



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

**MINUTES**  
**May 5, 2021**  
**6:30 p.m.**

2021 JUN 29 PM 3:50

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**Members Present:** Cheryl Powell, Betsy Young, David Sorensen, Cecelia Carey and Jack Kay  
**Members Absent:** David Colombo and Tim Ferreira

**Staff Present:** Elizabeth Jenkins, Director and Karen Herrand, Principal Assistant Planning & Development Dept.

The Hyannis Main Street Waterfront Historic District Commission's Public Hearing will be held by remote participation methods as a result of the COVID-19 state of emergency in the Commonwealth of Massachusetts. 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 access to the Hyannis Main Street Waterfront Historic District Commission meeting is available utilizing the Zoom link or telephone number and Meeting ID provided below. Public comment can be addressed to the Hyannis Main Street Waterfront Historic District Commission utilizing the Zoom link or telephone number and Meeting ID provided below.

Link: <https://zoom.us/j/99994964157>

Phone: 888 475 4499 US Toll-free

Meeting ID: 999 9496 4157

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 provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting 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**

**Attendance Roll Call**

Jack Kay  
Tim Ferreira - absent  
Betsy Young  
David Colombo - absent  
Cecelia Carey  
David Sorensen  
Cheryl Powell

**Welcome to New Members, Special Guests, Advisors and Comments**

Chair Cheryl Powell Acknowledges Town Council Liaison Nick Atsalis, Precinct 4 in attendance. Town Council Liaison Kris Clark in attendance, Precinct II.

## Updates

- Trainings – Chair is still working on.
- Awards – no updates
- Correspondence – received letter, does not have a reply ready to send yet.

## Reminder of Commission's Purpose and Proper Procedure

Chair Cheryl Powell reads HHDC's Chapter 112-24 Purpose, Article 3, ordinance into record:

*"The purpose of this article is to promote the educational, cultural, economic and general welfare of the inhabitants of the Town of Barnstable, and the Town's unique community character through the preservation and protection of the distinctive characteristics of buildings, structures and places significant in the history and architecture of Barnstable, and through the preservation, maintenance and improvement of appropriate settings for such buildings, structures, and places, and the encouragement of new design which is compatible with the existing historical and community character, and through the benefits resulting to the economy of said Town by preserving and enhancing the amenities and historical aspects of the various villages and areas which make Barnstable a desirable place to live and for tourists to visit".*

Chair Cheryl Powell moves item out of order – Continued Business.

## New Business

**Wild Orchid Enterprise d/b/a SmokeOut – 628 Main Street, Hyannis – Map 308 Parcel 062  
Business Sign**

Matt Page in attendance, he explains the new business signage.

Chair Cheryl Powell clarifies the size, Exhibit A is shown with picture of proposed sign.

Betsy Young asks if will be illuminated.

Matt Page, the lighting does not work, no intention of illuminating.

**Chair Cheryl Powell opens up for public comment. None. Public comment is closed.**

Betsy Young thinks well made sign, clean, fits within the standards.

**Chair Cheryl Powell entertains a motion for the Findings, moved by Cecelia Carey, to find to be compatible with the preservation and protection of the district, seconded by David Sorensen,**

### Roll Call Vote:

Jack Kay - aye

Betsy Young - aye

Cecelia Carey - aye

David Sorensen - aye

Cheryl Powell - aye

**Chair Cheryl Powell entertains a motion for a Certificate of Appropriateness (COA), moved by Cecelia Carey to issue for the application at 628 Main street, as described in the submitted materials, seconded by Jack Kay,**

### Roll Call Vote:

Jack Kay - aye

Betsy Young - aye

Cecelia Carey - aye

David Sorensen - aye

Cheryl Powell - aye

Chair Cheryl Powell announces the Jack Kay is now a full member.

Elizabeth Jenkins will be liaison for Planning.

**Continued Business**

**Elizabeth Wurfain (for the Hyannis Main Street Business Improvement District) and Sturgis – 529 Main Street, Hyannis – Map 308 Parcel 269**

Greenhouse – Continued from April 21, 2021 – Discussion and Determination regarding Request to Withdraw

Elizabeth Jenkins - point of order – Betsy Young did recuse herself at the last meeting.

Betsy Young wasn't sure if recusal needed, but she will recuse herself now.

Chair Cheryl Powell would like to continue this matter, Applicant not in attendance.

Elizabeth Jenkins - point of order, a request to withdraw has been submitted.

Chair Cheryl Powell confirms about to ask Betsy Young if she had checked into matter to allow not to recuse – mentioning recused.

**Chair Cheryl Powell asks for any public comment.**

Taryn Thoman in attendance, former Vice Chair of this Commission. The Applicant now is asking to withdraw. Structure that will not preserve or protect nature of the district. Previous meetings told that the structure would be constructed with or without Board's approval. Why all this over this structure, is it about preserving the character or self interest of a handful of people. Keep in mind without the Commission there would be no district and no grants. May vote to allow the withdrawal, but several people have been stating will be putting up the structure. If think not appropriate, you can vote no, and wait to see the renderings, but by allowing the withdrawal you are approving it.

Elizabeth Jenkins - point of order. Applicant has requested to withdraw the application and Ms.Thoman's statement, by accepting the withdrawal is not accurate.

Chair Cheryl Powell questions the validity of point of order, but will check, verifies that Applicant had been asked specifically to attend, notes on Agenda, but will check.

Chair Cheryl Powell states that Taryn Thoman served on the Commission for 6 years. It is inappropriate for us to see if the grants are being spent appropriately.

**Chair Cheryl Powell closes public comment.**

Chair Cheryl Powell states that last time Commission met about this, had difficulty with seconding a motion, feels that we have an obligation to vote one way or another. Not fair to applicant's to simply not respond.

Jack Kay states that he has read all HHDC material – needs to know if we only look at structures or if temporary structures are permitted? Confused if this Commission can approve or has precedent for something not mentioned in any ordinance/handbook. Need clarification about temporary structures.

Chair Cheryl Powell ~~replies that~~ clarifies the word "greenhouse" is not in any material we have. There is some temporary structure guidance if you look under 112, no. 25 - not in use for more than 2 years.

Elizabeth Jenkins replies that there is some lack of clarity that has led to confusion and at times conflict. Going forward beneficial for staff and Commission and public to review our ordinance and make sure a unified position on the Commission's jurisdiction. There is some language, but it is confusing. Would like to work going forward, so as to be on the same page, and make clear and predictable process. She would like to collaborate with them on this.

Elizabeth Jenkins explains the withdrawal language of withdrawing without prejudice – this is not relevant here, not in Article 112 or Mass 40C puts regulation on prohibition – this case, no statutory guidance, this is not applicable in this case.

**Chair Cheryl Powell entertains a motion, moved by David Sorenson to allow the Applicant withdrawal of application, seconded by Cecelia Carey,**

**Roll Call Vote:**

Jack Kay - aye  
Cecelia Carey - aye  
David Sorensen - aye  
Cheryl Powell - aye

Betsy Young returns.

**Other Business**

Approval of April 21, 2021, draft minutes

Chair Cheryl Powell has some changes, would like to continue to next meeting for approval if no objections.

Chair Cheryl Powell entertains a motion to continue, moved by David Sorensen, seconded by Jack Kay,

**Roll Call Vote:**

Jack Kay - aye  
Cecelia Carey - aye  
Betsy Young - aye  
David Sorensen - aye  
Cheryl Powell - aye  
Tabled to next meeting.

Next HHDC meetings scheduled for May 19, 2021 and June 2, 2021

**Adjournment**

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

**Roll Call Vote:**

Jack Kay - aye  
Betsy Young - aye  
Cecelia Carey - aye  
David Sorensen - aye  
Cheryl Powell - aye

The meeting ended at 7:07 p.m.

Respectfully submitted  
Karen Herrand

**List of Exhibit Documents**

Exhibit A - Wild Orchid Enterprise d/b/a SmokeOut – 628 Main Street, Hyannis – Map/Par 308/062  
Picture of proposed signage