

**HISTORIC DISTRICT COMMISSION**  
**PUBLIC MEETING**  
Town Hall  
Provincetown MA  
**WEDNESDAY APRIL 26, 2017**

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

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

**1. Work Session**

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

AH announced there is nothing to report.

**b) Update on demolition delay at 228B Bradford Street and decision for 242 Bradford Street**

AH referenced a letter sent certified to the Chair of the HDC, to which TB said he had not received it yet. AH summarized that it had been over 60 days and that back on January 9<sup>th</sup> a letter was requested and enclosed for a certificate of hardship for 242 Bradford St., although the location is reading as 260; read the letter into the record in full from Attorney Viera, dated April 5, 2017. AH said there was also a letter sent to Town Planner, Gloria McPherson on January 9, 2017.

MM said she did not think the time-frame as quoted is correct, in that Town Clerk Doug Johnston has advised that no required date to file a decision is mandated after it has been rendered.

TB recommended speaking with Mr. Johnston prior to the next meeting and take this matter up again at that time.

MR said it is his finding in conducting research that the demolition delay be removed for 228B Bradford as this particular was not included in the determination of demolition while others – such as the Tasha property – were.

TB made a motion to remove the demolition delay for 228B Bradford Street LD seconded the motion and it passed, 5-0-0; TB, LD, MM, 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 April 19<sup>th</sup> or May 3<sup>rd</sup> agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.**

- i) 136 Bradford St., UC (continued from the meeting of March 15<sup>th</sup>) – To rebuild an existing deck.

TB made a motion to consider as Administrative Review. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, MR, HS.

TB made a motion to accept as presented. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, MR, HS.

- ii. 586 Commercial St., U5 – To remove and replace a front door and trim in kind (*continued from the meeting of April 19<sup>th</sup>*)

AH noted Josh Piper was not in attendance and TB said he believed he has received an e-mail from Mr. Piper which AH said would be in reference to the arch over the door as custom-fit with the window as one unit and which would cost \$4,500. MM proposed a meeting or discussion with builder Deborah Paine on the topic of to what extent is repair on a door no longer a viable option.

TB read a letter into the record explaining the leaking window over the door and need for a replacement and remarked afterward that his issue is with the new shape of the window. LD spoke of the demi-circle window design and suggested getting someone on hand familiar with this type of work. MR noted client's two concerns as cost and timing.

TB made a motion to postpone the determination to the meeting of May 3, 2017. LD seconded the motion and it passed, TB, LD, MM, MR, HS.

- iii. 140 Commercial St. – To replace (2) block fences with cedar fences (*continued from the meeting of April 19<sup>th</sup>*)

Mr. Crosby presented; said this fence will not be wavy.

MM asked for clarification on the fence height. Mr. Crosby said the 4' section would sweep up to 6' and not crest at 5'.

TB made a motion to consider as Administrative Review. LD seconded the motion and it passed, 5-0-0; TB, LD, MM, MR, HS.

TB made a motion to accept as presented. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, MR, HS.

- iv. 510 Commercial St. – To replace a wooden fence and stockade fence in kind.

No one presented.

TB made a motion to consider as Administrative Review. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, MR, HS.

MM said she couldn't find the fence height on the application. TB said it appears to 36" or no more than 4'.

TB made a motion to accept as presented with the condition that the height be the same. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, MR, HS.

- v. 402 Commercial St. – To re-frame and re-side on the wall of a structure.

Josh Grandel (sp) presented.

MM asked if the work proposed would trigger any glazing as such, to which AH said it would not and Mr. Grandel confirmed, adding that the approximately 20' wall is in danger of collapsing; said new trim would be wood with wood clapboards to match, painted white.

TB made a motion to consider as Administrative Review. LD seconded the motion and it passed, 5-0-0; TB, LD, MM, MR, HS.

TB made a motion to accept as presented. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, MR, HS.

**e) Review and approval of Minutes:**

MM suggested moving on from 2016 meeting minutes that appear to be lost or otherwise irretrievable. TB announced that Kathy Barrett has resigned from the position of Recording Secretary and was acknowledged and thanked for her excellent service to the Commission. MM recommended writing a letter of thanks.

MM thanked her fellow commissioners for their support during a process whereby two members of the Board of Selectmen are attempting to remove her from the HDC. TB concurred and defended MM against baseless accusations by certain elected officials during a recent hearing

**2. Public Hearings:**

**a) HDC 17-210 (postponed from the meeting of April 19<sup>th</sup>)**

Application by **Laurie Delmolino**, requesting to remove a door on the north elevation and close in a patio, replace a slider door with French doors and remove stairs and a deck on the west elevation of the structure on the property located at **84 Commercial Street** .

Ms. Delmolino presented, announced she would excuse herself during deliberations; said there were two doors on the left side of the north elevation that are redundant as the staircase is no longer present; on the right hand side, the sliders in question are not visible in any way and the porch area at the rear of the structure approximately 5x7 is modestly visible, to be repurposed for a mud room; per west elevation, door on the left is to be removed and used for the new exterior door, as well as a window to be pulled out and re-used; cedar shingles to be employed; on the outside of the building, request to remove the door on the second floor along with the landing and the steps as an unnecessary second egress, replace with a door and window, true divided-lite, storm window.

AH sought clarification that there will be two means of egress on the first floor.

TB read a letter in support from a direct neighbor at 82 Commercial St.

TB remarked on some great choices to which LD noted Plans A and B. MR asked if either of the doors are original. Ms. Delmolino said she thought not as the el was put in about 100 years ago and said the wavy glass window is probably original. MR asked if there was originally a window at the door on the second floor. Ms. Delmolino said she wasn't sure, although there were some vestiges.

MM said she thought Ms. Delmolino, as the applicant, was allowed to remain in the room even as she cannot remark. AH said it gets dicey as non-verbal communication is a component. Ms. Delmolino said she'd rather err on the side of caution and left the room.

TB said he liked the proposal. MR asked if bringing back the window on the west elevation is something Ms. Delmolino might be amendable to.

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

**b) HDC 17-215 (continued to the meeting of May 3<sup>rd</sup>)**

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**.

c) **HDC 17-217** (*postponed from the meeting of April 19<sup>th</sup>*)

Application by **KA Bazarian Construction**, on behalf of **Maria Cirino**, requesting to demolish and rebuild an existing garage on the same footprint on the property located at **3 Cudworth Street**.

Kevin Bazarian and Lyn Plummer presented. Ms. Plummer said the garage is old and falling apart, referenced a letter of evaluation in the file; 2x4s don't go all the way up; noted concrete foundation, structure framed by 2x8 joists. Mr. Bazarian added that the slab is cracked.

Paul Houlihan, direct abutter at 5 Cudworth, took the mic presenting (5) points in opposition, including raising the height almost double which, he said, ruins the historic balance of the neighborhood; concerns over shadows to be cast impacting his garden; requested type of lighting to be employed in noting neighbors leaving lights on during late hours, impacting sleep; asked of electricity and water is to be run to the new structure which could render it a habitable space; questioned aspect of stone wall in the re-vamp.

TB read a letter in opposition from abutter, Michael Perry, at 19 Court Street expressing concerns over the potential for blocked air flow regarding the shared space; parking lot spaces proposed making an encumbrance on his home-business; traffic flow on a narrow street, asked after modes of egress; building scale concerns relative to his own pre-existing structures.

MM read a letter from Tim Simmons, abutter, writing that while he was glad there was to be some work on the old structure asked if historic concerns will be considered and if there was a guide in that regard for the sake of design plans. MM thanked the applicants for postponing the hearing to today's meeting.

MR stated he would prefer to see the current footprint retained at a reduced height than what is proposed. AH said the added height is for the sake of more storage space. Ms. Plummer said water will not be run to the new garage.

HS said she agreed with MR, as did TB who said it was one of the most unique garages in Town and that it should be repaired and retained or else rebuilt as close to the original as possible; that the plan resembles a suburban house with garage doors on it.

MM concurred with the others and addressed the concerns of the public as expressed relevant to this case that the HDC's purview is height but not lighting, interior structural elements, or landscaping including trees. LD agreed with all.

TB read a letter from contractor, Steven Cook, as submitted by the applicant, evaluating the existing garage as having been constructed over 75 years ago, highlighted current damages and recommended building be razed and replaced as refurbishing the structure would prove cost prohibitive.

TB led the Board in requesting a letter from a structural engineer.

TB made a motion to accept an open-ended time waiver. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, MR, HS.

TB made a motion to continue the decision to the meeting of June 21, 2017. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, MR, HS.

c) **HDC 17-218** (*postponed from the meeting of April 19<sup>th</sup>*)

Application by **KA Bazarian Construction**, on behalf of **Patricia Rissland**, requesting to replace entry door with fiberglass doors on the structures located at **355 Commercial Street, #13 & #14**.

Kevin Bazarian and Lyn Plummer presented. Mr. Bazarian said one of the doors is metal and three are wood, all minimally visible; identified property as Angel's Landing.

TB read a letter in opposition to the design from Joan Leonard. LD read a letter in favor from abutters at 353 Commercial St.

MM said her issue is the historical significance of the property and recommended that the (3) wood doors be retained as wood.

TB made a motion to accept as presented with the condition that the (3) wood doors remain wood and the fiberglass door to be replaced as fiberglass if so chosen. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, MR, HS.

e) **HDC 17-219** (*postponed from the meeting of April 19<sup>th</sup>*)

Application by **KA Bazarian Construction**, on behalf of **Beverly Serabian**, requesting to modify the height of a previously-approved addition to the structure on the property located at **18 West Vine Street**.

Kevin Bazarian and Lyn Plummer presented. Mr. Bazarian referenced Tom Thompson as having previously come before the HDC to get approval per the elevations and hired contractor Steve Cook as having worked drawings but it has been ascertained that Mr. Cook's drawings cannot be applied to Mr. Thompson's elevations based on the poured concrete wall of the first floor garage.

Laurie Ferrari of Peters Property Management spoke for the Trustees of Gale Force Condominiums against the design as planned based on roof ridge line and dormer height additions and as going against the historic imperatives of the District.

LD recused herself.

Leo Loudon of 26 West Vine Street read aloud his letter in opposition based on the owners' build as standing in violation to what was previously approved by the HDC.

TB read a letter from Alex who wrote in opposition to the application based on incongruities of the current design based on what was previously approved by the HDC.

HS read a letter in opposition from the resident at 30 West Vine St., Unit A5, who referenced the build of the property as standing in violation to what has been previously approved by the HDC.

MM read a letter in opposition from the owner at 26 West Vine St., Unit E2 who requested to hold the contractor accountable and not set a bad precedent.

TB read a letter in opposition from the owners at 26 West Vine, Unit 3C referencing their previous letter of complaint as the builder had raised the roof line.

Mr. Bazarian said they were amenable to changes and acknowledged the problem based on the structure as stands and the HDC approvals granted; agreed that the garage currently overpowers the house.

TB said new drawings with new roof pitch and height would be necessary to move forward. MR advised not weighing in more at this time until new drawings are received.

TB made a motion to continue the decision to the meeting of May 3, 2017. HS seconded the motion and it passed, 4-0-0; TB, HS, MM, MR.

f) **HDC 17-220** (*postponed from the meeting of April 19<sup>th</sup>*)

Application by **Holly Tarleton**, on behalf of **Michael Murphy**, requesting to remove and replace roofing shingles and install a skylight on the structure located at **8 Conwell Street**.

Holly Tarleton presented; said shingles would match those which have already been applied to the exterior and skylight would provide more needed light at the top of the stairs.

MR made a motion to accept as presented. TB seconded the motion and it passed, 5-0-0; MR, TB, MM, LD, HS.

g) **HDC 17-221** (*postponed from the meeting of April 19<sup>th</sup>*)

Application by **Brad Horner**, requesting to repair and replace stockade fences along the east and west elevations, install a picket fence on the south elevation, replace an asphalt roof and (6) skylights in kind, install new wooden panel shutters along the east and west elevations, replace a roof over a bay window on the south elevation, replace casement windows on the east, west and north elevations in kind and replace a casement, large plate glass windows and existing sliders with new sliders and a rubber membrane roof with decking and railings on the north elevation of the structure on the property located at **436 Commercial Street**.

Joel Harms and Brad Horner presented. Mr. Harms referenced various prior presentations on the property and their hopes to get everything covered in today's hearing, noted administrative items per photos including fences, chimney repair, asphalt roof replacement with timberline grey shingle, skylights all replaced in kind; shutters on rear not to be replaced in kind.

Mr. Harms then noted items they believed qualified for Full Review, including rehab of (2) bay windows; (3) sets of casement windows from the 1970s not part of original replacement proposal; rear elevation cleaned up for matching second and third floors including (4) sets of sliders, Anderson 400 series; new rubber roof and decking at site of the master bedroom; clapboard railing along east and west elevations for privacy.

TB read a letter of support from immediate neighbors, the Luvingers, and another in support from Steven Cozzi at 5 Kiley Court.

MR voiced strong support for the proposal and acknowledged that many from the public have approached him to thank his and Board's work in approving and guiding the success of this property. MR concluded by adding that it is one of the finest examples in Town of thoughtful renovation of a Historic building.

HS commented on the wood fence as being absolutely beautiful, to which LD concurred, called it an amazing job. TB said the only thing he might have issue with is the copper caps on the bay windows as somewhat too dressy, stating a preference for shingles. HS agreed and MR and LD said they were comfortable with the owners' choice. Mr. Horn said they felt the copper was a way to dress up the house but they're not opposed to shingles.

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

h) **HDC 17-222** (*postponed from the meeting of April 19<sup>th</sup>*)

Application by **Shawn Brooks** and **Ed Moore**, requesting to elevate the roof on a one-story addition, remove (3) existing skylights and add a double casement window and wood shutters on the east elevation of the structure located at **96 Commercial Street, #4**.

Shawn Brooks presented; said it's a straightforward salt box with a build-out on the right-hand north-facing side to which in the 70s or 80s (3) skylights were installed which are now leaking; Anderson no longer makes this particular model.

No comments or letters.

AH commented on the long-standing overhanging tree as adding to the deterioration of the skylights.

TB made a motion to accept as presented. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, MR, HS.

i) **HDC 17-223** (*postponed from the meeting of April 19<sup>th</sup>*)

Application by **Peter Markauer**, of **LDa Architects**, on behalf of **Gregory Lombardi**, requesting to remove, replace and relocate all existing windows and replace a deck railing and posts with stainless steel cable system on the structure located at **24 Bradford Street**.

LD recused herself.

Peter Markauer and Gregory Lombardi presented. Mr. Markauer read from a prepared statement of intention, stating a lack of architectural significance to the building and their plans to provide an aesthetic improvement; no changes to roof height or pitch, extending rake overheads, 1'9"; aluminum-clad windows for upper floor; shifting and adding openings; proposing several modes of exterior cladding; deck and railing per back of building.

HS asked per small window on south elevation which is in the shower..

TB read a letter in support from Arthur Mahoney at 24A Bradford St., an abutter who noted the poor condition of the building in its present state.

MR said the history of the house is a bit older than the applicant has indicated. HS remarked that the building had been changed so many times she questioned its relevancy in the Historic District. MM said she felt that this house is the perfect paradigm for bringing something new into the District where the design is appropriately warranted. TB said wasn't sure how he felt about the design transformation, canvassed the Board. MR replied that the materials as proposed are within the Historic purview and fabric, asked how this building would fit in with other buildings in the neighborhood.

HDC discussed the values of the proposed design materials; settled on the potential for changes to the front door, or window configuration at that elevation. Mr. Markauer asked if there were objections as drawn to the two doors with the large lights. TB responded that it might benefit possibly from a redrawn scale.

TB made a motion to continue the decision to the meeting of May 3, 2017 MM seconded the motion and it passed, 4-0-0; TB, MM, MR, HS.

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

#### Decision Sheet

Discussion ensued on input to a new decision sheet from Town Counsel, Ilana Quirk. MR gave background on the form, which was to go to Town Planner, Gloria McPherson, for tweaking. TB recommended using both forms until the June business meeting. LD mentioned an upcoming Historic preservation workshop in Brewster on May 23<sup>rd</sup> as referenced by Ms. McPherson, and whereby the Board may be able to get feedback from others on forms.

TB made a motion to adjourn the meeting at 6:46pm. MM seconded the motion and it

passed, 5-0-0; TB, MM, LD, MR, HS.

Respectfully Submitted  
Jody O'Neil