

HISTORIC DISTRICT COMMISSION
PUBLIC MEETING
Town Hall
Provincetown MA

WEDNESDAY JUNE 21, 2017

Members Present: Thomas Biggert (TB), Chairman, Pilgrim Monument Rep.; Laurie Delmolino (LD), Historical Commission Rep; Martin Risteen (MR), Alternate; Hersh Schwartz, (HS), Alternate.

Absent: Marcene Marcoux, Vice Chair, Chamber of Commerce Rep; Lisa Pacheco-Robb, PAAM Rep.

Others Present: Annie Howard (AH), Building Commissioner.

1. Work Session

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

285 Bradford Street

AH reported that a 4' lattice fence running north to south went up, but that the owners will take it down as they hadn't realized the fence policy. Contractor said he'd talk to his client.

469 Commercial Street

AH said they were seeking an application for a curb-cut, which would make the fence set-back as exists legal.

457 Commercial Street

AH said they took the front section down; that she'd spoken to Seth Kaplowitz that morning and that he is aware he needs to re-submit and get on the agenda. TB re-stated that the fence as exists is non-conforming.

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 July 5th agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

i. 10 Johnson Street – *(continued from the meeting of June 7th)* – To replace front door.

TB said he thought the applicant was to return for a Full Review in order to get a composite door. AH said the contractor was to speak with his client, the owner, per the nature of the replacement.

TB made a motion to table the decision to later in the meeting. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

- ii. 11 Conant Street, #1 – To replace door trim and a screen door.

TB made a motion to consider as Administrative Review. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

LD confirmed that P5 refers to a wood component.

TB made a motion to approve as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.
- iii. 1 Holway Avenue, #1 – To remove and replace 5 windows.

TB noted casement windows, (4) double hung at 6-over-6.

TB made a motion to approve with the condition that the windows be 6-over-1 and the trim be wood. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.
- iv. 307 Bradford Street – To re-shingle two sides of a structure.

TB made a motion to consider as Administrative Review. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

TB made a motion to approve as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.
- v. 18 Alden Street – To replace 4 windows and a door in kind.

TB noted wood trim and same style in the plans.

TB made a motion to approve as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.
- vi. 54 Bradford Street – To replace roofing shingles.

TB made a motion to consider as Administrative Review. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

TB made a motion to approve as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.
- vii. 510 Commercial Street – To replace a front door in kind.

Josh Piper of Cape Associates presented; said he thought the existing door is wood and that everything else is new and updated; said option B confers a wood door, but not with the existing glass which AH noted comes at an astronomical cost.

HDC asked Mr. Piper if the glass of the existing door could be saved, but it was undetermined if that was possible.

TB made a motion to continue to the meeting of July 5, 2017. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.
- viii. 18 Commercial Street – To replace and add to a fence.

An unidentified man spoke of the new portion as being a 6' lattice fence and a 3'-spaced white, standard picket fence to run along Commercial. HDC discussed the existing 6' fence portion with a 2' open addition,

TB made a motion to consider as Administrative Review. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

TB made a motion to approve as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

AH raised the topic of the existing columns, asked if they'd been repaired based on a previous HDC decision and if the new plan was to remove them.

TB made a motion to condition the approval based on retention of the existing columns. LD seconded the motion and it passed 4-0-0; TB, LD, MR, HS.

- ix. 51 Commercial St., Rear – To detach, re-locate and renovate an existing shack, including adding a dormer and addition on the north elevation, replacing windows and doors, adding new siding, roofing and trim and installing a new foundation to raise the height of the structure pursuant to FEMA regulations.

TB made a motion to consider for Full Review to be heard at the meeting of July 5, 2017. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

b) Review and approval of Minutes:

TB made a motion to postpone the approval of minutes to the end of the meeting. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

2. Public Comments: On any matter not on the agenda below.

353 Commercial Street

Pat and Fred Rissland requested HDC reconsider its determination not to approve the employment of (3) fiberglass doors in Angel's Landing based on the \$4,000 expense of the unaccepted doors already in their possession and the current, terrible shape of the existing; said there are only (5) wood doors out of all the doors in the (24)-unit condominium complex, and that all the rest are vinyl, adding that they open in and not out.

LD said she could consider with a site visit, which TB concurred, suggesting allowances have been made for weather conditions affecting properties. A site visit was to be planned before the next HDC meeting to determine if the hearing would be re-opened.

10 Johnson Street

No one appeared to present.

TB made a motion to approve as Administrative Review. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

TB made a motion to approve as presented with the condition that the door be wood. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

3. Public Hearings:

TB opened the Public Hearing at 4:08pm.

- a) HDC 17-217 (continued from the meeting of April 19th)
Application by **KA Bazarian Construction**, on behalf of **Maria Cirino**, requesting to demolish and rebuild an existing garage in the same footprint on the property located at **3 Cudworth Street**.

Kevin Bazarian and Lyn Plummer presented.

Ms. Plummer referenced the new drawings and engineer's report as submitted, reflecting the new garage and request to demolish based on outdated codes for the existing structure.

AH said all the letters on file were from the April 26, 2017 meeting. No public comments.

LD asked for further explanation on the existing conditions, to which Mr. Bazarian clarified as being without proper foundation bearings to withstand renovation. HS said she felt the garage was in pretty rough shape. AH said the building was not imminent in terms of falling down, but noted it was in bad shape.

TB spoke of the HDC requirement for demolition in terms of rebuilding 'as is' and said he felt a raise that would alter the mass might not be appropriate. Ms. Plummer cited the need for tie-downs per a new foundation and MR requested retention of original fabric and materials.

TB made a motion to approve with conditions but AH interrupted to remind the HDC of the demolition bylaw definition as incurring more than 25% of the building. Mr. Bazarian suggested they reassemble three or four of the existing walls as a part of the new build.

TB made a motion to approve as presented with the conditions that the structure be replicated dimensionally as close as possible to the original building while utilizing as much of the existing materials as can be applied. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

TB made a motion to take **HDC 17-284** out of order. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

j) HDC 17-284

Application by **Regina Binder** for **Provincetown Commons, Inc.**, on behalf of the **Town of Provincetown**, requesting to repair and replace shingling in kind, replace all windows on the east, west and south elevations in existing openings, restore half-round on east and west elevations and full-round glass on south elevation, repair a portico to match existing and replace all trim as needed on the structure on the property located at **46 Bradford Street**.

J. Lester Murphy, Jr., Attorney, and Regina Binder presented. Mr. Murphy referenced the plans by stating that the Town would still own the former Rec Center building and Ms. Binder said the intention is to bring the five-years-shuttered building back to life, using as much existing material as possible, with true divided-lite and the north side not to be affected.

No public comments or letters.

MR made a motion to go to vote for approval without discussion. TB conferred that the HDC had conducted a site visit and had already been apprised of the plans and for the need of an upgrade.

MR made a motion to approve as presented. TB seconded the motion and it passed, 4-0-0; MR, TB, LD, HS.

b) HDC 17-242

Application by **John P. Lyons**, on behalf of **Tracy Kachtick-Anders**, requesting to replace a porch door and (17) windows and (7) wooded garage doors with galvanized steel garage doors at the property located at **28 Standish Street**.

Jean Lyons and John Lyons presented.

No public comments or letters.

TB sought confirmation that the porch door is wood and the windows at 6-over-1s to be replaced in kind with simulated, divided lite.

TB made a motion to approve as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

AH referenced a question about the garage doors from the applicant's previous hearing. The Lyons replied that they would, too, be matched in kind.

c) **HDC 17-265**

Application by **Thomas R. Lane** requesting to replace a fence on the property located at **11 Tremont Street**.

Ross Crosby for Thomas Lane presented with changes to the plans, confirmed that the 6' fence section wraps around on (3) sides and the 4' is a white picket, designated as 3' and 4' space markers on the application.

TB made a motion to approve as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

d) **HDC 17-266**

Application by **Pavel Fiordaru**, on behalf of **Johan Vastiau**, requesting to replace mahogany with composite hand railings and wood clapboards with Boral siding on the structure at the property located at **6 Gosnold Street**.

Pavel Fiodaru presented with samples of railing and siding.

No public comments or letters.

TB suggested the application is problematic in that the replacements seem arbitrary and the materials not historic; was not in favor of the railing, okay with the siding.

LD said the Boral looked quite real, like wood and if painted even better; suggested it might be a good case to determine the viability of the new material. Visibility was discussed with TB declaring the view from Gosnold as visible. HS stated her dislike for the railing.

Mr. Fiordaru said he did not have a plot plan to present.

TB made a motion to approve the Boral siding and deny the composite hand rail as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

e) **HDC 17-273**

Application by **Thomas Tannariello** requesting to install 6' stockade fencing on the property located at **600 Commercial Street**.

Thomas Tannariello presented; said he was seeking to replace and also add a 6' stockade fence; displayed photos of the original, true stockade fence and stated that the replacement would feature a side-way, top lattice; noted the addition would be visible from the street, but added that he was complying with a request from his neighbor to provide a buffer and hoped to fill in with arbor in another location.

TB read a letter of support from the abutter and Trustee at 596 Commercial Street.

TB announced that the HDC does not have purview over landscaping and Mr. Tannariello reported that the in kind replacements are indicated by the blue markings on the designs.

TB made a motion to approve with the condition that the 10' section of fence is 4', starting 10' back from the front face of the house; picket fence along front parking and replacement of in kind fence along front of property are allowed, with

new drawings to be submitted. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

f) **HDC 17-275**

Application by **Dana Masterpolo** requesting to add (5) skylights and a stainless steel chimney pipe to the structure at the property located at **8-10 Atlantic Avenue, UD**.

No one presented.

TB made a motion to table the hearing to later in the meeting to allow for representation of the application. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

g) **HDC 17-280**

Application by **Derik Burgess**, on behalf of **James Vesper**, requesting to add a new window on the east elevation of the structure on the property located at **510 Commercial Street**.

Josh Piper presented; cited Anderson 400 series with applied grills, matching the existing.

No public comment or letters.

LD noted limited visibility and appropriate materials.

TB made a motion to approve as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

h) **HDC 17-281**

Application by **Mark Kinnane, of Cape Associates, Inc.**, on behalf of **Chris Amplo**, requesting to remove a rear section of a structure and replace it with a new two-story ell, install a new foundation and replace all siding, roofing and windows in kind on the structure at the property located at **16 Prince Street**.

Mark Kinnane presented; referenced small bump-out at the back and wrap-around dormer on the right hand side of the chimney on the second floor; front door to remain and footprint to change by 20'.

TB read a letter in support from the pastor of St. Peter's church across the street, requesting the church parking lot be respected

TB questioned the impact of scale due to the new edition. LD recommended the changes be made to the visible-side to accommodate historical imperatives. HDC discussed the proposed dimensions after which TB be forth a motion for approval as presented but was unable to garner a second vote based on questions of massing, framing and the set-back plus the need for a new plan.

TB made a motion to continue the decision to the meeting of July 5, 2017 with revised plans. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

Mr. Kinnane requested his application be first on the list for the future meeting, to which LD said postponements are set at top of the following agenda.

i) **HDC 17-282**

Application by **Michael McIntyre**, on behalf of **Gary Pasnick**, requesting to add a dormer with new windows, matching trim and shingles on the structure at the property located at **212 Bradford Street**.

Peter McDonald (sp), Michael McIntyre and Gary Pasnick presented. Mr. McDonald said the plan was for a dormer on the East End Market, utilizing same materials and Anderson windows with fixed interior/exterior grilles.

No public comments or letters.

TB referenced previous application for skylights, where there are now (4), and asked if the dormer could be placed on the other side, citing an uninterrupted roof plain as being more historic.

LD said the plan doesn't meet (3) HDC guidelines; agreed it would make better sense to place the dormer on the other side owing to the concept that the top of the dormer should not reach the ridge and the face of the dormer not meet the same plain as the first floor. Mr. McIntyre replied that the dormer is proposed for the side presented based on a previous approval for skylights on the other side.

MR suggested placing the dormer on the other side of the building.

TB made a motion to continue the hearing to the meeting of July 5, 2017 with new plans to be submitted by June 30, 2017. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

34A Pearl Street

Jeff Muluken, representing 34A Pearl Street, spoke out, saying he had e-mailed AH earlier in the day requesting a hearing today, which AH had not received. TB gave Mr. Muluken the floor to present his case.

Mr. Muluken referenced the HDC's request that he find a structural engineer for the removal of building portions; said it was a difficult ask, but that he had found a certified engineer from Centerville, Michelle Cudilo, whose first available day to be on hand was today. Mr. Muluken then distributed copies of Ms. Cudilo's report, which was conducted that same day.

Mr. Muluken summarized the engineer's report as identifying conditions of the property where Unit #1, encompassing the older elements of the property and Unit #2 as bearing the deteriorating section along Harry Kemp Way; proposed the 1850s portion supporting a lift where framing and foundation offer proper support, but that all conditions need to be re-evaluated during the renovation.

TB said he thought the newer section was not in shape for raising and Mr. Muluken said that he felt this portion was actually from the Depression-era and that the engineer did not state unequivocally that this area of the building could not be elevated. MR said the engineer needed to be consulted on the viability, or not, of a demolition.

AH said the renovation had already been approved minus the engineer's report and new plans; said she would place the case on the agenda for July 5th.

f) HDC 17-275 - CONTINUED

Application by **Dana Masterpolo** requesting to add (5) skylights and a stainless steel chimney pipe to the structure at the property located at **8-10 Atlantic Avenue, UD**.

As no one had appeared to present at the case hearing, TB moved to vote.

TB made a motion to continue the application to the meeting of July 5, 2017. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

TB confirmed that there would be a quorum for the meeting of July 5, 2017.

4. Pending Decisions:

MR reported that he submitted **HDC 17-178; 288C Commercial St.** to the Clerk's Office this afternoon and a draft has been readied for **HDC 17-124 & HDC 17-185, 82 Commercial Street.**

1.

c) Review and Approval of Minutes

MR said he had a draft of the minutes for August 3, 2017, but that he would take responsibility for the remaining minutes on the Agenda. LD said the state of things pertaining to outstanding minutes was a marker of not having a recording secretary, to which AH concurred. TB said he thought Maxine Notarro was in consideration for taking minutes and AH said Darlene Van Alstynne might know where this stands.

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

AH requested decisions be tracked on outstanding cases, handed out decisions for signage as the particulars of outstanding cases continued. MR suggested a work session on pending decisions might be worthwhile.

TB announced that the Charter Commission requested an appearance at the July 5th or other future meeting.

TB made a motion to adjourn the meeting at 6:23pm. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

Respectfully Submitted,
Jody O'Neil