

**HISTORIC DISTRICT COMMISSION**  
**PUBLIC MEETING**  
Town Hall  
Provincetown, MA  
**WEDNESDAY FEBRUARY 5, 2020**

Members Present: Thomas Biggert (TB), Chairman, Pilgrim Monument Rep.; Laurie Delmolino (LD), Historical Commission Rep.; Hersh Schwartz (HS), Chamber of Commerce Rep.; Christopher Mathieson (CM), PAAM Rep.; Michela Carew-Murphy (MCM), Alternate; Martin Risteen (MR), Alternate.

Excused Absence: John Dowd (JD), PGB Rep.

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

**Work Session: VOTES MAY BE TAKEN**

**1. Update on potential violations reported to the Building Commissioner.**

AH said she has signed off on only one roof-siding issue: 39 Commercial St.; has not been able as yet to photograph 552 Commercial St. for fence conditions, per follow-up.

**2. 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 Public Hearing agenda of February 19, 2020, and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.**

TB made a motion to consider the following for Administrative Review:

i) 41 Commercial St., U5; ii) 12 Franklin St.; iii) 10 Masonic Pl., U3; iv) 590 Commercial St., UD; v) 424 Commercial St.; vi) 161 Commercial St.

MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, HS, CM.

TB made a motion to consider the following for Full Review:

vii) 6 Wareham Rd.; viii) 12 Franklin St., #2.

CM seconded the motion and it passed, 5-0-0; TB, CM, LD, HS, MCM.

i) 41 Commercial St., U5 – To replace (9) windows in kind.

Vinny Cannamela presented, said this unit is a part of the Mast Head resort and that some of the windows have already been replaced; new ones to match.

TB made a motion to approve with the condition that the sills be wood. CM seconded the motion and it passed, 5-0-0; TB, CM, LD, HS, MCM.

ii) 12 Franklin St. – To replace windows in kind and re-side.

Mike Cysoski presented; confirmed wood trim; windows to be 6-over-6 with true divided-lite.

MCM noted white cedar shingles. TB asked if the window over the front door with the fan would be replaced, to which Mr. Cysoski said would remain and LD added was an original feature of the house.

TB made a motion to approve as presented with the condition of wood. MCM seconded the motion and it passed, TB, MCM, LD, HS, CM.

- iii) 10 Masonic Pl., U3 – To replace (2) patio doors in kind.

No one presented.

TB made a motion to approve as presented with the condition that the trim be wood. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, HS, CM.

- iv) 590 Commercial St., UD – To replace (2) windows in kind.

No one presented.

TB made a motion to approve as presented with the condition that the trim be wood. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, HS, CM.

- v) 424 Commercial St. – To replace windows in kind.

Derik Burgess presented; pointed out single-pane glass trapezoid windows; replacements to be Andersons with black frames to match the units below.

TB made a motion to approve as presented. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, HS, CM.

- vi) 161 Commercial St. – To replace a fence in kind.

No one presented. AH noted the building is the Boatslip resort; trash storage area in question.

MCM noted the fence is pre-existing, non-conforming. CM said the front can be a picket which MCM said could be destroyed by bike usage. LD said if lattice is to be approved then it should be approved as square, not diamond. CM said it would be nice to have a picket fence for the sight-lines. HS said the applicant has the option to re-do in kind.

TB made a motion to approve with the condition that the lattice be square not diagonal and the option of replacing the solid board portion fence toward the street with a preferred picket. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, HS, CM.

- ix) 334 Commercial St. – To replace windows and doors.

No one presented.

TB remarked on the scope of the changes.

TB made a motion to consider for Full Review with window specifications included in the plans. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, HS, CM.

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

LD requested to address additional business at the end of the meeting.

TB made a motion to postpone discussion of any other business that shall properly come before the Commission to the end of the meeting. LD seconded the motion and it passed, 3-0-0; TB, LD, HS.

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

None.

**5. Public Hearing: VOTES MAY BE TAKEN**

TB opened the Public Hearing at 4:30pm.

a) **HDC 20-112** (continued from the meeting of January 15th)

Application by **Mark Kinnane**, of **Cape Associates, Inc.**, requesting to demolish and rebuild a rear section of a structure and add a dormer to create a second floor on the property located at **18 Pearl Street**.

Mark Kinnane presented; dispersed latest plans which AH said the HDC had only received yesterday; said the request is to demolish the rear structure which is in very bad shape with no foundation, widen the interior a bit, move back section further away from the property line to install a bulkhead and two windows; same plans as 16 Prince, next door; front section to stay the same; roof in good shape, not to be replaced; replace windows and doors; eaves and rake trim will remain; corner boards rotted at bottom; trim at bay window to remain.

No public comments or letters.

MCM asked if it can still be considered a dormer if it's the whole second floor. TB said he was confused by the plans, questioned if there was enough of a set-back in place, asked if there was an engineer's report to confirm the conditions of the property. LD remarked that the applicant is seeking to build a bigger structure, to which Mr. Kinnane replied was to be wider, but basically the same length.

AH questioned if 25% of the structure is affected by the proposed re-build per demolition rule; read bylaw 15-11- 2.5a pertaining to demolition. LD said it appeared that more than 25% is affected. MCM said she would need more time for review on the plans and to conduct a site visit, as did MR. Mr. Kinnane said 16 Prince had been approved in the same manner in 2017 or '18; that he was planning to go before Zoning Board to request demolition.

LD said the ridge line is too high. TB concurred and suggested the design seemed to be calling for another condo building that is too large in scope, but agreed more time to review the plans was needed. MCM said she is not opposed to a second floor, but dimensions were needed going forward, to which LD added elevations, too, and a spec sheet for the new front door. Mr. Kinnane said the model is a new, Simpson door. CM requested better legibility.

TB made a motion to approve the time waiver as requested. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, MCM, CM.

TB made a motion to continue the decision to the meeting of February 19, 2020. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, MCM, CM.

b) **HDC 20-124**

Application by **Doi-Fin Development** requesting to construct a 6' high wood, light-impervious fence on the property located at **3 Cudworth Street**.

Kevin Bazarian presented on behalf of the owner; said the 6' high solid stockade fence had been installed based on approval by the Planning Board, but has received objections by the neighbors and HDC wanted more of a picket-style.

AH cited previous decisions: Planning Board case FY20-06 which was approved on Oct. 10, 2019 with the condition of a light impermeable fence to be installed on the southerly side of the property to block headlight glare onto adjoining properties, and ZBA, case FY19-78, condition #4, which also required a light-impermeable fence; said abutter had been present at both of these meetings.

MR questioned these decisions as HDC has jurisdiction over fences, to which AH said that the Planning Board has jurisdiction over the site plan or land use.

TB read a letter from abutter, Michael Perry, of 19 Court St., who took issue with what he said was an inadequate fence installed by the applicant following its approvals and also objected to the proposition of a fence expected to be installed behind his accessory use structure which, he claimed, will obstruct the airflow of an existing propane vent and also make it impossible to maintain his property. Mr. Perry included numerous photos to support his contentions along with suggestions of what he felt were more appropriate fence models.

CM said he went by the property and recommended a solid board fence as long as it starts 10' back and noted sightlines not being an issue at that point. TB said this might be a good

compromise. AH related that a site plan review was required as the applicant was seeking additional parking; said a good deal of back and forth followed and that it is before HDC because it is not a typical fence request.

LD and CM agreed on a 4' solid fence for the set-back section of fence line, to rise to match the abutter's fence height.

TB made a motion to approve a 4' picket fence at the front portion, swooping up to a 5' solid board fence 10' behind the face of the garage on the property. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, HS, CM.

c) **HDC 20-126** (continued from the meeting of January 15th)

Application by **Kevin Bazarian**, on behalf of **Tom Tannariello**, requesting to construct a pergola over an existing deck and to install a picket fence in the front of the structure at the property located at **6 Pleasant Street**.

Mr. Bazarian presented; said the style of the pergola was open for suggestions from the HDC in terms of columns and bases; offered a 3-4' white picket fence, or whatever feels right.

No public comments or letters.

MCM said the case is similar to 651 Commercial St. LD questioned round or square columns, and CM said he did some research and couldn't find a link. LD said that more square might be more appropriate to the design flow.

LD made a motion to approve with the condition that the support posts of the pergola be square and have a top and base plinth to match the entry door. TB seconded the motion and it passed, 5-0-0; LD, TB, HS, MCM, CM.

d) **HDC 20-132**

Application by **The Commons**, on behalf of the **Town of Provincetown**, requesting to build out a meeting space on the cellar level and restore (6) windows on the front of the structure located at **46 Bradford Street**.

Jill Stauffer, Executive Director of The Commons, presented; said they have received a Mass Development Collaborative Workspace grant of \$50,000 which they are putting back into the building and, to that end, are seeking to convert the former gym in the basement into a meeting space for approximately 20 people and bring in some fresh air, as well.

No public comment or letters.

TB noted with approval that the application called for replacing previously existing windows and commented that the HDC appreciated receiving submitted photos to applications. CM said the refurbished building is a bonus to the community. Ms. Stauffer said they could add trim to the windows, which AH responded ought to be in composite based on the roof grade and the expected accumulation of water.

TB made a motion to approve as presented. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, HS, CM.

e) **HDC 20-126** (request to postpone to the meeting of February 19<sup>th</sup>)

Application by **Peter McDonald, Architect**, on behalf of **Jay Anderson**, requesting to demolish a three-story, non-contributing structure and rebuild two residential buildings at the property located at **53 Commercial Street**.

TB made a motion to accept the time-waiver as requested. HS seconded the motion and it passed, 5-0-0; TB, HS, LD, MCM, CM.

TB made a motion to continue the decision to the meeting of February 19, 2020. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, MCM, CM.

f) **HDC 20-136**

Application by **Robert Silva** requesting to install (2) new windows on the structure located at **5 Conwell Street**.

Robert Silva presented; said the location for the proposed windows is the top and bottom of the south side, which will bring more light into the kitchen, confirmed for LD at same the size.

TB made a motion to approve as presented. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, HS, CM.

**g) HDC 20-141**

Application by **Mark R. Power**, requesting to construct a small addition to existing front porch decking on the property located at **232 Bradford Street, #2**.

AH said applicant is out of the country and that she is a direct abutter but spoke on their behalf in terms of the application as affecting the right of way behind the Provincetown Theater, citing two access roads in and out of the property; said three units were constructed three years ago. HS said she, too, was an abutter

TB made a motion to conclude that the application as presented was out of the HDC purview based on its height relative to ground level. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, HS, CM.

**h) HDC 20-145**

Application by **Peter Gherardi**, requesting to construct an addition for a north entryway foyer and to remove a window to accommodate the addition on the structure located at **15 Atwood Avenue**.

Peter Gherardi and Mark Boucher presented. Mr. Boucher described the two main entrances to the house, proposed a 9x6 addition to the main entrance and bump out a portion of the corner to facilitate that expansion; referenced two drawings of the proposed plans, wooden door with side-lights; second plan is smaller in scale with side-lights eliminated.

TB read letters in support from Donald Yasi at 14 West Vine St.; James McGuire at 25 Tremont St., B1, and Adam Rogers and Sean Martin from 10-12 West Vine St., Unit #3.

John Chase submitted a letter from neighbors Lillian "Jill" Atwood Chase and Margret "Peggy" Atwood Naqi, who voiced concerns over flooding resulting from construction as well as the potential of access restrictions due to such construction.

CM said he preferred option #2 as it is simpler and sought clarification on the proposed door design. TM recommended the Provincetown Door and asked per the elevation regarding the overhang. MR noted there is a significant historical side to the house. CM stated his preference for two spaced windows, which LD and TB concurred and Mr. Boucher agreed. LD said she was fine with the window replacements as presented and suggested the additional windows to match would make the design more historic. TB recommended mimicking the existing trim and front façade.

LD remarked that the Rosco or Provincetown Door she had installed at her home that was not outfitted with a storm door was gone in about four years. Mr. Boucher and Mr. Gherardi said they would be fine re-using the original door. MR said he likes the over-hang as existing, but acknowledged the owners might want a little bit more in that location. Mr. Boucher displayed a photo of a home on Bradford St. that they would like to mimic. MCM said the overhang as exists is more historically appropriate. LD voiced concern for the proposed overhang but felt it modest, MR noted it was an added feature onto the structure previously.

TB made a motion with conditions that Option B be employed with the existing door re-used and (3) windows ganged together be (2) windows to match the size of the windows on the front; simple square post and corner boards, flat stock with no decorative detail on top of post. CM seconded the motion and it passed, 5-0-0. TB, CM, LD, HS, MR.

Mr. Boucher was instructed to submit revised plans to Ellen Battaglini, Permit Coordinator.

**i) HDC 20-146**

Application by **Don DiRocco**, of **Hammer Architects**, on behalf of **William Lampeter**, requesting to add a new dormer on the north elevation, replace all doors and windows, relocate an existing French door with window, relocate/replace a skylight, install new red

cedar roofing, replace shingles, and repair/replace siding, casing, roofing and trim as needed on the structure located at **10 Atwood Avenue.**

MCM recused herself.

Don DiRocco and Leif Hamnquist of Hammer Architects, presented. Mr. DiRocco said Atwood Ave. is a private way and that a portion of the house is visible from Tremont, which is a public way; said many windows to be replaced are in bad shape and that they are taking pains to preserve the historic integrity of the house, noting that the building was significantly altered in the early 2000s.

John Chase spoke from the public saying that, as an abutter, the same concerns as related to the design plans for 15 Atwood Place regarding potential flooding and construction impediments should be on file for this project proposal. Mr. Hamnquist replied that they would notify the owners.

TB read letters in support from Mark Boucher and Peter Gherardi of 15 Atwood Ave., Roger Secours and Kenneth Houk of 25 Tremont St., F2, and James McGuire of 25 Tremont St., B1.

LD raised concern that the top of the dormer merges with the ridge line of the roof and resembles 1950s Cape. Mr. DiRocco replied they were doing this because the head-height is really low and also due to structural needs. CM said he, too, had an issue with the dormer and addressed the visual aspects of the plans from Tremont.

MR referenced a small cottage at 532 Commercial St., corner of Hancock, as having been requested to reduce the dormer size in their application but how circumstances made the ridge line appropriate as presented; said he felt might be the case with this proposal at 10 Atwood.

HS said she appreciated the history of the house and that the south elevation was being left as is. Mr. Hamnquist referenced a doghouse dormer which LD noted as more acceptable and asked if a doghouse could be put in on the far right and another far left, and then filled in by a shed which could go from the top of the dormers as it wouldn't be visible. Mr. DiRocco suggested two doghouse dormers would give it a heavy look on top, suggested an alternative involving the shed and asked how low to go on the slope of the ridge line if reduced.

LD said this is a special, contributing structure and therefore the approval must be arrived at very carefully. AH quoted 7.5 units of foam per inch of insulation and that in this case 49 would be needed. HDC settled on a 10" reduction of the dormer ridge line.

TB made a motion to continue the decision to the meeting of February 19, 2020. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, CM, MR.

Revised plans were requested to be submitted by February 13, 2020.

## **6. Review and approval of Minutes:**

TB made a motion to approve the HDC meeting minutes of June 21, 2017. CM seconded the motion and it passed, 5-0-0; TB, CM, LD, HS, MCM.

TB made a motion to approve the HDC meeting minutes of December 18, 2019. CM seconded the motion and it passed, 5-0-0; TB, CM, LD, HS, MCM.

TB made a motion to approve the HDC meeting minutes of January 15, 2020. CM seconded the motion and it passed, 5-0-0; TB, CM, LD, HS, MCM.

## **3. Any other business that shall properly come before the Commission (continued):**

LD made a motion to proceed with "Any other business" on the Agenda. CM seconded the motion and it passed, 5-0-0; LD, CM, TB, HS, MCM.

LD asked for suggestions to schedule a date and time to meet with the HDC subcommittee to discuss ideas for new the HDC permitting application. A lengthy discussion followed...

TB made a motion to schedule an HDC subcommittee meeting on Thursday, February 20, 2020 at 10:30am. CM seconded the motion and it passed 5-0-0; TB, CM, LD, HS, MCM.

**7. Deliberations on Pending Decisions: VOTES MAY BE TAKEN**

It was determined that decisions on approved cases would be written as follows:

**HDC 20-145, 15 Atwood Avenue: CM**  
**HDC 20-141, 232 Bradford Street, #2: LD**  
**HDC 20-124, 3 Cudworth Street: CM**  
**HDC 20-126, 6 Pleasant Street: TB**  
**HDC 20-132, 46 Bradford Street: LD**  
**HDC 20-136, 5 Conwell Street: CM**

MCM said she was traveling to Ireland the next day, but would take on additional future decisions upon her return.

TB made a motion to approve the five January 15, 2020 decisions of **HDC 20-109, 286 ½ Bradford Street, Buildings #1- #5**, written and read into the record by HS. CM seconded the motion and it passed, 3-0-0; TB, CM, HS.

Per HS, the following decisions were filed with the Town Clerk's office on December 23, 2019:

**HDC 20-030; HDC 20-077; HDC 20-078; HDC 20-083; HDC 20-090; HDC 20-102; HDC 20-106;  
HDC 20-107; HDC 20-111; HDC 20-117.**

Per HS, the following decisions were filed with the Town Clerk's office on January 22, 2020:

**HDC 20-118; HD 20-119; HDC 20-130; HDC 20-131; HDC 20-133.**

TB made a motion to adjourn the meeting at 6:20pm. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, HS, CM.

Respectfully Submitted,  
Jody O'Neil