

**Historic District Commission
Meeting of
May 18, 2005, 4:00 PM
Town Hall, Provincetown, MA 02657**

Members Present: John Dowd, Chair; Carol Neal, Vice Chair; Meg Stewart; Polly Burnell; and Eric Dray

Town Hall Representatives: Maxine Notaro, Permit Coordinator; Doug Taylor, Building Commissioner

Public Hearings

A quorum being present, Chair John Dowd called the Public Hearing to order at 4:05 PM.

A site visit was made to **49A Commercial Street** at 3:30 PM and was attended by HDC members John Dowd, Meg Stewart, Polly Burnell, Carol Neal and Eric Dray.

Case #2005-44 *(Continued from May 4, 2005)*

Application by Joe Smith for a Certificate of Compliance 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 reduce the beach side attic roof to create a deck; raise the attic roof 4'; replace skylights with dormers; enclose the outside stairs in the entry and ell on the west side; replace windows and doors; reside and re-shingle; construct new deck rails and columns; remove the cinder block chimney and add a flue for a wood stove at the property located at **151A Commercial Street, Provincetown, MA.**

John DeSouza submitted new plans with changes as discussed and described at the last meeting. A motion was made to accept the amended plans. The changes are covered under Guideline #s 5c, 5e, 8a, 9a, 9d & 15.

Moved by: John Dowd

Seconded by: Polly Burnell

Yea: 3 Nay: 1 Abstained: 1
Meg Stewart opposed and
Eric Dray abstained

Case #2005-45 **Application by Robert Valois and David Martin** 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 build a 4'6" x 8' 0" addition on the Northwest corner; new half story addition with dormers and replace windows, rebuild pier and bulkhead at the property located at **47 Commercial Street, Provincetown, MA.**

A general discussion ensued regarding the legal aspects of this case. Eric Dray supplied a copy of an email sent to Town Manager, Keith Bergman from Jonathan Silverstein, Town Counsel that he had an agreement with Mr. Martin's attorney saying that it would make sense for both parties to agree to stay the litigation pending a review of the new plans. Eric Dray noted that the letter signed by both parties was not legally a "stay" of the lawsuit, rather an agreement to put the case on "hold." It was also noted that the Commission requested the parties to agree to remand the case back to the Commission. In light of Town Counsel's email, the Commission went forward with today's hearing. Mr. Veara, the owner's attorney, said they would dismiss the case if an agreement could be reached on this new application.

The owner's representatives described the project. The previous proposal requested a two-story structure. This new proposal reduced the scale from a two-story to a 1½-story structure. In 1998 the building was completely renovated inside and outside. The applicants stated that the building would not be higher than any surrounding structures.

Robert Valois described the submitted plans and stated that the building was scaled down. He felt that the new design brings the building somewhat back to the original building.

John Dowd asked for any public comments and none were forthcoming.

Meg Stewart asked about the raising of the height of the building by 2'3" (FEMA). Mr. Valois stated that it was based on an increase in ceiling height to 8' on the first floor. Meg Stewart felt that the ceiling height should be as low as code

would permit, 7'6".

A discussion of the placement of the deck followed. John Dowd asked if the windows on the East and West elevations could be unified. Eric Dray felt that the proposal was at the expense of the original historic structure.

Polly Brunell stated that she had done some research and that the building was a residential dwelling since the turn of the century.

The HDC members discussed the scale of the building and the buildings on the waterfront.

Eric Dray felt that the chimney design was inappropriate for the style and character of the structure.

A motion was made to approve the application as presented with the following modifications:

1. Centering the deck on the South elevation.
2. Elimination of the brick chimney as an exterior element.
3. Lowering the rear portion of the roof to 19'6" to bring it in line.
4. Elimination of banding between the 1st and 2nd floors.
5. Reduce the ceiling height from 8' to 7'6" on the 1st floor.
6. The windows not to have tinted glass and have ½ screens.
7. Simplify the muntin pattern on the French doors.

The approval would be based on the following considerations:

1. Evidence of complete re-building of structure in 1998 that impacts its integrity as an historic structure.
2. Massing of proposed structure remains subordinate to the building on the East and the existing structure to the North on the same property.
3. The overall design retains simplicity in form and detail of the existing structure.

Guideline #s 2c and 15 cover the above items.

New plans will be submitted reflecting the changes, for final approval.

Moved by: Eric Dray

Seconded by: Polly Burnell

Yea: 3 Nay: 1 Abstained: 1
Meg Stewart opposed and
Carol Neal abstained

Case #2005-22 (Continued from March 23rd)

Application by Peter Page on behalf of Jean Marino for a Certificate of Compliance 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 remove a door and replace with a wood door and sidelight at the property located at **14 Center Street, Provincetown, MA.**

Peter Page spoke about the 2' doors and submitted pictures of the style of door. Carol Neal stated that the doors on the building at 12 Center Street would have the style of doors appropriate to this property. Mr. Page also asked about a design for a new porch as requested by the Building Commissioner.

A motion was made to approve the restoration of the double door similar to a similar house on the street and will be investigated by an HDC subcommittee. The door is covered by Guideline #6a. The applicant requested installing a 3' door but the HDC re-stated that it felt that it would be historically appropriate to have two 2' doors.

Moved by: Eric Dray

Seconded by: Meg Stewart

Yea: 5 Nay: 0

Case #2005-33 (Continued from April 20th, 2005)

Application by Lawrence Yahn for a Certificate of Compliance 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 second floor deck addition at the property located at **9 Standish Avenue, Provincetown, MA.**

Sean Pendergast, representing the applicant, stated that the deck would be 10' x 13'.

A motion was made to approve the application as submitted and is covered under Guideline #s 9a through 9c.

Moved by: Eric Dray

Seconded by: Meg Stewart

Yea: 5 **Nay:** 0

Case #2005-36 (Continued from April 20th, 2005)

Application by Kevin Soyt for a Certificate of Compliance 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 shed dormer with studio windows on the northwest elevation; addition of skylights to the northwest and southeast elevations; addition of door and small balcony on the northeast; replace deck rail with shingle wall to match building and remove chimney built in approximately 1999 at the property located at **9 Pleasant Street, Provincetown, MA.**

Kevin Soyt explained his application. After a brief discussion, a motion was made to approve the amended plans as submitted with the following changes: The chimney will be removed as it not an original chimney; the new windows will have factory applied muntins, be true divided light and with ½ screens. These items are covered by Guideline #s 5c, 8a, and 8b.

Moved by: Meg Stewart

Seconded by: John Dowd

Yea: 5 **Nay:** 0

Case #2005-38 (Continued from April 20th, 2005)

Application by Roger W. Galligan on behalf of Dr. Artemis S. Pinkerson for a Certificate of Compliance 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 9'6" x 15' addition with alterations to include new foundation, reconstruction of a first floor walls, new siding, roofing, windows and doors, replacement of decks and repairs to existing bulkhead at the property located at **49A Commercial Street, Provincetown, MA.**

The members discussed this application during the site visit on this date. John Dowd asked for comments from the public and none were forthcoming.

A general discussion ensued regarding doors and windows. Eric Dray had concerns that the building was going to be demolished and rebuilt. The applicant explained that the building will be jacked up and the bottom floor will be cut away and nothing will be demolished.

A motion was made to approve the application with the following conditions:

South Elevation:

1. The French door on the ground level proposed to become a full-view French door.
2. The second story original window will be retained with the addition of a vertical board door with ½ window.
3. Stairs will be relocated as close to building as possible to allow for retention of the window next to it.

East Elevation:

4. Proposed placement of windows is approved and the size will be altered to double hung as is the to existing window on South elevation second story.
5. The proposed center door hood to be removed.
6. The section of the building from existing vertical wall break to be retained through setback of one foot. Original section of the house (middle) will be retained visually by setting back the new portion by 1 foot.
7. Windows to have ½ screens and low-e grade glass

8. Overall height increase is based on FEMA regulations and building code. The proposed ceiling height to be 7'6" and no higher.

Guideline #s 2b, 5a, b c & e, 6a & b, 7, 12 & 15 covers the above items. New plans will be submitted for final approval.

Moved by: John Dowd

Seconded by: Eric Dray

Yea: 5 Nay: 0

Case #2005-42 (Continued from May 4, 2005)

Application by Neal Kimball on behalf of Vernon Brown for a Certificate of Compliance 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 renovation of four free-standing cottages including reframing of roofs to increase pitch, remove covered patio from cottages 3 & 4 and bump out footprints and replace all windows and doors and change placement at the property located at **10 Washington Avenue, Provincetown, MA.**

Neal Kimball stated that the concern at the last meeting was the vertical height of the buildings. The new height is based on a ceiling height of 7'6". The roof pitch was reduced to 8 pitch. The structures were constructed in the 60s and are less than 50 years old.

John Dowd asked for any comments from the public and Mr. Paul Newman of 8 Washington Street asked why the change from three cottages to four and asked if there is a second floor. Gary Coll, another abutter, questioned the heights of the cottages regarding the sill frames. Mr. Newman also questioned the placement of windows and doors and the bumped-out footprint.

Carol Neal read a letter from David Chambers and John Crane of 12 Washington Avenue, which was against the applicants plan. The letter was placed in the file.

John Dowd then closed the public portion of the hearing.

Meg Stewart questioned the footprints and if cottages 1 and 2 as well as cottages 3 and 4 will be the same as they are currently. Neal Kimball replied that cottages 3 and 4 would be bumped out by 5 feet.

Meg Stewart felt that the cottages are historically significant in the streetscape even if the buildings are not historical. Carol Neal agreed with Meg Stewart and had a problem with the dormers. Polly Burnell feels that the bump out on cottages 3 and 4 is wrong and Eric Dray feels that the bump out is not acceptable or appropriate.

A motion was made to continue this case and the applicants will return with revised plans using suggested changes.

Moved by: Eric Dray

Seconded by: Meg Stewart

Yea: 5 Nay: 0

Informal Discussion

John Nelson, **4 Garfield Street**, will appear for a demolition application at the August 3rd meeting. Doug Taylor felt the cottage was unstable. Mr. Nelson plans to rebuild a cottage that would be almost exactly like the old one. Eric Dray stated that this application would come under the Demolition Delay By-law. The members told the applicant to return with a structural engineer's report regarding the stability of the building.

Sacha Richter, **457 Commercial Street**, wanted to change the window format to increase the light on the street side. The consensus of the members was that the plans should remain the same as those approved at an earlier meeting. Mr. Richter withdrew his request.

Due to a prior commitment, Meg Stewart had to leave the meeting at 7:35 PM.

Administrative Approvals

Case #2005-32

90 Commercial Street – The applicant supplied a letter of withdrawal of this application.

The following administrative approvals were made by the HDC:

10 Commercial Street – the plans submitted had to be stamped by the HDC

88 Bradford Street – shingles to be replaced in kind

14 Bangs Street – replace windows in kind and told that they should have 1/2 screen, low-e and 2/2

17 Bangs Street – add fence in the rear

281 Commercial Street – replace triple sliding glass door with a double sliding glass door

286 Commercial Street – window replacement

148 Commercial Street – railing and trim

3 Kendall Lane – replace roof shingles and rubber roof

211 1/2 Bradford Street – this case will be reviewed at a public hearing regarding the fence

A motion was made to adjourn the meeting at 7:50 PM.

Moved by: Carol Neal

Seconded by: Polly Burnell

Yea: 4 Nay: 0

Respectfully submitted by
Joel Glasser
Recording Secretary

Approved by: _____ on _____
John Dowd, Chairman Date