



Town of Barnstable  
Hyannis Main Street Waterfront Historic District Commission  
[www.townofbarnstable.ma.us/hyannismainstreet](http://www.townofbarnstable.ma.us/hyannismainstreet)

BARNSTABLE  
TOWN CLERK

19 JAN 23 A11 :08

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, 2<sup>nd</sup> Floor at 6:30 pm on **Wednesday, December 19, 2018.**

**APPROVED AS AMENDED MINUTES**

Members Present: Cheryl Powell, Betsy Young, Marina Atsalis, Taryn Thoman, Timothy Ferreira

Members Absent: David Colombo and David Dumont

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

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**

**New Applications**

**Certificate of Appropriateness**

**Peter Kempton, CC Entertainment d/b/a Flashback – 294 Main Street, Hyannis – Map 327 Parcel 254**  
Outdoor Dining

Peter Kempton in attendance. He gives a brief explanation of the outdoor dining, refers to diagram, Exhibit A. Black wrought iron, 20 seats and umbrellas for each table. Like the existing. 5 tables 4 chairs for each table. These are the same ones that were previously used at this address. His request is for 20 seating capacity.

**Chair Cheryl Powell asks for any public comment. – None.**

**Chair Cheryl Powell entertains a motion, moved by Marina Atsalis to accept as presented, seconded by Taryn Thoman, so voted unanimously.**

**Bruce Prescott d/b/a Zoë & Co. – 448 Main Street, Hyannis – Map 309 Parcel 220**  
Business signage

Bruce Prescott in attendance. He gives an explanation for the proposed sign, makes reference to Form B/picture of bldg., Exhibit B. Would like the sign on the wall. Size is 72 inches x 24 inches, black and white. Would like to frame it with black border as well, reference to Exhibit B, older sign that has this type of border. Also he would like a decal in the front window.

Tim Ferreira asks/clarifies if one or two signs?

Betsy Young asks if sign is lighted?

Bruce Prescott confirms two signs total, with the decal on the window. The sign will not be illuminated.

**Chair Cheryl Powell asks for any public comment. None.**

**Taryn Thoman entertains a motion to accept the application as presented, seconded by Marina Atsalis, so voted unanimously.**

**Margo Pisacano d/b/a Margo & Company – 128 Main Street, Hyannis – Map 327 Parcel 178**  
Business signage

Mike Caggiano from Plymouth Sign Co. in attendance, representing the Applicant. He gives an explanation of the proposed signage for both Main Street and Camp Street, Hyannis. He's spoken with the Bldg. Inspector regarding the square footage amounts allowed by the Building Dept.

Discussion regarding parking in the back.

Mike Caggiano replies yes, there is parking in the back. Clarification that one sign will face Camp Street and one sign will face Main Street.

Chair Cheryl Powell asks for confirmation about having the two signs on this corner/property/bldg.

Paul Wackrow clarifies that it is pre existing and allowed.

**Chair Cheryl Powell asks for public comment. None.**

**Motion made by Marina Atsalis to accept as presented, seconded by Taryn Thoman, so voted unanimously.**

### Other Business

#### **Updates and discussion of questions regarding irregularities and enforcement**

Chair Cheryl Powell asks if anyone has any questions.

Taryn Thoman comments about the Business Improvement District (BID), we have 3 members on this Commission that are also on the BID. Also, enforcement steps have to be clarified.

Chair Cheryl Powell states that ~~we~~ the Building Dept. will be putting forth a letter. She refers to the draft minutes of Dec. 5<sup>th</sup>, 2018, pg. 3, Exhibit C - paragraph that states "inspectional services" in Bldg. Commissioner's email as recited in the draft minutes. He has invited HHDC to have input for this.

Paul Wackrow clarifies that Bldg. Dept./Commissioner is working on this template/draft letter.

Discussion regarding how to identify responsibility for moving forward with a violation(s).

Betsy Young thinks/suggests possibly seeing a draft of what Bldg. Commissioner is putting together first and then submit our questions?

Marina Atsalis comments that renters don't seem to know what the guidelines are with the properties/buildings and the owners should provide information to them/disclosure. Landlords to become accountable.

Paul Wackrow states that we have a guideline that is fairly new for businesses and restaurants – Economic Development Staff.

Chair Cheryl Powell suggests writing/emailing or calling the Bldg. Commissioner regarding rental properties and tenants not knowing about procedures for coming into buildings and requirements. This could be an item to add to list/questions.

### **Discussion of members and alternates, composition of the Commission**

Chair Cheryl Powell states that she has had a discussion with Jessica Rapp Grasseti regarding code 241-42 and 112-27 to clarify the composition of this Commission – which is 7 full members and up to 3 alternates.

Composition of the Commission is: A Realtor, Architect, and Barnstable Historical Commission. Then after there is an option to go on to others within the community, i.e., business people. George Jessop has volunteered to come and help HHDC on an as needed basis, and if available, until someone can fill this spot.

Paul Wackrow replies that as a member of the public he (George Jessop) could come and make public comment.

Taryn Thoman comments that typically, traditionally when an alternate member wants to move up to a full position, the Chair notifies the board that a position is open, then the senior alternate states if wants to move into the permanent position, and then HHDC votes on it and writes a letter to the Appointments Committee asking to move the member forward.

### **Motion made by Taryn Thoman to take a vote to appoint Tim Ferreira as a permanent member, seconded by Marina Atsalis.**

Marina Atsalis states that when we had alternates and needed a permanent we would choose the alternate whom had been here the longest, not complicated procedure, just done by the board by vote.

Paul Wackrow clarifies/states that this process is not in section 112. It is the Town Council's Appointment process that appoints alternates and permanent members.

Chair Cheryl Powell clarifies that we cannot choose, we can put in a request to the Appointments Committee, to consider ~~Town Council~~ and they appoint. You can put a name in and forward to Appointments Committee.

Taryn Thoman states it's a process of respect.

Betsy Young comments that she went to Town Council and asked what the procedure was to be appointed and this is what she was told. To go through them.

Chair Cheryl Powell reiterates what the composition of the Board (Commission) should be, Realtor, Architect and member of Barnstable Historical, then if no response within 30 days for these position then it goes to members of the public.

Paul Wackrow clarifies the composition as Chair Cheryl Powell has stated.

Marina Atsalis comments that we usually work together, what's changing now, seems that this is being taken out of our hands as well.

Chair Cheryl Powell states that things may not have been strictly performed ~~were't being done by the code/bylaws~~.

Taryn Thoman states that this demonstrates a lack of respect.

Betsy Young comments that none of the past practice of this Commission has ever been explained to her. She went to Town Council and asked what the procedure was and that's how she found out. I think the issue is with the Town.

### **Motion on the floor reiterated as:**

**Motion made by Taryn Thoman to ask the Appointments Committee to reconsider Tim Ferreira for full membership as traditionally done, seconded by Marina Atsalis -**

Chair Cheryl Powell clarifies the amount of time/service each alternate has put in - Tim Ferreira – 4 years on the Commission. Betsy Young – 1 year on the Commission. Wants to follow the bylaws (30 days to pass) and that the Appointments Committee ~~has to do their job.~~ is permitted to deal with this.

Discussion re the motion on the floor, procedure/process – let the Appointments Committee know. Appointments Committee to know that the Commission supports moving Tim Ferreira forward to a permanent member.

Chair Cheryl Powell would like to wait until after the 30 days have passed. Then put forward one of the alternates to fill the place if it cannot be filled by one of the persons needed/correct composition. Wait until the end of January. Have to abide by the bylaws.

Taryn Thoman would like to take the vote and have it on record that Tim Ferreira has received the support of the Commission.

**Motion made by Taryn Thoman to have the Commission, as per the procedure in the past that was respected, would like to, as previously done/voted on, submit our alternate Tim Ferreira, for promotion to full member, if the Appointments Committee has not found someone as per Article III, Section 112-27 bylaw to meet the charge to fill the Commission, and therefore submit for consideration to the Appointments Committee, should the charge not be put forward for full membership, seconded by Marina Atsalis, so voted unanimously.**

Approval of December 5, 2018, Minutes

Marina Atsalis, pg. 2, 5<sup>th</sup> paragraph from the bottom – amend/insert the word “former” before Town Manager.

Cheryl Powell, Dec. 5<sup>th</sup> minutes, pg. 1, - delete “~~Ruth Weil and Elizabeth Jenkins~~” from being in attendance at this meeting as they were not in attendance.

**Chair Cheryl Powell entertains a motion to approve the minutes as amended, moved by Marina Atsalis, seconded by Taryn Thoman, so voted unanimously.**

#### **Matters not Reasonably Anticipated by the Chair**

Next HHDC meeting scheduled for January 16, 2019

**Chair Cheryl Powell entertains a motion to adjourn, moved by Marina Atsalis, seconded by Taryn Thoman, so voted unanimously.**

The meeting adjourned at 7:52 p.m.

Respectfully submitted  
Karen A. Herrand

#### **List of Exhibit Documents**

**Exhibit A** – 294 Main St., Hy – Map/Par 327/254 – sketch of outdoor dining layout for Flashbacks

**Exhibit B** – 448 Main St., Hy – Map/Par 309/220 – Form B inventory sheet – re Zoe & Co.

**Exhibit C** – HHDC Draft Minutes of December 5, 2018