HD40, HD50, HD60, and HD70;
 - c) Civil Site Plans entitled Dockside Residence Site Plan, by Down Cape Engineering, Inc., dated December 21, 2023, Sheet numbers 1 through 6.
2. In addition, the Approved Plan shall include:
 - a) Utility poles on School Street shall be removed and installed underground prior to Certificate of Occupancy from South Street to the water's edge with the exception of the two utility poles on South Street that service the east-west trunk line. The applicant shall notify and work with direct abutters to locate any associated public electrical infrastructure improvements as a result of placing utility poles underground.
 - b) Four to Six additional Post Lights, in addition to the supplemental lighting detail found on sheet HD20 of the approved Supplemental Details Sheets, shall be added to School Street to improve lighting along the frontage of the proposed project.
3. The Approved Plans (condition 1) listed above as well as those improvements further conditioned (condition 2) represent all exterior improvements approved including but not limited to all colors and materials listed. No exterior changes to the approved plans, visible from a public way, shall be made without prior approval by the Commission.
4. The Applicant shall obtain all necessary permits from the Building Division prior to commencement of any work.

Present and voting in the affirmative to grant the certificate of appropriateness were: Cheryl Powell, Jack Kay, Tom Doherty, Jennifer Hinckley Needham, Matt Clark and Kevin Matthews.

Cheryl Powell

Chair, Cheryl Powell

2-21-2024
Date

Hyannis Main Street Waterfront Historic District Commission

cc: Applicant, Building Commissioner & File

I, Ann Quirk, Clerk of the Town of Barnstable, Barnstable County, Massachusetts, hereby certify that twenty (20) days have elapsed since the Hyannis Main Street Waterfront Historic District Commission filed this decision and that no appeal of the decision has been filed in the office of the Town Clerk.

Signed and sealed this _____ day of _____ under the pains and penalties of perjury.

Ann Quirk, Town Clerk