

Minutes

The Provincetown Historic District Commission; Work Session of 3:30pm and Public Hearing of 4:00pm on Wednesday, **July 1, 2020.**

NOTE: THIS IS A REMOTE PARTICIPATION MEETING

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Provincetown Historic District Commission will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Provincetown website, at <https://www.provincetown-ma.gov/>.

For this meeting, members of the public who wish to watch/listen and participate in the meeting may do so in the following manner:

1. Watch on PTV GOV Channel 18, as well as an online livestream of PTV GOV at <http://www.provincetowntv.org/watch.html>
2. To listen and participate in this meeting, dial **(833) 579-7589**. When prompted, enter the following conference ID number: **691 279 130 #**. Please do not speak until the chair or the meeting moderator asks for public comments or questions. Please mute your phone until you are called upon to speak.

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Provincetown website an audio or video recording or other comprehensive record of proceedings as soon as possible after the meeting.

Members by remote: Thomas Biggert (TB), Chairman, Pilgrim Monument Rep.; Laurie Delmolino (LD), Vice-Chair, Historical Commission Rep.; Hersh Schwartz (HS), Clerk, Chamber of Commerce Rep.; John Dowd (JD), PGB Rep.; Christopher Mathieson (CM), PAAM Rep.; Michela Carew Murphy (MCM), Alternate.

Staff present: Anne Howard (AH), Building Commissioner; Thaddeus Soule (TS), Town Planner.

TS gave opening remarks at 3:32pm and called for TB to give quorum by roll call.

TB issued roll-call and called the meeting to order, then gave the meeting over to TS who read the rules governing Public Meeting protocols under current State guidelines regarding the pandemic.

Work Session: VOTES MAY BE TAKEN

1. Election of Commission officers

TB nominated HS to the position of Clerk of the HDC. LD seconded the motion and it passed, 5-0-0; TB, LD, JD, CM, MCM. TB thanked HS for her service to the Board.

MCM nominated TB to the position of Chair of the HDC. HS seconded the motion and it passed, 5-0-0; MCM, HS, LD, JD, CM.

MCM nominated LD to the position of Vice Chair of the HDC. HS seconded the motion and it passed, 5-0-0; MCM, HS, TB, JD, CM,

2. Update on potential violations reported to the Building Commissioner.

AH reported a review of the roof at 819 Atlantic Ave., and one of a sidewall at 11 Atlantic Ave.

TB noted a lot of work being done at 416 Commercial St., the old Antonelli Gallery and building. AH said the owners have not come before the HDC, but that they have a permit for some interior issues and that the windows are still on the property but were removed to facilitate interior finishes transferred to the dumpster.

TB revisited 419 Commercial St. and said his measurement indicates that what remains is 28' long with 10' chopped off the back for a total of 38' which signals that just over 26% was demolished, putting it over the 25% allowed amount for demolition, per the bylaws.

TB asked if JD is happy with his neighbor's house where work is to be replicated exactly. JD said it wasn't yet finished but hoped that pictures would be made available for comparison.

3. 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 July 15, 2020 and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

- i) 466 Commercial St. – To replace a fence in kind.

TB made a motion to consider as Full Review to be heard at the meeting of August 5, 2020. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, JD, CM.

- ii) 3 Cook St. – To replace siding, a window, and door trim to match existing.

TB made a motion to approve as Administrative review with the condition that the style of the trim matches the existing. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, JD, CM.

- iii) 108 Commercial St. – To remove a chimney

TB made a motion to consider as Full Review. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, JD, CM.

- iv) 288B Commercial St. – To re-side, trim (6) windows and (2) doors, replace (2) windows, and replace deck boards.

AH said this structure is minimally visible. JD said he believes the building is of historic significance. AH said there have been older and better pictures and that the application has been on hold for two months based on being work implemented without review or permitting in place; reported that decks are not new, are being replicated.

TB made a motion to continue to the meeting of July 15, 2020 following a site visit. LD seconded the motion and it passed, 5-0-0; TB, LD, HS LD, CM.

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

- v) [25 Watson's Ct.](#) – To demolish a cottage.
- vi) [116 Bradford St.](#) – To remove and rebuild a deck with a privacy wall and a pergola.
- vii) [577 Commercial St.](#) – To install cable rails on a north elevation deck.
- viii) [577 Commercial St.](#) – To install cable rails on south elevation stairs.
- ix) [25 Tremont St, UG2](#) – To install 2 new skylights.
- x) [136 Bradford St.](#) – To renovate a bike shop and apartment by removing a cold storage room, demolishing an apartment in the rear, building a new addition on the ground level and 3 apartments on the second level.

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

AH asked per the motion on [288B Commercial St.](#) and if it was for the sake of a site visit.

LD asked if the windows were vinyl to be replaced with vinyl. CM said he'd like a set of drawings rather having to go into Town where no one is wearing a mask. HS agreed.

TB noted it wasn't common practice to request drawings for an Administrative Review. AH remarked on the level of visibility; clarified the windows and trim as indicated for work per the application. TB determined that a site visit to be conducted by those Board members able to get out and have a look.

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

None.

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

None.

6. Public Hearings: VOTES MAY BE TAKEN

TB opened the Public Hearing at 4:01pm.

a) [HDC 20-171](#) (continued from the meeting of June 17th)

Application by **Ocazo Construction, Inc.** requesting to replace a front door on the structure located at **606 Commercial Street, #1.**

TB made a motion to continue to the meeting of July 15, 2020. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, JD, CM.

b) [HDC 20-175](#) (continued from the meeting of June 17th)

Application by **Nathaniel Fridman** requesting to add a dormer and windows and replace an existing bump-out picture window with a similar style of window on the structure located at **8 Court Street, Unit C.**

TB made a motion to continue to the meeting of July 15, 2020. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, JD, CM.

c) [HDC 20-217](#) (continued from the meeting of June 17th)

Application by **50 Commercial Street, LLC**, requesting to modify HDC Decision AR-20-142 by replacing the five windows on the face of the front of the building with the same type of windows and replace front porch railings and post to match the Azek materials used and existing on the side porch located at **50 Commercial Street, #1**.

Christopher Snow, Attorney, presented; reported that the owner is in agreement with replacing the five front windows with the Bostonian style as requested as an option by the HDC at the last meeting and to possibly replace the two dormer windows on the west side.

No public comments or letters.

JD said he would be in favor of the window replacements and cautioned against holding this application up to a different standard. CM said it would nice to replace the three east dormer windows.

TB made a motion to approve as presented with the condition that the trim replaced be wood and the west dormer windows replaced as proposed by the applicant. CM seconded the motion and it passed, 3-0-1: TB, CM, JD, in favor; HS, abstained. LD recused, having not sat in on the previous meeting.

d) [HDC 20-234](#)

Application by **Ted Smith Architect, LLC**, on behalf of **Michael Fullen**, requesting to renovate an existing multi-family structure, including modifying the second story by adding and reconfiguring dormers, adding and relocating windows and doors, adding covered porches with decks above, and to renovate an existing studio on the property located at **3 Soper Street**.

Ted Smith presented; said building hasn't been worked on in a long time and the conversion would be from a multi-family dwelling to a single family home. Mr. Smith went through elevations, specifying dormer changes; increased roof line to give more headroom, from 21'8" to 24'3", which, he said, is still within the guidelines and is still being debated if it's to be a 2-story, or 1 ½ story, reconfiguration.

AH read a letter opposed from abutter, Nathaniel Jellinek and another letter opposed from Ryan Murphy and David Miller, owners of neighboring properties at 73 Commercial St., Units 2 and 3, which he noted as the site of the Hoffman Studio and main house. AH read a third letter in opposition from the resident of 76 Commercial St., KiKi Herold.

Ms. Herold spoke from the phone and repeated her concerns, including those over the shed that would be renovated into something much bigger; requests it remain a shed.

MCM agreed with the letters written in opposition and hoped that people who buy "floater" houses will respect the historic integrity of these buildings and maintain them as such. HS concurred. CM said his preference would be to maintain more of the style of what currently exists. JD said it felt it important to retain the doghouse dormers and the left side elevation as very character-defining; but that the outside, including the deck and stairway, might be open to negotiations as not historically intact, suggested looking at the second-story deck; is against French doors on the side or front of a building and the blind dormer on the right side of the building; advised full-sized window replacements; concluded in relating that his recommendations would allow the deck in the rear to replace the staircase deck.

LD said she felt the Board, in general, is opposed to losing the two doghouse dormers,

added that two windows are visible from Nickerson and should be retained and is opposed to raising the ridge lines. TB said he agreed with just about everything that's been said, including Ms. Herold's remarks; said every house tells a story and that he favors a 6-lite window as is typically approved; questioned what is to be left of the original house and felt the overall design is too ambitious.

Mr. Smith replied that he would return in two weeks and see what he can present, noted the owner is not available and is in California.

TB made a motion to continue the decision to the meeting of July 15, 2020. JD seconded the motion and it passed, 5-0-0; TB, JD, LD, HS, CM.

e) [HDC 20-236](#)

Application by **Peter Page**, on behalf of **Adam Rogers**, requesting to replace an elliptical window with a rectangular window on the structure located at **10 West Vine Street, #3**.

Peter Page presented; said the window is leaking and that the owners don't feel the elliptical window in any way blends with the rest of the structure; said the replacement will be the same as exists, 24x72.

No public comments or letters.

JD sought clarification on the width of the doors and uniformity of the work to be performed, to which Mr. Page said they were not planning to trim out the window, that they would lose 7" in width and height. LD said she agreed with JD's idea to trim out the window to line up with the slider trim below. CM and MCM agreed, as well.

JD made a motion to accept as presented with the condition that the new rectangular window it is made the maximum size possible for the trim to match the windows on the first floor, or doors on the second floor, in width. TB seconded the motion and it passed, 5-0-0; JD, TB, LD, HS, CM.

f) [HDC 20-237](#)

Application by **Tom Thompson**, on behalf of **Carol Adelman & Barbara Scarcella**, requesting to replace an existing casement and picture window and an entry door and patio sliders with new units on the structure located at **491 Commercial Street, #4**.

Tom Thompson, Carol Adelman and Barbara Scarcella presented. Mr. Thompson said the changes are to the top level upper section of the window and the sliders are on the water side; other units to be replaced with Andersons on the east and west elevations; referenced new photographs and expressed that the window on the top floor is over-sized and not appropriate, seeking to be replaced with double-hung, round-top and a 4-panel Anderson slider on the north-west view to match the ones on the first floor.

No public comments or letters.

CM said he would be opposed to switching out the window on the street side for historic reasons; is not opposed to sliders on the Harbor side but would like to see the railings match up; per west side, windows to be a bit more contextual to those existing. LD said she found the current state of the building as discordant and welcomed something more organic to the third floor, in agreement with CM. JD said he agreed with LD and CM, as did MCM.

Mr. Thompson presented against the top window replacements in favor of retaining existing units while maintaining the more formal aspects of the building elsewhere. JD said he felt Mr. Thompson could correct mistakes made years ago by employing windows that will help make the whole building more uniform; remarked on the beauty of the front façade.

Ms. Adelman said she has lived at the residence for a very long time and that she aims to keep the building in the very tight feeling of Provincetown while having a chance to get the right views into the apartment at the top.

TB weighed in with an appeal to make a gesture that is in keeping with historic imperative with double-hungs. LD mentioned a skylight could be added if light is still a concern after the windows are switched out. CM suggested integrating a window off the first or second floor into the design as appropriate and capable of achieving the desired effect. Mr. Thompson said the plan was to use more variety in the window design as one moves toward the Harbor and that the railings were hoped to be expressed in future plans which would incorporate changes. JD requested everything be addressed in total at the next meeting. HS noted there is nothing in the application regarding railings, to which Mr. Thompson concurred; said he understood per the take-way that the HDC would like to see double-hung windows with more leniencies on the Harbor side.

TB made a motion to continue the decision to the meeting of July 15, 2020. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, JD, CM.

HS noted that Tom Thompson does not appear in name anywhere on the application, to which TB said was not an issue in terms of paperwork.

g) [HDC 20-238](#)

Application by **William N. Rogers, II, P.E., P.L.S.**, on behalf of **Escargot, LLC**, requesting to raise buildings by 7 feet to install a timber pile and steel beam foundation and to replace an existing deck structure with a code-compliant deck with stairs on the property located at **437-439 Commercial Street**.

TB made a motion to continue the decision to the meeting of July 15, 2020. LD seconded the motion and it passed, 5-0-0; TB, LD, HD, JD, CM.

CM inquired about adding discussion to an application that has already been heard at today's meeting, to which AH said the time to continue discussion on an Agenda item is during the segment of the meeting when the case is being heard. CM then asked if, in a general way, a Board member is permitted to make suggestions to an application as a condition of approval.

7. Review and approval of Minutes:

HS made a motion to approve the meeting minutes of June 17, 2020. TB seconded the motion and it passed, 5-0-0; HS, TB, LD, JD, CM.

8. Deliberations on Pending Decision: VOTES MAY BE TAKEN

TB made a motion to approve the July 1, 2020 decision of **HDC 20-217, 50 Commercial Street #1** as written and read into the record by HS. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, JD, CM.

TB made a motion to approve the July 1, 2020 decision of **HDC 20-236, 10 West Vine Street, #3**, as written and read into the record by HS. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, JD, CM.

HS read the amendment to the decision of **522 Commercial Street**, Certificate of Appropriateness, pertaining to the bump-out that was denied on August 7, 2019 and regarding the written decision of the application on September 5, 2019.

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

TS said TB's letter regarding 3 Jerome Smith need not be read into the record, but could be verbally referenced. AH said she sent the letter off to Richard Waldo at the DPW today.

LD asked per her completed updated ethics test, which AH said should be sent to the Town Clerk.

TB congratulated Bob Anthony and Louise Vendon on winning seats to the Board of Select and wished everyone a happy July 4th holiday.

TB made a motion to adjourn the meeting at 5:25pm. LD seconded the motion and it passed, 5-0-0; TB, LD, HS, JD, CM.

Respectfully Submitted,
Jody O'Neil