

HISTORIC DISTRICT COMMISSION
PUBLIC MEETING
Judge Welsh Room, Town Hall
Provincetown MA

WEDNESDAY, OCTOBER 18, 2017

Members Present: Thomas Biggert (TB), Chairman; Lisa Pacheco Robb (LPR); Laurie Delmolino (LD)

Absent: Excused Absences for Marcene Marcoux (MM); Hersh Schwartz (HS); Martin Risteen (MR)

Others Present: David Gardner (DG) Assistant Town Manager

The meeting was called to order by TB at approximately 3:30pm.

1. WORK SESSION: VOTES MAY BE TAKEN

a) Update on potential violations reported to the Building Commissioner.

Postponed due to absence of Annie Howard, Building Commissioner.

b) Determination as to whether the applications below involve any Exterior Architectural Features within the jurisdiction of the Commission; with Full Reviews to be placed on the November 1st Public Hearing agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

- i. 336 Commercial St., #2 – To replace roof, front railing and balusters and metal doors and reside.
Lyn Plumber presented; building bought July 1st has been under construction for almost a year; applicant requests to spruce up untouched storefront part of building, “B. Exclusive,” employ raised panels under windows; replace doors, balusters, cedar shingles, all in kind; seeks advice from HDC.
TB made a motion to accept as presented for Administrative Review; LD seconded the motion and it passed, 3-0-0.
- ii. 462 Commercial St. – To re-roof.
TB determined that a skylight addition request rendered the determination as a Full Review.
TB made a motion to accept as presented for Full Review with later discussion; LD seconded the motion and it passed, 3-0-0.
- iii. 22 Brewster St. – To install a fence.
Paul Kelly presented, said fence is 6’ and request is to tidy-up area. TB mentioned Full Review is needed to alert abutters based on visibility. LD added that fence is to be set 4’; back; privacy fences need to be set 10’ back.

TB added that landscaping is not included in bylaw recommendation. LPR made the distinction that Administrative Review is exclusively for replacing in kind.

TB made a motion accept as presented for Full Review with later discussion; LD seconded the motion and it passed, 3-0-0.

DG suggested Paul Kelly check with Ellen Battaglini (EB), Permit Coordinator, to check if request had been automatically put on Nov. agenda; TB confirmed it would be on for the 11-15-17 meeting.

- iv. 20 Winthrop Street – To replace 19 windows, cedar shingles and deck.

Eric Martin presented for the client, showed photograph; seeks to replace windows in kind, 2-over-2; reshape side and replace deck in wood with wood trim; replace front door with panels in kind; re-design will match three other neighboring properties.

TB made a motion to accept as presented for Administrative Review; LD seconded the motion, and it passed, 3-0-0.

- v. 19 Pearl St. – To replace an entry door in kind.

No one presented; HDC reviewed drawings, determined replacement door was in kind.

TB made a motion to accept as presented for Administrative Review; LD seconded the motion and it passed, 3-0-0.

TB made a motion to accept as presented; LD seconded the motion, and it passed, 3-0-0.

- vi. 422 Commercial St. – To replace an entry door in kind.

No one presented; HDC reviewed drawings. TB noted that the door looked old. LD remarked that the replacement door was not in-kind; it goes from being an antique to a contemporary fixture. TB recommended waiting until Peter Page can present at a future meeting.

TB made a motion to accept as presented for Full Review; LD seconded the motion, and it passed 3-0-0.

- vii. 634 Commercial St. – To remove an exterior brick hearth.

No one presented. HDC reviewed drawings. TB noted the structure is a pristine beach house, recommended Full Review. LD asked if HDC never allows for the demolition of an ad-on chimney. TB replied that real chimneys have been permitted to be replaced with fakes ones, or cinder-block varieties replaced, but this is not the case here where the chimney in question is over 50 years old.

TB made a motion to accept as presented for Full Review; LD seconded the motion, and it passed, 3-0-0.

- viii. 12 Winslow St. – To replace an existing 5' high chain link fence with an 8' high vinyl chain link fence.

Provincetown School. No one presented. HDC reviewed drawings.

TB made a motion to accept as presented for Full Review; LD seconded the motion, and it passed, 3-0-0.

- ix. 109 Commercial St. – To replace exterior cladding and trim on the west and south elevations, replace wood trim and wood railings in kind, replace wood doors, wood windows and fixed shutters and install an exterior spiral staircase connecting the second and upper level decks.
No one presented. HDC reviewed drawings, came to unanimous, early opinion.
TB made a motion to accept as presented for Full Review; LPR seconded the motion, and it passed, 3-0-0.
- x. 11 Brewster St. – To demolish and rebuild a structure.
No one presented. TB offered that the proposal goes against the HDC bylaws. Drawings were distributed.
TB made a motion to accept as presented for Full Review; LPR seconded the motion, and it passed, 3-0-0.
- xi. 34 Standish St. – To re-roof
No one presented; HDC reviewed drawings, clarified over-hangs in diagrams. LD noted they are using architectural shingle, addressed the gambrel roof.
TB made a motion to accept for Administrative Review; LD accepted the motion, and it passed, 3-0-0.
TB made a motion to accept as presented; LD seconded the motion, and it passed, 3-0-0.
- xii. 353 Commercial St. – Replace 7 windows in kind
No one presented. HDC reviewed drawings. TB mentioned he doesn't like to see old windows go away unless they have to. LD remarked that they looked pretty rotted.
TB made a motion to accept for Administrative Review; LD seconded the motion, and it passed, 3-0-0.
TB made a motion to accept as presented; LD seconded the motion, and it passed, 3-0-0.

c) Review and approval of Minutes:

TB advised that since the sitting board was small, HDC postpone any review of minutes until the next meeting. LPR and LD concurred.

2. Public Comment: On any matter not on the agenda

TB opened up Public Comment at 4:00pm.
No public comments.

3. Public Hearings: VOTES MAY BE TAKEN

- a) HDC 18-037 (continued from the meeting of Oct. 4th)
Application by **Wesley Price**, of **C.H. Newton Builders, Inc.** on behalf of **Neil Jacobs & Eric Ganz**, requesting to replace an existing fence on the east elevation and construct a new ipe deck on the west elevation of the property located at **6 Cottage Street**.

LD objected to proceeding with review as she is an abutter and must be recused. TB then informed presenter that the review must be postponed as HDC is not, in effect, operating with a quorum.

TB asked DG if the proposal presented any time constraints. DG replied that there was and gave the date of Nov. 4th.

TB announced that the request would automatically be placed on the agenda for the Nov. 1st meeting and HDC apologized to presenter, who said he was in town anyway.

TB took a moment to remind the public that a quorum requires a minimum of three sitting board members voting to approve, and that if anyone is presenting who questions whether their presentation, in its current state, will pass when a public meeting is being held without a full board residing, can take either their chances or plan to return at a future meeting.

b) **HDC 18-039** (continued from the meeting of October 4th)

Application by **Michael Czyoski** requesting to replace an existing slider with 2 double-hung windows on the structure located at **104A Bradford Street, #4**.

Michael Czyoski (MC) presented. TB said that HDC felt they were probably ok with the proposal when presented at last meeting, but that they just weren't certain the whereabouts of the structure. MC said it was the back building at Gabriel's and that the door in question faces – and can only be viewed from – Monument Hill. TB asked if there was a separation between the buildings; MC said a small one.

TB made a motion to accept as presented; LPR seconded the motion, and it passed, 3-0-0.

Paul Kelly stepped forward to ask if he needed to bring in more materials for next meeting; TB said he felt all was fine, but to check with EB if in doubt.

c) **HDC 18-043** (continued from the meeting of Oct. 4th)

Application by **Cotuit Bay Design, LLC**, on behalf of **Kip Financial, LLC**, requesting to remove decks, stairs and a one-story section of an existing structure and to construct new decks, dormers and a detached 1½ story cottage on the property located at **446 Commercial Street**.

Kevin Bazarin (KB) presented; said he spoke to EB to confirm that the proposal had been brought back for review in order to present the case where the site plans would match the building plans; identified building as being parallel to Bangs St. KB said the building plans have been made smaller.

LD said she wasn't at the previous presentation but had reviewed the PTV video and so could sit in on the decision. LPR concurred it is not visible from Commercial St. or from Bradford as it is set in a wooded area down below. TB questioned if, in fact, the structure could be seen from Bradford St. LD suggested HDC consider how much visibility is in question. TB said he would have another site visit to confer, that the cottage is very sympathetic to the original structure.

TB made a motion to continue decision at the Nov. 1st meeting; LD seconded the motion, and it passed, 3-0-0.

DG stated that the time-constraint was Nov. 5th, asked for clarity if it was design or visibility that was forcing the postponement. LPR and TB debated the decision briefly per the bylaw, then moved on.

d) **HDC 18-054**

Application by **Don DiRocco, of Hammer Architects**, on behalf of **Jason Moore**, requesting to remove and replace a second floor door on the east elevation, remove a second floor window and replace with a five-sided window on the north elevation and re-locate an existing second floor casement window on the west elevation of the structure at **105 Commercial Street, #2**.

Don DiRocco (DD) presented photographs, blueprints and diagrams. No public comments or letters.

LD disclosed that she had a financial relationship with Jason Moore, the buyer. LPR confirmed that this proposal had initial review. LD said HDC has to be sensitive to changes from a historical perspective and didn't see that aspect respected as presented in terms of the fenestration; current plans seem to make a modern building more modern.

LPR said she ultimately was fine with the design. TB said he had issues with the window elevation on the west side, that there was too much negative space, regretted the presentation came to HDC piece-meal. DR credited this point with the fact that Hammer is the replacement firm.

HDC agreed collectively that the design would work for what it is and in the context of the Town.

TB made a motion to accept as presented; LPR seconded the motion, and it passed, 3-0-0.

e) **HDC 18-055**

Application by **Don DiRocco, of Hammer Architects**, on behalf of **Jay Anderson**, requesting to modify a previously-approved plan for an attached shack on the south elevation of the property; to move the sliders and a 3' landing deck to the south elevation; and place windows on the west elevation of the structure at **51 Commercial Street, Shack**.

DR and Leif Hamnquist (LF) presented, apologized for returning with changes due to set-back zoning issue, offered renderings that showed new placement of sliders.

TB made a motion to accept as presented; LD seconded the motion, and it passed, 3-0-0.

f) **HDC 18-056**

Application by **Don DiRocco, of Hammer Architects**, on behalf of **Jay Anderson**, requesting to demolish an existing three-story structure and construct a new two-story structure on the south elevation of the property located at **53 Commercial Street, Rear**.

DR and LF presented an overview on PowerPoint screen. DR requested to speak of the parcel, the Freeman Apartments, in its entirety – including the new structure proposal found in **HDC 18-057**. TB agreed.

DR said Hammer has been involved in the property a long time, having been engaged at 51 Commercial St.; at Power Point projection, stated a goal with the re-design was to shield the parking; pull new, shortened building back from the beach to avoid FEMA-required elevations.

DR said new building would have shingles on walls, red cedar shingles on roof, and all foundations would be brick-face.

No public comments or letters.

TB clarified that there is no front building and that two buildings will be demolished for re-vamp, but stated that demolition is not permitted in bylaws. LD said up to 25% of current structure can be eliminated if that would help with new design. DR asked if Hammer could apply for a demolition permit; TB responded it could not.

LPR read bylaw which specified that special circumstances can apply for demolition for buildings under 50 years old. TB said HDC would also be checking with Massachusetts state laws and proposed the item be moved to a later meeting date.

LD asked if HDC could review and debate design aspects currently provided; TB said it could not as the current structure is still on the table.

TB made a motion to continue the decision at the Nov. 1st meeting; LD seconded the motion and it passed, 3-0-0.

g) HDC 18-057

Application by **Don DiRocco, of Hammer Architects**, on behalf of **Jay Anderson** requesting to construct a new two-story structure on the north elevation of the property located at **53 Commercial Street, Front**.

DR and LH presented an overview on PowerPoint presentation, said existing building, as with new building, is just over 27'.

LPR suggested that West End residents might be in favor of the design at hand and that perhaps applicant would benefit from getting solicitations from neighbors and abutters on the project.

No public comments or letters.

LPR spoke in favor of the design, citing Delft Haven as an example of an attractive cottage community; appreciated all the details, felt like she could have designed it herself.

LD agreed with LPR, asked if instead of a solid half-wall on front porch, a little deck could prove more historic since, as represented, it's one of those details that push the contemporary; also, could porch roof be more slanted with slight pitch. DR responded that they are trying to mimic similar canopy at 51 Commercial St.

TB acknowledged the good work on the re-design, but cited the need for baluster railings and roof needs to be re-addressed for more of a farmer's porch than an over-hang; asked how the garage works with other structures. DR said the front roof was designed to work with rear buildings, explained how the dimensions all worked in tandem.

TB made a motion to continue the decision at the Nov. 1st meeting citing the need to address the front porch design aspect. LD seconded the motion, and it passed, 3-0-0.

h) HDC 18-060

Application by **Tom Thompson**, on behalf of **Ronald C. Homer**, requesting to remove and replace two double-hung windows with a five-panel French door unit on the south elevation of the structure and replace an existing section of a fence on the south elevation of the property located at **7 Commercial Street, #3**.

Tom Thompson (TT) presented, stated property at Delft Haven abuts Provincetown Inn; addressed submitted site plan to show re-vamp faces a good deal of landscape. LD confirmed the re-design is visible from Commercial St.

TT said design is 2 pairs of 5-paneled French, Anderson-windowed doors that open perpendicular, not intruding on smaller patio; one smaller door is inset. TT read the proposal aloud, referenced bylaws and stated that the building is 62 years old; that cedar shingles and other replacement aspects of new design would be made in kind; that proposed design related very well to other properties in the neighborhood.

No public comments.

DG read a letter in support of design by Dominic Ciopieletti, neighbor at 17 Delft Haven. TT offered up letter, read by TB, from Christopher Scinto on behalf of the Delft Haven Board of Trustees in support of design.

LPR said that the panels were a concern, but that if the Delft Haven community was alright with it that it could pass.

LD stated her concern with visibility from Commercial St, and said HDC cannot take in fencing as this is a non-permanent aspect; felt that the design is very contemporary per guidelines and would like to see something that might prove more historically compatible but would be willing to go along with her colleagues.

TB said he felt it was historically appropriate, but noted that it is the side of the house so that was a vote in favor, but would like an alternative, made a suggestion to make center-panel solid. LD also requested the new re-vamp work better with the scale.

TB made a motion to continue the decision at the Nov. 1st meeting with new options submitted. LPR seconded the motion and it passed, 3-0-0.

i) **HDC 18-061**

Application by **Jean Innocent, dba ACT Remodeling**, on behalf of **Louise Meads**, requesting to replace 5 windows and a new doorway on the structure located at **4 Baker Avenue**.

Jean Innocent (JI) presented, said wood clad would be used.

TB requested clarity on placement of door. JI pointed to placement on photograph. LPR said HDC needs a drawing to continue review; TB concurred, requested applicant return with dimensions on door, but would approve window replacements as presented. LD related to applicant that Simpson doors from a catalogue are often used in the community.

TB made a motion to continue the decision at the Nov. 1st meeting with newly submitted drawings. LD seconded the motion, and it passed, 3-0-0.

j) **HDC 18-064**

Application by **Jonathan D. Costigan**, on behalf of **Marc Levin**, requesting to replace an existing window and door on the south elevation of the structure at the property at **403 Commercial Street**.

Jonathan Costigan presented, commented that units to be replaced are at back of building and would be using historically-styled materials and would put a crown in the door to dress it up.

TB made a motion to accept as presented; LPR seconded the motion, and it passed, 3-0-0.

4. Deliberations on Pending Decisions: VOTES MAY BE TAKEN

Items listed, a) through v), on agenda, not addressed.

5. Any other business that shall properly come before the Commission:

DG read from Section 6, 40C of State regulations wherein it is stated that a demolition permit cannot be granted for a building within the historic district without a certification from HDC. DG said he had never heard that there was an outright prohibition on demolition; that it is up to HDC to make that determination on a case-by-case basis. TB added that it is important for HDC to stay cautious as old beams, columns and such may be found in an old building.

TB made a motion at adjourn the meeting at 5:33 pm; LPR seconded the motion and it passed, 3-0-0. TB, LPR, LD.

Respectfully Submitted,
Jody O'Neil
Dec. 6, 2017