



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, February 17, 2016.**

MINUTES

Members Present: George Jessop, Bill Cronin, Brenda Mazzeo, Taryn Thoman, John Alden and David Colombo

Members Absent: Marina Atsalis, Paul Arnold, and Timothy Ferreira

Staff Present: Karen Herrand, Principal Assistant, Growth Management Dept. and Elizabeth Jenkins, Regulatory Review Planner, Growth Management

A quorum being duly present, Chair George Jessop opened the meeting at 6:32 p.m.

An announcement was made by George Jessop 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

David Colombo d/b/a Black Cat Harbor Shack, 159 Ocean Street, Hyannis – Map 326, Parcel 039

Installation of a new roof deck, stairways and vertical lift

David Colombo recuses himself from the meeting.

Steve Cook of Cotuit Bay Design in attendance, Project Designer.

Roger Brooks also of Cotuit Bay Design in attendance.

Attorney Dan Creedon also in attendance.

Steve Cook gives a brief description of the plan, site plan of land, see Exhibit A. He makes reference to the photos as distributed in package, Exhibit B. He makes reference to the covered porch, lower level, see Exhibit C. Proposal to add seating, thirty eight additional seats to the roof deck, second story. Reference to the stairs to be installed/stairs on left and on right and vertical lift platform for accessibility. Reference is made to elevation views, see Exhibit D. The lift will be built with wood frame wall with white cedar shingles siding, white trim and hip roof to match the existing material on the building. No mechanical equipment will be seen at all. Vertical board underneath the stairs.

Chair George Jessop comments on the tower/vertical lift that there has to be another place to put this. Takes up visual space, blocks the inner harbor view to the left. Can it be put in the back of the building or up against the building? Suggests moving the elevator away from the center of the staircase position. What are other possible areas that this can be put?

Steve Cook replies that there are two other places where the gas meter comes into the building or where the overhead wires are. This would be very expensive and time consuming to do for the Applicant, Mr. Colombo.

Chair George Jessop states that he does not want to approve this tower in the position that is proposed. The addition to the second floor is creating a much bigger mass for this building than it is intended to have. The access for the elevator should be placed as to not add congestion to the front of the bldg. The tower should be moved and then the staircases can be condensed. Suggests several different areas where the tower could be placed.

Roger Brooks from Cotuit Bay makes reference to Site Plan of Land, Exhibit A. This is a take out restaurant, not waited tables, the two windows are on the first floor, traversing the deck is not a down side. The landings on the stairs give a nice mid level view. The power head will be raised/moved.

Steve Cook replies that there are other structures that do have this type of design and hands out pictures of the other buildings in the neighborhood, i.e., Blue Water Grill, Hyannis Harbor Hotel, Exhibit E, the only difference is the tower.

Chair George Jessop replies, yes, this is the issue. The elevator blocks the view.

Attorney Dan Creedon interjects that he has reviewed the Hyannis Main Street Waterfront Historic District Commission's design guidelines and he doesn't think that view shed vistas are within the guidelines, maybe the massing. The Harbor is across the street, he respectfully disagrees that any portion of the vista will be obliterated by this tower. The Applicant's preference was to not have a lift/tower at all, but have to do because of the handicapped regulation.

Bill Cronin interjects/states that he likes the design, he makes reference to the site plan, Exhibit A, thinks there will be a good view, may lose a view on one table of four. The way that the tower is designed, it's less in height than the building itself, not that large a structure, probably the only place you could put it, unless you go inside and remove some of the building. Good set of stairs up and around, how would you change them?

Chair George Jessop replies that you could change the stairs by reversing them. Have intermediate landing towards the water instead of at the back.

John Alden clarifies that it is here because this is where the additional seating would be, correct?

Steve Cook answers, yes and the other issue is that they have a setback issue.

Taryn Thoman asks/directs to the Chair if he has a historical or aesthetic objection to it?

Chair George Jessop answers, yes, it increases the mass, putting the railing around the top of the existing roof doesn't increase the mass appreciably, the real problem is getting up there, that does increase the mass, almost unnecessarily. But if going to second floor how much of that mass do we have to have forward of the existing building. If the elevator is adjunct to it then this wouldn't increase the mass forward of the face of the building. Reversing the stairs gives a landing at the elevator.

Bill Cronin asks for a dimension on the tower? Any thoughts about a port hole? Maybe 2 or 3 on the side, this would break up the mass with a visual.

Steve Cook answers 5ft. 6 inches square, outside dimensions. They could do port holes, blackened out windows to reduce/break up the mass.

Brenda Mazzeo directs/asks Chair Jessop for clarification of the layout of the tower and stairs if it is reversed and possible underground utilities.

Bill Cronin suggests maybe placing a weathervane on the top of the tower?

Attorney Creedon states that they will be creating 34 new seats with views for patrons, not a perfect 180 panoramic view for a few, but 34 out of 38 proposed, reference to Exhibit C.

Chair George Jessop states that moving the structure, see Exhibit C, doesn't change the amount of staircase you have to build, doesn't change railing associated, what it does is change the pattern slightly. Moving it back against the building allows you to attach to the existing structure. No more difficult to place against the building. Electrical lines will be changed anyway. Power lines have to go over your head. Power head on the building is all that has to be changed.

Brenda Mazzeo asks about price difference? Will a re design end the project?

Attorney Creedon replies that re-designing this would push the project to the following season.

Chair George Jessop makes comment that we can ask for a change, we don't have to move this for the convenience of other Boards and/or contractor schedules.

Brenda Mazzeo comments that she likes the idea of the tower going in the back of the bldg, likes second floor seating, doesn't want the project to be delayed for another year, tempted to compromise with the tower in the back, if not a big financial change. Colombo's restaurant's always look great.

Taryn Thoman suggests maybe coming back in two weeks and entertain a redesign of the structure?

Attorney Creedon replies that they have gone through the schedule for construction and schedule with permitting, there are some lead times that are significant to the project. He's confident in saying that this delay would kill the project for this year.

Chair George Jessop directs/asks Elizabeth Jenkins if we could make the approval conditional on the removal of the elevator in the present position and relocation adjacent to the building?

Elizabeth Jenkins answers that she thinks they could do this, if they had a very detailed statement of the changes and what was being approved. Submission this way could happen administratively.

Attorney Creedon asks for clarification for the current vote on the floor?

Elizabeth Jenkins confirms four positive votes are required to approve this.

John Alden comments that he could deal with it as is because this would improve the business district and encourage business. Possibly a good idea to move tower, but he would not vote against it.

Brenda Mazzeo asks about the property line.

Steve Cook confirms that the property line would make it closer than it is now to the back corner.

Attorney Creedon interjects that that means they would have to go before Planning Board and modify the special permit and re advertise the public hearing/notify abutters which would move this out at least another month.

Chair George Jessop asks if the staircase is included in the setback? Wherever you put this it will be in the setback.

Roger Brooks clarifies that the Building Commissioner was in favor of including the staircase in the setback, per a required means of egress. The elevator will be in the setback, 20 ft. setback.

Elizabeth Jenkins concurs with Attorney Creedon that they would probably be looking at March 14th Planning Board hearing.

Taryn Thomas asks if there was time lost on this application because of weather? She asks for any other photos to show regarding this look on another building.

Chair George Jessop confirms that the application/meeting was postponed for this application due to no quorum of the Commission.

Steve Cook hands out photos of a building in Osterville, Exhibit F.

Taryn Thoman agrees that she does not want to delay. This would this be a huge difference in time. This delay would mean a lot of lost time in summer.

Motion made by Bill Cronin to accept the plan as presented with the stipulation to put in port hole designs or some type of design to break up the mass on elevator/tower on street facing side and Bond Court facing side, and potential to add a nautical theme weathervane on top of the elevator/tower, seconded by John Alden, one opposed. Bill Cronin, John Alden, Brenda Mazzeo, Taryn Thoman are all yes votes. Chair George Jessop is a no vote. The motion passes and the application is approved by a 4 to 1 vote.

Alonso Clarindo d/b/a Akira Sushi, 575 Main Street, Hyannis – Map 308, Parcel 111

Two Business Signs

Isabella Clarindo in attendance, she will be translating for her Father Alonso Clarindo the Applicant. She hands out a picture of the signage. See Exhibit H. She points out the oval sign that was there previously. They want to use the wood support post that is there at present to place their sign on.

Chair George Jessop confirms the materials to be used are aluminum faced wooden based with mylar lettering. Asks what the translation of the wording "Akira" is? Exhibit G.

Isabella Clarindo replies, there is no translation, this is the word.

Bill Cronin comments that the post has been hit by a snow plow.

Isabella Clarindo confirms that the post will be replaced by the Town as it was hit by a plow doing snow removal.

Elizabeth Jenkins interjects that there will be two business signs one on the door and one on the post support, two business signs.

Chair George Jessop asks for clarification about the sign to be placed on the door, if it is to be vertical or horizontal?

Isabella Clarindo states that they thought it might be better to do the door sign vertical. They can keep the same signage for the door as on the post, don't have to do vertical.

Brenda Mazzeo asks if it will be two different logos? She likes the red and white lettering. The lettering is different on each sign.

Chair George Jessop suggests coming back at the next meeting in order to get approval for a vertical business sign to be placed on the door.

Motion made by Bill Cronin to accept as presented for one business sign (horizontal format for the post), and option to do second business sign of the same design, smaller scale, for door and open/closed sign, seconded by Taryn Thoman, so voted unanimously.

Elizabeth Jenkins confirms that they can continue the design for the door (original red and white vertical format lettering) for the next meeting in two weeks if the Applicant wishes.

Richard Penn 400 Main Realty LLC – Morgan Stanley, 45 North Street, Hyannis – Map 327, Parcel 262

New Door, Hardware and Paint

Linda Grace in attendance.

Richard Penn in attendance.

Linda Grace gives an explanation of the project. She refers to a rendering with the current door, aluminum, Exhibit H and replacement mahogany door, Exhibit I. This will be a low luster black. She gives out a picture of an example of the door that would be placed there, mahogany door, Exhibit J.

Chair George Jessop suggests a black stain with clear coat finish as an option.

Bill Cronin asks if they will be removing the side lights?

Linda Grace replies yes they will be removing the side lights and are proposing to replace within the existing opening so that the pilasters would fill in the remaining space.

Motion made by Bill Cronin to accept the application as presented, (design revision for new door), seconded by David Colombo, so voted unanimously to approve.

Other Business

Approval of Minutes – January 6, 2016

Bill Cronin asks if there is any legal clarification about the voting on the minutes?

Elizabeth Jenkins states that there really is nothing that states you cannot vote if you are present or not. Nothing written that says if you were not present you cannot vote, it's a best practice that if you weren't there to abstain from voting, but if meeting minutes wouldn't get approved due to a change of Board status it would be necessary for all members to vote.

Chair George Jessop comments that he has heard that if you have watched the video and have read the minutes than you are qualified to vote on the minutes as a member.

Hearing no objection to the minutes as presented the Chair George Jessop approves the minutes.

Matters not Reasonably Anticipated by the Chair

Motion made by Bill Cronin to adjourn, seconded by Dave Colombo, so voted unanimously.

Respectfully submitted
Karen A. Herrand

Next HHDC meeting scheduled for March 2 and March 16, 2016

List of Exhibit Documents

Exhibit A – Site Plan of Land – 159 Ocean St., Hyannis – Map/Par 326/039

Exhibit B – Copies of photographs – 159 Ocean St., Hyannis – Map/Par 326/039

Exhibit C - Roof deck and lower level plan – 159 Ocean St., Hyannis – Map/Par 326/039

Exhibit D – Elevation plans of Black Cat Harbor Shack – 159 Ocean St., Hyannis – Map/Par 326/039

Exhibit E – Pictures of photographs of misc. businesses on Ocean St., (2 pgs.) – 159 Ocean St., Hyannis – Map/Par 326/039

Exhibit F - Pictures of photographs of bldg. in Osterville with same design as proposal – 159 Ocean St., Hyannis – Map/Par 326/039

Exhibit G - Signage picture “Akira” 575 Main St., Hyannis - Map/Par 308/111

Exhibit H - Picture of existing door – Morgan Stanley – 45 North St. Map/Par 327/262

Exhibit I - Picture of door proposed with brass fixtures – Morgan Stanley – 45 North St., Hyannis - Map/Par 327/262

Exhibit J – Picture of new door proposed (on front of Puritan Bldg.) – Morgan Stanley – 45 North St., Hyannis – Map/Par 327/262