

HISTORIC DISTRICT COMMISSION
PUBLIC MEETING
Town Hall
Provincetown MA

WEDNESDAY JUNE 7, 2017

Members Present: Thomas Biggert (TB), Chairman; Laurie Delmolino (LD); Martin Risteen (MR); Hersh Schwartz, (HS).

Excused absence: Marcene Marcoux, Vice Chair; Lisa Pacheco-Robb.

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

1. Work Session

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

AH reported that representatives regarding fence issues at 469 Commercial St. and 14 Standish St., have been in contact, with the latter planning to make an appearance at the next meeting.

b) Discussion regarding 34A Pearl Street.

Jeff Mulligan presented, with general contractor, Dimiti Papetsas, and Thadd Papetsas. Mr. Mulligan gave background on the case, including conditions found at the building which, he said, needed to be rectified to make construction safer, and the site visit conducted by the HDC; referenced re-submitted plans and solicited feedback from the HDC on the current state of the project.

TB remarked that only HS of the sitting Board members had conducted a site visit. LD noted tremendous structural damage to the side seen from Harry Kemp Way and the builder's option to mitigate this damage by removing one wall and set the new wall back to allow for better definition, which she said would lend a more historical look.

AH said she had not seen the property in years and so had no comment.

MR asked if the demolition would involve more than 25% of the building. Mr. Mulligan stated their intent to preserve as much of the undamaged walls as possible as well on the shorter, or older section from the 1800s; cited the problem as the grade being filled to the sills over the years.

TB suggested there was not enough information to form an opinion at this time and that a structural engineer's report was needed to advise all on raising the building. Mr. Mulligan said he would attain such a report as soon as possible, to which TB said could suffice so that he needn't return to the HDC, however the 25% rule for area of coverage would need to be indicated with certainty.

TB made a motion to continue the decision to the meeting of June 21, 2017. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

c) 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 June 21, 2017 agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

i. 9 Commercial Street – To replace a window in kind.

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 accept as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

ii. 286 Commercial Street – To modify an entry opening.

Hal Winard presented, representing Tom Thompson and Ronnie Hazel, contractors at Shop Therapy; conveyed what he said were three minor changes to the plan as involving a 6-panel door with an accordion on the left and more traditional hinge style to the right; posts on balcony as exists are needed for structural purposes; 1'-wide window display case. Mr. Winard said the aspects to the door as reported came with the unit.

MR observed that structural necessity dictates the change in this plan. LD agreed and said the subtle changes of the doors from 5 to 6 are operating within the same opening; her one issue is with the display case. MR remarked per the display that it is a commercial building. Mr. Winard said a display case had been in place originally on the front façade. TB said he preferred the original design which featured a door with a window above it; confirmed panels on the door as delivered with the unit.

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

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

iii. 10 Johnson Street – To replace a front door.

Ed Moore presented, representing Anthony Dell'Vecchio (sp); said the door is about 17 years old, wood and rotten, would not be changing the design at all, but client doesn't want wood as it won't last and is costly.

TB stressed a wood condition and LD suggested a storm door for protection in lieu of an overhang. Mr. Moore said he would discuss the HDC's position with his customer and return to continue the decision, agreed to discuss the rear door, which LD noted is not visible from a public way, but TB said visibility would have to be determined by the HDC in a site visit.

TB made a motion to continue the decision for a possible Administrative Review at the meeting of June 21, 2017. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

TB said that if the owner was amenable to a wood door and it was determined that the rear door was not visible, they could probably approve without a direct appearance.

iv. 4 Winslow Street – To add a window.

No one presented.

LD mentioned that the location of the window to be added was in question.

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 continue the decision to the meeting of June 21, 2017. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR

At this point, Eric Martin, representing 4 Winslow St. entered the meeting and confirmed that the proposed new window was in no way visible from a public way.

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.

- v. 462 Commercial Street – To remove and replace siding.

No one presented.

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. MR seconded the motion and it passed, 4-0-0; TB, MR, LD, HS.

- vi. 8-10 Atlantic Avenue, UD – To add (5) skylights and a chimney.

No one presented.

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

- vii. 510 Commercial Street – To add a window.

No one presented. TB noted the location can be seen from a public way.

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

- viii. 16 Prince Street – To add a new foundation and construct a new 2-story ell, replace all siding, roofing and windows in kind and to restore a front door.

No one presented.

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

- ix. 46 Bradford Street – To repair and replace siding and trim, replace windows in existing openings, replace a portico and install glass in half and full round openings.

No one presented for the property that is the Community Center.

LD noted the windows on the front are said to be replaced as historically accurate, 6-over-6s with 4" trim; read through details of the application, including double-hungs to be replaced as is and shingles employed.

TB said he didn't see any new openings on the application and that the window changes appear to be more historically accurate.

TB made a motion to consider for Full Review. MR seconded the motion and it passed, 3-1-0; TB, MR, HS in favor; LD, opposed.

- x. 212 Bradford Street – To add a dormer.

No one presented. TB made a motion to consider for Full Review. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

d) Review and approval of Minutes:

TB announced that the approval of minutes would be addressed at the end of the meeting.

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

None.

3. Public Hearings:

TB opened the Public Hearing at 4:10pm.

a) HDC 17-215 (continued from the meeting of May 17th)

Application by **Architectural Design, Inc.**, on behalf of **Michelle and Colleen O'Connor**, requesting to replace a front porch and balcony, a front door and sidelight and front pediment, add a shed dormer and a balcony, including a new door and windows on the south elevation, replace emergency egress decks and stairs and add a deck, door and windows on the north elevation, add windows and skylights on the east and west elevations and replace a chimney on the structure on the property located at **452 Commercial Street**.

Peter Haig presented; referenced new drawings as taking the HDC's considerations in hand, including featuring two matching doghouse dormers with no shed in between; ridge to be 6" lower; deck on the water side eliminated in favor of an enlarged deck on the rear side, shortened and widened to 10'; extending pediment a foot and a half; demonstrated changes to the side elevations in relation to the neighbors; stated preference for composite on decks.

TB sought confirmation that the doghouse dormer on the right had been shifted 1' to be more symmetrical.

Ted Jones spoke, said he lives across the street and is happy to see changes, although he doesn't feel the pediment is in the correct style; big windows on front-facing gable appear designed to create a living space in a former attic that was not a lived-in space; is wary of a change toward increased massing and suggested a reduction in bedrooms or units, referenced the suggestion by a neighbor (not present) to combine the second and top floor.

Mr. Haig said the top floor is currently a lived-in unit and questioned neighbors' sightlines regarding changes to the windows.

HDC Deliberations

The HDC did not receive copies of the revised plans, dated June 2, 2017, but reviewed the enlarged drawings presented by Mr. Haig up close.

LD said she felt the ridge line as presented was within the HDC guidelines; second small dormer also not breaking any rules; said her reservation is the three windows on the gable end on the third floor, preferred two windows; per rear deck, that being near someone's bedroom is perhaps unfortunate, but not in the HDC purview.

TB said the focus remains on the south elevation and would not request any changes on the front elevation; asked about the logic of a chimney, even as it is fake, behind the dormer. MR said he could live with windows on the front, top

and preferred not to touch the chimney and dormer, but ultimately needs to have plans in hand to review over time.

Window placement and style were discussed and compromises suggested. AH referenced the expansion of the rear deck as a noted change from the original design application.

TB made a motion to approve as presented with the conditions that the windows on the third floor on the right gable will be a pair of 6-over-6s; retain single doghouse dormer on the left, same location, with window 6-over-6; porch posts to be turned; corbel drawing to be submitted for approval. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

Front door issue was raised by MR to which LD said that a pediment over a front door in a Greek Revival style is not inappropriate.

Mr. Haig was instructed to submit three sets of new drawings

b) HDC 17-217 (previously continued to the meeting of June 21st)

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**.

No discussion, no vote taken.

c) HDC 17-269

Application by **Custom Crafted Homes**, on behalf of **Nicole Federic, et, al.**, requesting to remove and replace all windows, remove a bathroom and build a privacy wall on a deck at the rear of the structure on the property located at **259-263 Commercial Street**.

Scott Slarsky, architect, presented with drawings on an easel. Jeff Baroni also presented. Mr. Slarsky noted a house with a collection of design elements from the 1970s; referenced a photo from 1910 featuring 2-over-2 windows; current plan involves double-hung sash, 2-over-2s; insulation; mullein with composite material on the exterior, wood on the inside; replacing rotting trim with the same; shed piece added in the rear probably in the 1930s and an el added perhaps on the '70s – proposing to remove bathroom in the back with new re-vamp on façade facing the water as displayed in renderings.

TB said that while the HDC doesn't have purview over color, they would prefer white.

No public comments or letters.

TB asked if windows can be seen from a public way, to which Mr. Slarsky said they could not but in a very oblique way, confirmed by Mr. Baroni, who also made a push for approval of composite on at least three sides due to exposure, offered pine on the street side. TB said he could approve on the water side, but it was then rationalized as being acceptable for all sides south, east and west as it is such a damp area.

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

4. Motion by the Historic District Commission to vote to go into Executive Session pursuant to Open Meeting Law, G.L. c.30A, Section 21(a), Clause 3 for the purpose of:

Clause 3 – *To discuss strategy with respect to collective litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Votes may be taken.*

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

Out of Agenda order:

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

Fence at 457 Commercial Street

AH said the owner watched the hearing and that she spoke with him the following morning whereupon he informed her that the fence was going in, but that they would not install the two front sections as those had not been approved by the HDC.

TB noted it's a 6' fence; read a letter from the owners which related the fence height and design relative to the neighbors and reported it would be white cedar. TB took issue with the replacement fence as it is not in kind and stated that the 6' section should start 10' back from the front of the façade.

AH read notes from the previous HDC determination on the fence as an original Administrative Review in meeting. LD said now there were enough changes to warrant a Full Review as they have changed the style, which TB said is not in kind and that the 6' section would need to start 10' back from where currently requested. LD added that the original gradient fence was a one-sided picket, not a board, fence.

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

AH said the owners would be notified tomorrow and might get onto the Agenda for the July 5th meeting.

4 Baker Street

TB read a letter from the Commonwealth of Massachusetts regarding the rehabilitation project of the building at 4 Baker Street which they said is on the registrar as a contributing building in the Historic District and requires a certificate of appropriateness from the HDC and proposed window replacements match existing

5. Pending Decisions:

HDC discussed distribution and signing of written decisions as well as aspects of a demolition delay. No written decisions were read into the record or voted on today. TB said a meeting with Town Consul concerning FEMA and legal cases is pending. Discussion followed on how Full and Administrative Reviews are determined.

AH updated on the fire at Lopes Square, conditions of buildings in the Velocity Zone.

TB made a motion to adjourn the meeting at 5:40pm. LD seconded the motion and it passed, 4-0-0; TB, LD, MR, HS.

Respectfully Submitted,
Jody O'Neil