

Minutes November 18, 2020

The Provincetown Historic District Commission Work Session of 3:30 PM and Public Hearing of 4:00 PM on Wednesday, November 18, 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: 784 614 659 #. 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.; Hersh Schwartz (HS), Clerk, Chamber of Commerce Rep.; John Dowd (JD), PGB Rep.; Christopher Mathieson (CM), PAAM Rep.; Michela Carew Murphy (MCM), Alternate.

Excused absence: Laurie Delmolino, Vice-Chair, Historical Commission Rep.

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

TS gave opening remarks at 3:43pm and called for HS to give quorum by roll call.

HS 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.

1. Work Session: VOTES MAY BE TAKEN

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

AH acknowledged three e-mails from CM which she said she hasn't yet had a chance to go through carefully – with the exception a quick look at the fence at 6 Wareham; will forward a previously-approved deck at 509 Commercial St. which, she said, has not been built as planned, including cable rails rather than vertical captured balusters and two solid panels on the east elevation of the top and middle decks, which have been removed.

TB spoke per a railing sample at the candy store. AH said she will ask Jason to provide a cream colored paint item to be put out for view by the HDC at the Ryder Street access at Town Hall.

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 December 2, 2020 and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

TB made a motion to consider i) thru xi) for Administrative Review. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

- i) 41 Bradford St. (continued from the meeting of November 4th) – To replace 4 windows in kind.

AH referenced the 4 sets of 4 ganged-awning windows in question as pertaining to the motel in the rear, behind the trees. CM asked for a better view, which TS said was not feasible due to the private way and trespassing issues.

CM said he recalled there being an issue with the windows at this property previously and the feedback had been to retain the existing with a historical context cited at the property. AH said the windows are perhaps white cedar shingle; reminded the HDC that its purview is that which is viewed from the public way, to which CM said his prior site visit indicated it was visible in that regard.

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

- ii) 156 Bradford St., U5 – To replace a deck and stairs in kind.

AH stated the location as sort of the extension of Railroad Ave on the north side of Conwell with limited visibility from Bradford. TB said it appeared fine, apart from the captured balusters and HS asked if there would be another review on the skylights. AH said the skylight replacement is also included in the application and that there were not generally specs included on skylights as they are required to be made with tempered or laminated glass being on a low slope, and to meet energy codes as required; said this proposal is for a solar actualizer which may have solar shades, as well; suggested HDC could approve the deck and stairs today and wait for more details on the skylights.

TB made a motion to approve the deck and stairs as presented with the request for more information on the skylights. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

- iii) 286-288 Commercial St., U1 – To replace a door in kind.

Hal Winard presented; said it was basically a 1-for-1 replacement, going from metal and fiberglass.

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

- iv) [245 Bradford St., U2](#) - To replace a window in kind.
Deborah Paine presented; said the work involves four windows which a car drove through in March; replacements for 4 double-hungs will be Andersons, wood with vinyl cladding on the outside; added this unit model currently exists on the right side.
TB made a motion to approve as presented. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.
- v) [377 Commercial St., U1-2](#) – To replace 2 sliders in kind.
HS said she didn't have any specs on the sliders. AH said the specs were hand-written and read the details on the Andersons that are to replace the Marvin's.
TB made a motion to approve as presented. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.
- vi) [428 Commercial St., U1](#) – To replace a front door in kind.
TB made a motion to approve as presented. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.
- vii) [108 Commercial St.](#) – To replace 11 windows and 2 doors in kind.
TB noted Anderson 400 series and HS said she had the hard copy of the application in hand and that everything looked to be in order. JD questioned the absence of any images.
TB made a motion to continue to the meeting of December 2, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.
- viii) [16 Winslow St. U5](#) – To replace a chimney in kind.
Derik Burgess presented; said the chimney leaks like a sieve and he was advised by his mason to take it down to the roof line; will rebuild exactly the same but would not be able to re-use the existing bricks, which he said were not that old, in any case.
TB made a motion to approve as presented with the condition that the color and mortar of the brick and size of the joints all be matched. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.
- ix) [26 Bradford St.](#) – To replace a window with a door that is not visible from a public way.
TB verified that the features in question could not be seen from a public way.
TB made a motion to approve as presented. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.
- x) [493 Commercial St., U1](#) – To replace 4 windows in kind.
AH referenced the property as Bay Shore Condominiums and said that the windows on the application relate to the front, main building.
JD questioned approving an application without any documentation.
TB made a motion to continue the decision to the meeting of December 2, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

- xi) [493 Commercial St., U2](#) – To replace 9 windows in kind;

TB made a motion to continue the decision to the meeting of December 2, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

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

- xii) [213 Commercial St., U1](#) – To remove a window and add fencing.
- xiii) [6 Mechanic St., UF](#) - To replace windows.
- xiv) [452 Commercial St., U3](#) – To remove a window and replace with a door.
- xv) [341 Bradford St.](#) – To demolish and rebuild 2 structures.
- xvi) [286.5 Bradford St.](#) – To build 4 duplexes and 4 cottages.
- xvii) [245 Bradford St., U2](#) – To add a small loft above a living room and add windows.
- xviii) [32 Point St.](#) – To renovate, construct an addition and add an artist’s studio to an existing structure.
- xix) [3 Kendall Ln. UA-1](#) – To demolish and rebuild a structure.

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

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

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

341 Bradford Street

HS referenced the pending demolition delay issue as regards the status of these two buildings, which AH said was a matter for the HDC to determine if a structure 50 years old or greater, and not in the Historic District, is subject to delay. TB said the HDC does not always enforce the rule that demolished buildings in the Historic District be rebuilt as existing.

577 Commercial Street

Laurie Ferrari presented; said this is the same project as the east side being, now being replicated on the west side with wood trim.

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

122 Commercial Street

JD addressed the property as not appearing to be constructed per the drawing on file. AH related that the owners have addressed some of the molding but have not yet completed the work.

CM raised the issue of fencing and railings on the waterside which, he said, that after closer inspection of some of these properties, now realizes is more conducive to showcasing the architectural features of the buildings than captured balusters. TB said this was a good point and details on the buildings can be better seen through cable railing.

TB expressed his dismay at the lack of coverage of the 400th landing of the Pilgrims on Wednesday, November 11, 2020. CM mentioned the work being done at First Landing Park, which JD said he felt was more of an opportunity to advertise business concerns and commercial

interests than honoring the Pilgrim legacy.

5. Public Hearings: VOTES MAY BE TAKEN

TB opened the Public Hearing at 4:29pm.

a) [HDC 20-171](#) (continued from the meeting of November 18th)

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

TB made a motion to continue the decision to the meeting of December 2, 2020. HS seconded the motion and it passed, 5-0-0; TG, HS, JD, CM, MCM.

b) [HDC 20-175](#) (continued from the meeting of October 21st)

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, UC**.

Nathaniel Fridman presented; offered two roofline options; windows on the side would be 20x48; center or main window to be 44x48; sashes are 4/4 and 8/8. JD said he would prefer to see the panes be of the same proportion, recommended adjustments to the molding.

JD made a motion to accept as presented with the condition that the hip roof rise to a peak; cornice molding be larger relative to the gable projection; three panels in the bay relate in width to the 3 above. TB seconded the motion and it passed, 5-0-0; JD, TB, HS, CM, MCM.

c) [HDC 20-2032](#) (continued from the meeting of November 4th)

Application by **Brian Dennison**, on behalf of **Ken Pratt**, requesting to replace 4 windows and an entry door on the structure located at **38 Bradford Street, U1**.

AH referred to the spec sheet indicating 1/1 in the kitchen; 2 doors to be replaced as 9-light, 2-panel, 2/3 glazed opening with rails and styles of a similar nature to mimic the other.

Seth Grizey, of Renewal by Anderson, presented; said the bay is off the table, per HDC designation, and the last picture presented is a drawing of what is projected as finished.

TB made a motion to approve with the condition that the doors be either the Provincetown Door or a single-light door, half-glass. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

Mr. Grizey confirmed the double hung casements as approved.

d) [HDC 20-2054](#)

Application by **Kyle Ringquist** requesting to attach an awning over a window on the structure located at **349 Commercial Street, UE**.

AH read a letter of approval by business neighbor, Paul Nesbitt, of Mate.

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

[NOTE: JD left the meeting briefly to address computer concerns.]

e) [HDC 20-2057](#) (continued from the meeting of November 4th)

Application by **Xavier Palmer** requesting to relocate a front door and add two windows on either side on the structure located at **167 Commercial Street, U1**.

TB made a motion to approve a request for withdrawal without prejudice of the

application. HS seconded the motion and it passed, 4-0-0; TB, HS, CM, MCM.

f) [HDC 20-2062](#)

Application by **Bonnie Catena** requesting to replace two windows on the structure located at **5 Brewster Street, U2**.

Bonnie Catena and Lisa West presented. Ms. West noted the HDC approved her bedroom windows on October 21st and said Ms. Catena was seeking to do the same. Ms. West said Ms. Catena would be adding more uniformity to the building, ganged windows would be rendered to look like the pair on the left side of the door, 2/1s. CM asked if some spacing could be added to the placement, which Ms. Catena said they would look into.

TB made a motion to approve as presented with the suggestion that spacing be applied to the ganged windows for a more historical look, if feasible. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

JD addressed the size of the window in the unit above, which Ms. West said was not theirs but that they could pass the recommendation along.

Ms. West requested the HDC address her modifications as directed by JD at the previous meeting, modified as 3, flat across. AH cited the original case # as **HDC 20-2042**.

TB made a motion to amend the Certificate of Appropriateness to include the triple window on the north-west elevation as presented in a drawing on November 12, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

g) [HDC 20-2071](#)

Application by **Paul Kelly** to install a wood privacy fence on the property located at **22 Brewster Street**.

Paul Kelly presented; said the abutters to his home entertain close to his bedroom window and, as such, he seeks an acoustical 40' barrier to muffle the sound in the evenings.

HS said she had no problem with the request, to which MCM agreed.

AH read two letters in support from neighbor Paul Richardson, an abutter at 42 Pearl Street, and the abutters in question, Steve Baker and Gavin Kennedy, who referenced a mere 3' between their patio and the applicant's bedroom window.

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

h) [HDC 20-2072](#)

Application by **Derik Burgess**, on behalf of the **Fine Arts Work Center in Provincetown**, requesting to renovate a common room, including altering a south façade, creating a bump-out and framing an entrance area, adding and replacing windows, replacing doors and increasing the height of a parapet over a framed area, and to improve an adjacent outdoor courtyard, including adding a deck, seasonal planters and outdoor furniture on the property located at **24 Pearl Street**.

Derik Burgess and Richard MacMillan, Co-Executive Director of FAWC, presented. Mr. Burgess said courtyard area work is not included in his application, noted previous approval on this work which had expired before the work could begin, seeking new time clock for construction; only change is a minor one: bump-out on the courtyard-side. Mr. MacMillan cited a change in leadership adding to the delays in the work performed on the project.

JD doubted the current plans as reflective of what was previously accepted. Mr. Burgess

said the garage door manufacturer has changed but the look will be aesthetically as approved; elevations of concern were cited as A.2.2 and A.2.1.

Tom Thompson said that due to an uploading glitch, the neighbors have not had a chance to review the plans properly in due time. AH consulted an abutters list whereby notifications went out October 27th, said she does not have any communication from neighbors or abutters concerning an inability to review the plans online, noted the application was received on October 7, 2020. Mr. Burgess said he had confirmation of uploaded plans by November 3rd. Mr. Thompson said abutters notices were received but noted his three e-mails as sent to the Permit Coordinator with a reply back stating there had been a glitch but that they were now available.

Paul Kelly, a neighbor who said he is also on the Building Committee, spoke from the public in saying that there is nothing new to the plans as previously presented and approved, especially the lawn edging the abutters. Mr. Thompson said there are new neighbors who need the chance to review the plans.

MCM said she was fine with the plans, but noted that there have been times when the HDC has not been able to view plans online in a time-sensitive manner, suggested a postponement for all abutters to have ample time to weigh in.

Pat Miller, neighbor from across the street, said she loves the FAWC mission, but was only able to see plans yesterday; proposed a written agreement for the space at FAWC, which, following renovations, would respect the residential neighborhood in terms of usage and the potential for sound issues.

Mr. Burgess said they had done due diligence in submitting everything on time and are running up against a scheduling issue for the work to be completed by the spring. CM said he would like to see plans, while noting consistency in the design. HS said she agreed with CM. JD said he understood the abutters' concerns, but noted the HDC's purview as pertaining only to architectural considerations and not sound issues. TB agreed, but noted that abutters should be considered in the conversation regarding the design application.

TB made a motion to continue the decision to the hearing of December 2, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

i) [HDC 20-2073](#)

Application by **Mike Czyoski**, on behalf of **Aaron Barry**, requesting to relocate an existing door and window on the structure located at **98 Commercial Street, U3**.

Mike Czyoski presented; said the have flipped the door and the window in work already been completed. TB said he felt the look is possibly more pleasing than previously erected.

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

j) [HDC 20-2076](#)

Application by **Cathy Bedard** requesting to replace 8 windows on the structure located at **27 Court Street, U4**.

Paul McLean of Renewal by Anderson presented; said nothing is really changing, cited same grille patterns.

JD asked per the 6/1, double-hungs if they were being replaced to resemble the ones below, to which Mr. McLean said they were not, but rather to be replaced as existing. TB asked if the client might be inclined to match the 6/1s, to which Mr. McLean said they could.

TB made a motion to approve as presented with the condition that the replacement ganged windows, 4, 5 and 6, match the windows below. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

k) [HDC 20-2079](#)

Application by **Nathan Collins** requesting to install 8 solar canopies on the lots located at **132 & 134 Bradford Street** and **10 Conwell Street**.

Nathan Collins and Daniel Serber presented. Mr. Collins noted that 132 and 134 fall in the Historic District; said solar installation will not affect any other aspects of the property layout including parking, referred to preliminary designs of canopies ranging from 9' to 14'. Mr. Serber said no public views or historical properties would be affected and that there was only one residential property on Rail Road Ave.; overall design is of low impact.

TB said his concern is determining what exactly the structure will look like, choice of materials. JD pointed to a file option that illustrates the design; said it was essentially a parking lot site and that he had no problem with the plan. Images were consulted of a similar solar installation at 698 Commercial Street. CM spoke in favor of the measure as a green initiative and favorable to the Town, but wondered if a tree canopy might be employed to aid the design and offered that Margaret Murphy, who works with the Tree Commission in Town has offered to work with the applicant.

John Tyler spoke from the public against the design as being more appropriate for an airport and balked at the scale of the project as not being appropriate for the Town charm people expect; estimated the height as more in line with 18'.

CM recommended new plans that will show the proper scope of the project, to which other Board members agreed. HS said it will change the whole dynamics of that area. JD suggested a more simplified and cleaner design that might be more appealing aesthetically.

Paul Kelly from the public also questioned the scope of the project and lack of clarity.

TB made a motion to continue the decision to the meeting of December 2, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

l) [HDC 20-2086](#)

Application by **Kevin Bazarian** requesting to construct a new contemporary style residence on the property located at **2 Commercial Street**.

Kevin Bazarian presented with the owners on stand-by; said they are proposing a new two bedroom, two bath, single-story home; property has grade restrictions; 8' high sliding glass doors, all glass railings; east elevation hardly visible from a public way – facing up hill; north elevation facing neighbors at 30' away.

No public comments or letters.

AH referenced the property as part of the MOU from the Murchison estate, asked per the proper address, which JD indicated per the drawing as 2 Pilgrim's Landing. Mr. Bazarian confirmed with AH that the land development is part of the Murchison Estate MOU, indicating that any proposed construction come before the HDC as a courtesy.

MCM said she was overwhelmed when she first saw the plans and finds Mr. Bazarian's current presentation helpful. CM asked if the pool was still to be included, to which Mr. Bazarian said it was. CM expressed his appreciation for the design, as did HS, but suggested the post caps are not up to the modern look. JD also said the Federal posts seem out of place, likes the expansion of glass and how it relates to the Gropius house on top; prefers flat rather

than angle roof.

Miren Etcheverry, owner, said the slanted roof was changed from the originally planned flat design to better fit in with the surrounding property and also add interior texture. JD continued his case for a flat roof. CM countered JD's claim and said he felt the sloping angle of the roof continues a conversation and is fantastic. TB agreed with CM and found the slope nicely relating to the hillside.

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

MCM left the meeting at 6:34pm.

6. Review and approval of Minutes:

HS made a motion to approve the meeting minutes of October 21, 2020. TB seconded the motion and it passed, 4-0-0; HS, TB, JD, CM.

7. Deliberations on Pending Decision: VOTES MAY BE TAKEN

TB made a motion to approve the November 18, 2020 decision of **HDC 20-175, 8 Court Street, UC**, written and read into the record by HS. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the November 18, 2020 decision of **HDC 20-2032, 38 Bradford Street, U1**, written and read into the record by HS. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the November 18, 2020 decision of **HDC 20-2054, 349 Commercial Street, UE**, written and read into the record by HS. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the November 18, 2020 decision of **HDC 20-2062, 5 Brewster Street, U2**, written and read into the record by HS. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the November 18, 2020 decision of **HDC 20-2071, 22 Brewster Street**, written and read into the record by HS. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the November 18, 2020 decision of **HDC 20-2073, 98 Commercial Street, U3**, written and read into the record by HS. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the November 18, 2020 decision of **HDC 20-2076, 27 Court Street, U4**, written and read into the record by HS. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the November 18, 2020 decision of **HDC 20-2086, 2 Commercial Street, Lot #2** (2 Pilgrim's Landing), written and read into the record by HS. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

HS said she was still awaiting new plans to file with the Nov. 4th decision for 16 Brewster St. AH said she would reach out to Mr. Mills as well as follow up with the Certificate of Appropriateness for 5 Brewster St, U2 and per canopies for solar panels at 132-136 Bradford/ 10 Conwell; added there was a Community Development meeting on the application independent of the HDC application review.

HS said she had no plans for 41 Bradford St. or 577 Commercial St. to be stamped for filing.

AH and TS said they would continue to address issues related to uploading of documents online.

TB made a motion to adjourn the meeting at 6:53pm. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

Respectfully Submitted,
Jody O'Neil