

# HISTORIC DISTRICT COMMISSION

October 2, 2013

WORK SESSION 3:45 P.M.

## JUDGE WELSH ROOM

**Members Present:** Mr. John Dowd, Mr. David McGlothlin, Mr. Thomas Biggert and Ms. Polly Burnell.

**Excused Absence:** Ms. Marcene Marcoux (unexcused), Mr. Lance Hatch (excused), and Mr. Ryan Landry (excused).

**Other Staff Present:** Ms. Maxine Notaro, Permit Coordinator.

John Dowd called the Work Session to order at 3:47 P.M.

### Public Comments:

None.

### Administrative Reviews:

- **11 Atlantic Avenue:** Steven M. Martin to remove and replace windows on all elevations. Charlie Rubello, of Lowe's explained that there will be a total of 20 windows removed and replaced; 18 will be 6 over 1 and 2 small ones will be 4 over 1.

**APPROVED** Polly Burnell 1<sup>st</sup> David McGlothlin 2<sup>nd</sup>

- **557 Commercial Street:** Peters Property Management on behalf of Provincetown Condominiums. Repair/replace stairs, replace deck boards on first floor and re-shingle a small section of sidewall. Cristian Diaz presented the application.

**APPROVED** Polly Burnell 1<sup>st</sup> David McGlothlin 2<sup>nd</sup>

- **96 Bradford Street:** Peters Property Management on behalf of Misty Harbor Condominiums. Re-shingle side wall. Cristian Diaz presented the application.

**APPROVED** John Dowd 1<sup>st</sup> David McGlothlin 2<sup>nd</sup>

- **54 Commercial Street:** Papetsas Building Company, on behalf of 1807 House, LLC/Daniel Ponton. Re-shingle the north and west elevations. The applicant did not appear.

**APPROVED** John Dowd 1<sup>st</sup> Polly Burnell 2<sup>nd</sup>

- **338 Commercial Street:** Pavel Fiodarau on behalf of Brad Horner and Laura Boney. Replace iron railing with a wood railing system and add a new wood railing on the east side of the existing stairs. Pavel Fiodarau presented the application.

**APPROVED**

John Dowd 1<sup>st</sup>

David McGlothlin 2<sup>nd</sup>

- **39 Bradford Street, Unit #4:** Pavel Fiodarau on behalf of Johnny Thaipak. Replace two double-hung windows with new 2/1 double-hung windows, replace entry door with new entry door and extend the railing posts on the deck to create a pergola. Pavel Fiodarau presented the application. The Commission questioned Mr. Fiodarau about the entry door and its visibility from a public way. The Commission will do a site visit and advised Mr. Fiodarau to encourage the applicant to use a wood door. Its approval was with the stipulation that the HDC will make a site visit to determine whether the door was visible from a public way and if not, a fiberglass door would be allowed, but if visible, the door has to be wood.

**APPROVED**

John Dowd 1<sup>st</sup>

Polly Burnell 2<sup>nd</sup>

- **11 Bradford Street:** Frank Pantano for the installation of a 6' by 10' salt box style shed. The shed has already been installed.

**APPROVED**

John Dowd 1<sup>st</sup>

Polly Burnell 2<sup>nd</sup>

**Public Hearing opened at 4:02 P.M. by John Dowd.**

**No public statements were made.**

### **Public Hearings:**

#### **CASE #FY14-02**

**Application by Helen Ryde and Kate Schiappa** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicants seek approval to reconstruct the original section of the structure with the addition of a full shed dormer on the rear and to construct a full second story on the 1980s addition at the property located at **9 Wareham Road, Provincetown, MA**. This applicant has requested to continue until November 6, 2013 Public Hearing.

***A motion was made by Commissioner John Dowd to approve the request to continue Case #FY14-02 to the November 6, 2013 Public Meeting of the Historic District Commission with the waiver of the time constraints. The motion was seconded by Commissioner Polly Burnell. VOTE 4-0-0.***

## **CASE #FY14-09**

**Application by John Yandrisovitz** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval to renovate and enclose an existing porch structure into living area and extend a present sleeping loft over the new living room on the rear cottage. The proposed renovation is within the existing footprint at the property located at **5 Conant Street, Provincetown, MA.**

John Yandrisovitz appeared to discuss revised plans. He explained that when he met with the Building Commissioner, Russ Braun, at the site, he suggested that Mr. Yandrisovitz pull the existing porch back from a 12' 6" extension to an 11' from the lot line to increase the setback. The initial proposal was to tie in with the existing cottage roof for a continuous ridge line. The Commission had concerns with the height of the structure, the continuous ridge line and the French doors. The revised proposal has implemented these recommendations. In regard to the height, the south side has been reduced from 18' 4" to 17' 1", the ridge line has been moved back by 3' 10" and no longer lines up with the existing cottage structure and been dropped 3' down from the roof line. The initial proposed roof was a 10/12 pitch and the revised roof pitch is flatter at a 4/12 pitch. Mr. Yandrisovitz has also reduced the sleeping space and volume and lowered the sidewall and ceiling heights.

### **Commission Discussion**

The Commission appreciated the applicant's revising the project and discussed the placement of door and the two flanking windows on the east elevation, for which Mr. Yandrisovitz had submitted two alternative designs. Commissioner John Dowd suggested getting rid of the banding below the window on the Alternative #2 plan and eliminate the two windows flanking the door.

*A motion was made by Commissioner John Dowd to accept the proposal as presented for Alternative #2 with the elimination of the two flanking windows next to the door on the rear elevation and the elimination of the trim band that is below the second story window. The motion was seconded by Commissioner Thomas Biggert. VOTE 3-0-0.*

Maxine informed Mr. Yandrisovitz that he would need to bring in a clean copy of the approved plan for signing by the HDC.

## **CASE #FY14-10**

**Application by Scott William Grady, Architect, on behalf of Matt Marcotte** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval for the following changes: West elevation – add a new chimney, add a new balcony on the second floor, remove a deck and landing on the first floor and install French doors and add new windows. East Elevation – add a bay window bump-out. North Elevation – add new windows. Replace all existing windows and re-shingle the building located at **8 Washington Avenue, Provincetown, MA.**

Scott Grady appeared to discuss the application and submitted revised plans. Mr. Grady summarized that at the last hearing it was agreed that the existing painted shingles would be retained. The ell off the side of the house and the bay window bump-out are still part of the proposal on the front elevation. There will also be a proposed new roof with red cedar shingles. On the south elevation, there was an agreement with the Commission that the two existing windows would remain as is with no shutters and the existing shingles will be replaced with white cedar shingles, which will be left to weather. On the rear elevation, the proposed balcony has been removed in deference to both the neighbors' concerns about privacy and the Commission's concerns. The existing dormer will remain as is, as will a double-hung window and the proposed French doors, which have no visibility from a public way. On the north elevation, the original proposal had the four windows ganged together into one long unit, however Mr. Grady has pulled those windows apart, making them individual. The proportion of the window has also undergone an alteration, the panes changing from square to horizontal, making the vertical taller and the horizontal shorter.

### **Public Comment**

No comments were heard from the public. There were no letters.

### **Commission Discussion**

The Commission questioned Mr. Grady about the bay on the north elevation. He offered, for the Commission's consideration, to replace a double window in the bay to a single window with shutters.

*A motion was made by Commissioner John Dowd to accept the proposal as presented, with the elimination of the two small four-square windows on the north elevation and retention of the original window on the second story pursuant to Guidelines 5 and 6. The motion was seconded by Commissioner Thomas Biggert. VOTE 4-0-0.*

### **CASE #FY14-14**

**Application by Steven Benjamin** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval for the removal of an existing roof deck and stairs to the deck; replace a kitchen window, remove and close-in a rear deck door, replace clapboards and trim; and replace the cottage bay window and replace shingles and trim at the property located at **11 Pearl Street, Provincetown, MA**. This was approved administratively at the last hearing. The Commission signed the decision form.

### **CASE #FY14-15**

**Application by Edward Fallas** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval to raze an existing accessory building and reconstruct a new 12' in width by 18' in length by 13'8" in height custom-built

accessory building on the existing slab foundation footprint at the property located at **284 Commercial Street, Provincetown, MA.**

Edward Fallas appeared to discuss the application. He seeks to remove and replace a storage shed on the property. The proposed shed will be the same size as the existing. The Commission is concerned about the potential loss of the door on the side of the shed.

*At 4:38 P.M., a motion was made by Commissioner John Dowd to make a site visit to 284 Commercial Street. The motion was seconded by Commissioner Polly Burnell. VOTE 4-0-0.*

The Commission reconvened at 4:44 P.M.

### **Public Comment**

No comments were heard from the public. There were no letters.

### **Commission Discussion**

The Commission determined that the shed was beyond repair.

*A motion was made by Commissioner John Dowd to approve the demolition of the structure. The motion was seconded by Commissioner David McGlothlin. VOTE 4-0-0.*

The Commission questioned Mr. Fallas about the design of the replacement structure. Commissioner Polly Burnell stated that the shed was built in 1900 as a commercial workshop and the style is vernacular colonial revival. She would like to see the features, including the side door, retained. Mr. Fallas disagreed and said his proposed design is similar to what existed. Commissioner Thomas disagreed and said that the structure is over 100 years old and what exists is much more interesting than what is proposed. Commissioner David McGlothlin had no issues with the proposed replacement stating that it was consistent with other shed structures in Town, except he would like to see the corner door retained as there are not many structures with that feature. Mr. Fallas agreed to alter the design and retain the corner door feature.

*A motion was made by Commissioner John Dowd to accept the design as presented with the elimination of the door which faces Commercial Street and its re-location to its original position on the southwest side corner of the structure. The motion was seconded by Commissioner Thomas Biggert. VOTE 4-0-0.*

Mr. Fallas will submit a revised plan for the structure.

### **CASE #FY14-16**

**Application by Michael MacIntyre** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval to construct a dormer on the east/rear elevation of the building; dormer the west side adjacent to the existing; remove a door

on the west elevation and change to a door and two windows and extend the third floor deck to the limit of the deck below at the property located at **168 Commercial Street, Provincetown, MA.**

Mark Kinane and Jon Ziperman from Cape Associates appeared to discuss the application. The applicant seeks to construct a dormer on the east side to match what appears to be a west side dormer. The north elevation dormer is an odd shape and the proposal is to make it more traditional looking by pulling the roof line up just a little bit in line with the chimney. The deck on the third floor will be extended out over the deck below it. A skylight on the west elevation will be replaced and two skylights will be added to the main structure on the east elevation. The chimney will be retained if the Commission so requests. On the west elevation, there is a dormer that will provide more head room in the interior.

### **Public Comment**

No comments were heard from the public. There were no letters.

### **Commission Discussion**

The Commission requested that the chimney be retained. Commissioner Thomas Biggert was concerned about the mismatched dormers. He inquired about getting rid of the sliders on the south elevation. Commissioner John Dowd stated that the west elevation is clumsy but minimally visible and not of concern, however the east/rear elevation is highly visible from the parking lot. He was also concerned about the size of the two new skylights. Mr. Kinane offered to line up one skylight with the window below. In order to make the dormer more appealing, Mr. Kinane was willing to make the five windows on the dormer the same width as the windows below. Commissioner David McGlothlin suggested a proposal with fewer windows. Commissioner Polly Burnell was not in favor of the east/rear dormer. She had no concerns about what is built on the west elevation. Commissioner John Dowd suggested a smaller dormer with fewer windows on the east/rear elevation.

***A motion was made by Commissioner John Dowd to accept the proposal as presented with the following changes: that the two skylights be changed to one skylight in the horizontal and vertical position lined up with the windows down below in a size not to exceed the windows down below, that the dormer in the rear be shrunk down to three windows and be cut back on both sides to a minimum of 3-5', that the windows be 2 over 1 configuration, and that the chimney be retained. The motion was seconded by Commissioner Thomas Biggert. VOTE 3-1-0. (Commissioner Polly Burnell opposed).***

Mark Kinane submitted revised plans for 9 Center Street. All the skylights have been pushed back behind the chimney and lined up with windows on one side and one window is balanced on the other side. The windows in the garage are going to be like for like.

The Commission heard Case #FY14-18 before Case #FY14-17, as the latter will more time to discuss than the former.

## **CASE #FY14-18**

**Application by Hal Winard of Winard Construction on behalf of Stanley Sylvain** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval for the removal of two sets of double garage doors and in their place, construct a framed wall with four awning windows maintaining the existing design of the doors at the property located at **428 Commercial Street, Unit #4 (located on Lovett's Court), Provincetown, MA.**

Hal Winard explained that the garage door is falling apart and not tight to the weather and the replacement walls will be insulated and look just like the garage door. The windows will be functional awning windows.

### **Public Comment**

Enid Couette, Olga Vitello and Neva Hanson, all abutters, spoke in opposition to the application.

The Commission received two letters expressing no objection to the project.

### **Commission Discussion**

The consensus of the Commission was that the garage doors should be kept as is. The applicant can exactly replicate the garage doors, making them tighter to the weather and newer, however the Commission does not want to see the garage converted into living area. Standard garage doors do not have functional windows, so any windows replaced would need to be non-functional.

Mr. Winard requested to withdraw Case #FY14-18 without prejudice.

***A motion was made by Commissioner John Dowd to approve the request to withdraw Case #FY14-18 without prejudice. The motion was seconded by Commissioner Polly Burnell. VOTE 4-0-0.***

## **CASE #FY14-17**

**Application by George Tagaris of Phoenix Design, on behalf of Christopher J. Snow**, for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval for the construction of a 2½ story residential building to replace an existing empty lot/foundation and for the alteration and renovation of two existing cottages. The scope of work involves combining the two cottages into a single structure and increasing the building height from a one store to one and a half stories at the property located at **143 Commercial Street, Provincetown, MA.**

George Tagares, Sean Curran and Christopher J. Snow appeared to present the application. The

proposal is to build a new structure in the front of the lot, which will reflect the character and the architectural style of the neighborhood. The proposal for the rear of the lot is to renovate and combine two cottages with a glass connector. The character of the cottage will still reflect two separate buildings, but it will be a single structure. The design of the cottages will be in keeping with what exists, with the roof pitch remaining the same, however a half story will be added.

### **Public Comment**

Karen Edlund, an abutter, and Michael Piantowski spoke in opposition to the application. Both had written letters to the Commission objecting to the project and waiving their reading. Len Bowen spoke of his concern about the construction process and its effect on an abutting property

The Commission received 2 additional letters; 1 in favor and 1 in opposition to the project.

### **Commission Discussion**

Commissioner Polly Burnell thought that the front building was too big and out of scale with the rest of the neighborhood. Even though it is proposed to be 2½ stories, it looks taller.

Commissioner Thomas Biggert did not like the balcony, the door on the second floor of the front structure and the glass connector in the rear. Commissioner David McGlothlin was concerned about the proposed increase in height of the two cottages and the proposed increased mass of the front building, which would result in its towering over the abutting structure.

Mr. Tagares submitted a photo of the original building to the Commission.

Commissioner Thomas Biggert would like the applicant to duplicate more closely the original structure, mimicking the volume. Commissioner John Dowd would like to see the façade of the original duplicated.

Mr. Tagaris said that if he was willing to replicate the façade of the original and remove the dormers, would the Commission allow the height to remain as proposed. The applicant admitted that the foundation had been expanded on the east side by approximately 10". Mr. Snow said that the door could most likely be reproduced to look like the original. He reiterated that the original façade will be replicated, the dormers will be removed and the height will remain as proposed at 33'. Mr. Tagares offered to lower the top floor by 2' 4" if requested by the Commission.

Commissioner John Dowd summarized the Commission's request for 2' to be taken off the top floor to make it less top-heavy, to make the design of the façade reflect the original building more and suggesting that the dormers could be pushed halfway back and made smaller so the building will read as only gable from the front view and 2½ stories from the rear. Commissioners Thomas Biggert and John Dowd thought that allowing a half story increase in height for the cottages was within the Commission's guidelines. Their design still read as small cottages and was simple and utilitarian and in keeping with other beach front structures. Commissioner Polly Burnell thought the cottages were too tall. Commissioner David McGlothlin was concerned about the height of the cottages, but the Commission has allowed that same increase in other

situations. He does not have concerns about the design, but is going to do a site visit and look at the cottages before making a decision.

The applicant would like to continue the case until the October 16, 2013 Public Hearing.

*A motion was made by Commissioner John Dowd to continue Case #FY14-17 until the Public Hearing on October 16, 2013, with revised drawings being submitted by the applicant and with the applicant's waiving of the time constraints. The motion was seconded by Commissioner Thomas Biggert. VOTE 4-0-0.*

The HDC will have a brief meeting at 11:30 A.M. on Friday, October 4, 2013.

- **21 Franklin Street** – Derik Burgess appeared to ask the Commission about adding a shed dormer between two existing doghouse dormers. The Commission ruled that a full hearing is required for the request.
- **233 Bradford Street** – The existing fence is being replaced and the request is to replace it with vinyl that looks like wood. Commissioner John Down said that if it was Azak, it was acceptable, however if it is plastic, it won't be allowed. Maxine will let the applicant know that she needs to appear for an Administrative Review to discuss the fence with the Commission.

*A motion made by Commissioner Thomas Biggert to adjourn the October 2, 2013 meeting of the Historic District Commission at 7:00 P.M. VOTE 3-0-0.*

Respectfully submitted,  
Ellen C. Battaglini