



Town of Barnstable
Hyannis Main Street Waterfront Historic District Commission
www.townofbarnstable.ma.us/hyannismainstreet

APPROVED AS AMENDED - MINUTES

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 **6:30 P.M.** on Wednesday, **May 20, 2020.**

Members Present: **Via remote participation access:** Cheryl Powell, David Colombo, Betsy Young, Cecelia Carey, Jack Kay Tim Ferreira and David Sorensen

Members Absent: David Dumont

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

In accordance with the Governor's Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces, and Prohibiting Gathering of More Than 10 People issued on March 24, 2020 and extended on April 28, 2020, the public meeting of the Hyannis Main Street Waterfront Historic District Commission shall be physically closed to the public to avoid group congregation.

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Channel 18 and may be accessed via the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/>

2. Real-time public comment can be addressed to the Hyannis Main Street Waterfront Historic District Commission utilizing the Zoom link or telephone number and access code for remote access below.

Link: <https://zoom.us/j/97053660465>

Phone: 888 475 4499 US Toll-free Meeting ID: 970 5366 0465

3. Applicants, their representatives and individuals required or entitled to appear before the Hyannis Main Street Waterfront Historic District Commission may appear remotely and are not permitted to be physically present at the meeting, and may participate through the link or telephone number provide above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to Paul.Wackrow@town.barnstable.ma.us, so that they may be displayed for remote public access viewing.

Please note that this meeting will be recorded and broadcast on Channel 18 and, in accordance with *MGL Chapter 30A §20*, anyone taping this meeting please make their presence known.

Please silence your cell phones

Call to Order

Roll Call Attendance

Cheryl Powell
Cecelia Carey
Betsy Young
David Colombo
Tim Ferreira
David Sorenson
Jack Kay

Welcome to New Members, Special Guests, and Advisors

Reminder of Commission's Purpose and Proper Procedure

No Applications tonight.

Discussion Of Conditions for Temporary Structures and Signage

Chair Cheryl Powell states that some temporary signage has been put up on Main Street. With the pandemic a lot of these businesses have been hit hard, anything we can do to help them. Has spoken with Town Council member/liaison Kris Clark about.

Chair Cheryl Powell sent some pictures to Paul Wackrow of signs being used presently – Exhibit A.

Betsy Young states that she hasn't seen/please confirm this type of sign(s).

Chair Cheryl Powell states that there are some guidelines -two temp signs at any time.

David Colombo would like to see them professionally done, not hand written. He has an inter changeable A-Frame sign that can change the panels, does he need approval for this? Four different panels that would state curbside pick up and takeout with phone number/info.

Paul Wackrow replies to treat as a temporary sign. Can make some conditions around temporary signage due to response to pandemic.

Chair Cheryl Powell comments that anything they approve today has to go to Town Manager.

Paul Wackrow replies different methods for approval – conditions would be sent to Town Manager for certain items. Something on private property however, conditions approved could go into place immediately. It will not go through a typical format/process. Discretion of the Commission for certain conditions for some consistency and guidance for applicant's for signage and outdoor dining without going through typical process.

Chair Cheryl Powell suggests timing 5 to 7 weeks, or could we state until state of emergency lifted?

EXHIBIT B – Draft Document:

Discussion of suggested language/wording for timeline.

Paul Wackrow suggests language - remain in place until phase 4 or until state of emergency lifted, whichever comes first.

David Sørensen asks how can we set conditions for things not in our purview?

Paul Wackrow refers to the Commission's ordinance Chapter 112 section 30 features that are excluded 2 sections related to temporary structures and temporary signs. – see A through G.

David Sorensen asks about signs that are already up – penalties or fines, how would that work?

Chair Cheryl Powell explains the procedure used in the past, drafting letter in conjunction with the Bldg. Commissioner and asks if can contact the Dept., then do enforcement if no reply, however these signs are not in

that category, businesses trying to stay in line with emergency situation. Maybe put letter on town website that certain are approved in certain presentation.

Paul Wackrow confirms that they would not be doing retroactive for anything.

David Sorensen adds that state government has treated businesses so terribly that we should help with whatever we can to help locals stay afloat. Cannot support letters but ok to communicate to suggest that their signs be presentable, but no enforcement at this time.

Jack Kay asks if A Frame signs can remain at night?

David Colombo replies they take theirs in at night, for safety and to avoid vandalism.

Liability questions and would need approval from Town Manager's office for Town properties.

Chair Cheryl Powell asks if any proposal to allow for outdoor dining as of yet, parking lots, social distancing kept? Is it possible to use parking lots, shutting down Main Street like is done for special events, has this ever been proposed?

Paul Wackrow replies there is some discussion re outdoor dining, these suggestions are all being considered.

David Colombo asks about social distancing with sidewalks being included.

Paul Wackrow replies for historic purposes staff would only review if permit needed. Social distancing would likely be through licensing and Town Manager's office. Some guidance may be forthcoming with this information, liability/town property, modified guidelines being worked on in that respect.

Exhibit B - Temporary structures and signs may be subject to permitting from the Bldg. Dept.

Signage must directly be related to social distancing. Temporary signs and graphic colors shall be professionally fabricated. See Exhibit B as in draft/discussion.

Chair Cheryl Powell refers to her pictures, Exhibit A, most of them are being professionally done. Suggests language that states to keep in character of the district. We can suggest ~~what how to be~~ what can be done, must not obstruct. No sign painted on or attached to trees, temporary signs must be attached in manner not to damage the building, can be written as a condition as such. Owner limited to two temporary signs at any time.

Betsy Young thinks most are only using one sign, hasn't seen two. Recommend no more than two.

David Colombo asks if with a pre approved A Frame already, could he also make two temporary signs?

Paul Wackrow not sure if would consider for this or not – A frame already permitted/hardship, may not fall into this category.

Betsy Young states window signs and A Frames or two signs for fronting/street facing property.

Discussion regarding A Frame being already permitted.

Exhibit B - Signs shall not be illuminated. Outdoor Dining and Site Features Conditions and Recommendations

Exhibit B - Barrier should compliment. Other required outdoor, canopy, tents, umbrellas, other outdoor dining elements. These are all recommendations.

Betsy Young asks if this would allow restaurants to bring their indoor furniture outdoors?

Paul Wackrow replies, assuming yes, it is a guideline. If on Town property there will be a parallel process with Town Manager.

David Colombo mentions that it takes a long time to get outdoor furniture ordered, thinks everyone should have this, umbrellas – these items take a long time to get even in normal conditions. Umbrellas with advertising are usually for free, use of advertisements on umbrellas instead of just stripe or solid.

Chair Cheryl Powell clarifies outdoor furniture/dining will be different. Umbrellas possibly letting this with advertisements be ok, with the type of emergency we have. Trying to help out where we can within our scope.

David Colombo mentions that it will not be uniform, he will have different types of furniture with this situation.

Discussion for different sections, picnic tables.

Paul Wackrow replies that these would be recommendations/guidelines but try to make as consistent as you can. Maybe make broader with outdoor dining site features, features should compliment the building, to the extent possible. These are recommendations.

Paul Wackrow asks for any specific recommendation regarding indoor furniture being brought out?

David Colombo suggested - uniform in a particular section – Chair suggests same tablecloths on all tables.

Betsy Young suggests putting some wording in that possible all not uniform but as attractive as possible.

Paul Wackrow, maybe outdoor dining features/recognition that typical indoor furniture could be used in place of for outdoor dining.

Last Section is about process - Conditions that fall under Chapter 112 section 30.

Commission can affirm that the temporary structures are excluded from Commission purview, as amended this evening. Planning and Development Staff - temporary structures that meet these, there would be no need for COA, allowed as of right.

Chair Cheryl Powell would like it to have some language/or phase 4 or whichever comes first.

Discussion regarding vote - Commission adopt until phase 4 or state of emergency lifted, whichever comes first.

Commission can vote/put in place immediately, because exclusion ability to create these conditions, Commission can do without an ordinance/amendment. These are temporary conditions that relate to this specific COVID criteria, short term implementation.

Staff develops temporary structure acknowledgment form.

Paul Wackrow clarifies, very simple, to track. Not enforcement. Tracking projects and use acknowledgement form.

Chair Cheryl Powell clarifies that this is not enforcement ~~form~~ as we do not have enforcement powers. Need to get out as to what's allowed. Where can public see this?

Paul Wackrow clarifies that it could be as an internal tracking system. Can live on Planning & Development Historic website, there are a few different ways to do. Can use the form that will list the conditions that the Commission has developed, for our records, not a Certificate of Appropriateness (COA).

Chair Cheryl Powell asks who's putting together the response plan, need to submit to Town Manager.

Paul Wackrow replies, it's collective/other Dept's as well. This may not be necessary but maybe for inclusion.

Cecelia Carey would like to keep eye on retailers – could we make exception for outdoor display? Small shops/retail if enough frontage can they put a small table/something to attract people?

Chair Cheryl Powell suggests maybe do this if Main Street is closed.

Betsy Young suggests a comfort level, people may feel more comfortable with outdoor shopping and not having to come indoors. Bring some of the furniture out to street/sidewalk for viewing. Possibly adding some language for shops wanting to bring out what is inside the store.

Chair Cheryl Powell would not want areas abused.

Paul Wackrow - outdoor temporary elements and outdoor dining, site features should complement bldg. features and the character of the district to the extent possible.

Cecelia Carey should we limit the size of what can be outside?

Betsy Young – limit to frontage of the store? There are more restaurants than stores.

Paul Wackrow any outdoor displays on Town property may be under Town Manager's guidance, may be limited to public sidewalks/property.

Chair Cheryl Powell, possibly send to Town Manager for his review/approval/put in the public plan that can address that.

Betsy Young asks if this is just for private property? Temporary situation, shop owners suffering, loss and season will limit public in store/restrictions, maybe put language around aesthetics.

Chair Cheryl Powell replies that we have to comply with what the Town wants on their property.

Paul Wackrow, ADA accessibility will be addressed by others, Bldg. Dept. and Town Manager.

David Colombo clarifies the Commission's purview and states that putting displays out has never been the Commission's purview. He doesn't think we can put guidelines on this.

Chair Cheryl Powell would like to put something in asking that the Town Manager be supportive , possibly closing Main Street.

David Colombo mentions that don't need 6 ft. like restaurants do, just 4.5 for ADA. This falls under a hardship case/situation, in the past it fell under this category.

Chair suggests putting in language to allow temp outdoor displays for retail establishments. Include recommendation/encouragement. Wording to/for possibly closing Main Street and caution/liability.

Discussion regarding display and having the social distancing still in place.

Paul Wackrow - Language for: Temporary Outdoor Elements, Outdoor Dining, and Site Features Conditions and Recommendations.

Exhibit B – to be put in final form/final language. Outdoor Elements wording has been added.

Chair Cheryl Powell –“Outdoor Elements” would have to be determined by the Town, maybe word it that way. Maybe remove elements, suggests outdoor features. Strongly encourage the Town to consider other store owners to maintain their business and possible ways to have their displays – possible to close Main Street for retail establishments.

David Sorensen, why do we have to come up with conditions when there are already rules in place governing, can't we just delegate and approve then Staff put in place?

Chair Cheryl Powell states that displays are not in our original draft.

Recap: Temp signage Conditions and Recommendations, Outdoor Dining and Site Features Conditions and Recommendations, Encourage store/retail displays.

Chair Cheryl Powell states that this needs to go to Town Manager - instruction received from Town Council Liaison.

Motion made by David Colombo to adopt the temporary guidelines and conditions set forth until phase 4 or the pandemic emergency is lifted, seconded by Tim Ferreira,

Roll Call Vote:

Cecelia Carey - aye

Betsy Young - aye

David Colombo - aye

Tim Ferreira - aye

David Sorensen - nay

Jack Kay – aye

Cheryl Powell – aye

6 positive and 1 negative - The motion passes.

Housekeeping

Chair Cheryl Powell mentions that the elections will be the first meeting in July. Remote meetings still?

Paul Wackrow explains yes reappointments to be done and then elections and yes remote meetings will continue.

Other Business

Approval of May 6, 2020, Minutes

Chair Cheryl Powell entertains motion to approve the minutes, moved by Betsy Young, seconded by Cecelia Carey,

Roll Call Vote:

Dave Sorensen - aye

Cecelia Carey - aye
Betsy Young- aye
David Dumont - aye
Cheryl Powell - aye
Jack Kay – aye
Tim Ferreira - aye
So voted unanimously.

David Colombo asks that next phase on June 8th, is Town going to take these into consideration before then?

Paul Wackrow replies yes, now that these are adopted we can forward to Town Manager, he expects to come out in the next couple weeks.

Adjournment

Chair Cheryl Powell entertains a motion to adjourn, moved by Betsy Young, seconded by David Colombo,

Roll Call Vote

Cecelia Carey - aye
Betsy Young - aye
David Colombo - aye
Tim Ferreira - aye
David Sorensen - aye
Jack Kay - aye
So voted unanimously.

The meeting ended at .8:33 p.m.

Next HHDC meeting scheduled for June 3rd and June 17, 2020

List of Exhibit Documents

- Exhibit A** – Pictures submitted by Cheryl Powell
- Exhibit B** - Draft temporary signs and structures document