

Public Meeting March 22, 2021

The Provincetown Historic District Commission Work Session of 10:30AM, Monday, March 22, 2021.

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: 490 129 004#. 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: Laurie Delmolino (LD), Vice-Chair; Hersh Schwartz (HS), Clerk, Chamber of Commerce Rep.; Christopher Mathieson (CM), PAAM Rep.; Michela Carew-Murphy (MCM), Alternate; Anthony Iannacci (AI), Alternate.

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

LD issued roll-call by remote and called the meeting to order at 10:33am.

Work Session: VOTES MAY BE TAKEN

1. Deliberations on Pending Decision: VOTES MAY BE TAKEN

LD made a motion to approve the March 17, 2021 decision of **HDC 21-20, 9 Bradford Street**, written and read into the record by HS. CM seconded the motion and it passed, 4-0-0; LD, CM, HS, MCM.

HS made a motion to approve the March 17, 2021 decision of **HDC 21-30, 6 Wareham Road**, written and read into the record by HS. CM seconded the motion and it passed, 4-0-0; HS, CM, LD, MCM.

HS made a motion to approve the March 17, 2021 decision of **HDC 21-35, 26 Commercial Street**, written and read into the record by HS. LD seconded the motion and it passed, 4-0-0; HS, LD, CM, MCM.

HS made a motion to approve the, March 17, 2021 decision of **HDC 21-37 401 ½ Commercial**, written and read into the record by HS. LD seconded the motion and it passed, 4-0-0; HS, LD, CM, MCM.

HS made a motion to approve the March 17, 2021 decision of **HDC 21-42, 7 Conway Street**, written and read into the record by HS. LD seconded the motion and it passed, 4-0-0; HS, LD, CM, MCM.

HS made a motion to approve the March 17, 2021 decision of **HDC 21-43, 139A Commercial Street**, written and read into the record by HS. CM seconded the motion.

LD asked to verify that the structure was built in 2004 and is contributing. AH interjected to relate that the only building remaining as a section of the old structure is the front cottage; reported quite a bit of activity at this site back in 2004; had pictures at one time when the abutter was the developer and was seeking harmony in the site. HS said application is for 139 Commercial but all the work currently being done is for 139A, to which AH concurred and said she would try to find an earlier decision. Vote was held pending location of street file.

Continued later in the meeting:

AH said plans are on hand where the historic front remained and the new structure was built on the part that was removed, creating 139A as constructed in 2000; two cottages previously removed. LD said that which was contributing was most likely the previous cottage to which AH concurred and so the present state of the property can be considered as non-contributing.

HS made a motion to approve the March 17, 2021 decision of **HDC 21-43, 139A Commercial Street**, written and read into the record by HS. LD seconded the motion and it passed, 4-0-0; HS, LD, CM, MCM.

The vote on the March 17, 2021 decision of **HDC 21-48, 357 Commercial Street, U12**, was held pending submission of new plans.

HS made a motion to approve the March 17, 2021 decision of **HDC 21-49, 20 Bangs Street**, written and read into the record by HS. LD seconded the motion and it passed, 4-0-0; HS, LD, CM, MCM. [NOTE: HS stated that the work pertains to 20A Bangs Street.]

HS made a motion to approve the March 17, 2021 decision of **HDC 21-50, 493 Commercial Street, U2**, written and read into the record by HS. LD seconded the motion and it passed, 4-0-0; HS, LD, CM, MCM.

HS made a motion to approve the March 17, 2021 decision of HDC 21-51, 10 Atwood Avenue, written and read into the record by HS. LD seconded the motion and it passed, 4-0-0; HS, LD, CM, MCM.

2. Review and approval of Minutes:

HS made a motion to approve the HDC meeting minutes of January 20, 2021. LD seconded the motion and it passed, 3-0-0; HS, LD, CM.

3. Any Other Business:

New HDC Board Member

HS reported that Anthony Iannacci, the new Alternate HDC commissioner, is not getting e-mails. AH apologized if Mr. Iannacci had not been placed on today's Agenda or was not getting notifications and Recording Secretary Jody O'Neil said that he had received Mr. Iannacci's e-mail from AH and would add him to the group e-mail for Minutes and other document updates.

Board Term Limits & Upcoming Election of Officers

AH spoke of term limits as restricted to three consecutive terms and the need for re-instatement by the Town Clerk as applies to Chair Thom Biggert. MCM asked per the math and why some commissioners are two and others three year terms. AH said it depends on when a new commissioner takes over a vacated term. MCM asked per circumstances when two terms count as 2 years each. AH and MCM puzzled through the term calculations. CM said he spoke to TB who said he had discussed his term limits with new Town Clerk, and that he would be fine with the conditions of his terms; would likely take a couple of years off and then return to the Board.

MCM asked why one's Alternate term should count towards the total terms of eligibility which would indicate that a commissioner's voting rights are negatively impacted in regard to the total amount of time they are permitted to serve on the Board. AH said the letter of terms can be reviewed with DG and she would review Chapter 5, section 6C. LD said MCM makes a good point per the alternate slot and it should be explained clearly as to whether this position is included in the total accrual. AH said she understood that serving as an Alternate counts as one full term. CM suggested MCM get a letter from the Town Clerk in hand with the definitive term parameters. MCM said she is vexed by the inconsistency on the matter.

HS said Commissioner Biggert enjoyed an extra year and can now take a break and return. CM praised Mr. Biggert's performance on the Board, as did LD and HS. AH said term elections will be on the agenda for the April 7th meeting even as they were held a month ago.

LD said that anyone willing to take on the chair position should be able to have in hand a list of Chair responsibilities. AH noted that among these responsibilities is reviewing the Agenda and running the meeting in compliance with Roberts Rules of Order; said the chair's vote is probably the weakest vote in that they should be the last to vote. AH read through the term guidelines, in part, concluding that what is not clear is what pertains to Alternate or Full member status and confirmed to MCM that clarification is needed as such.

CM asked per the upcoming election of officers and how an Alternate is elevated to a Full position to which AH said falls into the hands of the Select Board or can be turned over to the Moderator depending on the terms of vacancy, which AH said is 6 months. CM asked if the HDC has any influence with the Select Board in terms of selection. AH said what is usually done in the past is the longest sitting Alternate has the opportunity to take the new, Full member

term as available, but that all alternates have the choice to make application to Full status when opportunity presents.

AH said the Town Staff has some homework to do as the HDC does not follow the same protocols in terms of the Select Board. TS concurred that the HDC gets to make the recommendation but the decision of elevation to Full from Alternate is up to the Select Board.

Shack at 51 Commercial Street

AH said Mr. O'Neil did an excellent job in back-tracking the history of the property per the Minutes through the years and that she now has it recorded as to when the back cottage came into being. Mr. O'Neil said he would re-send the encapsulated back-story at 51-53 Commercial Street to the whole Board.

Board Positions

AH said absent the Chair all activities fall to the Vice Chair. CM asked if LD had a feeling one way or the other per assuming the Chair position for one year. LD said her response concerns the Chair responsibilities at this point, but that things in her personal life have calmed down quite a bit and she can continue for a while and see how the change proceeds. AH said as one who has chaired three separate regulatory Boards, managing the schedule for getting through Agenda items and voted-upon decisions by a strict time line is a helpful guide for structure.

HS also provided some working points that she has experienced in coordinating items with Mr. Biggert. TS said that the HDC can decide how to utilize Town staff, offered to assist the HDC to better orient itself with information on specific applications, and CM offered assistance to LD and also to HS regarding decisions; added that MCM should be elevated to full member based on her tenure. MCM thanked CM for his support and CM said he enjoys working on the Board.

LD said she had a brief conversation with JD to check if he had interest in chairing the HDC, to which he said he would not, but offered help to LD with the transition as needed. LD said she would like to see ideas brought to the next meeting including how to move the meetings along better and streamline things. HS said she'd like to see a separate meeting to address these talking points, to which LD agreed.

MCM noted that a conversation was proposed to discuss the dummy application for online users; suggested "in kind" and other facets of the application to be done by consensus without the need for extensive deliberation. Mr. O'Neil suggested eliminating the wordage on the Agenda template that calls for Administrative Reviews to be voted on by a sub-committee as this practice hasn't been acted on in several years.

HS and CM said they had to jump off the meeting. MCM suggested fleshing out ideas by e-mail prior to the next meeting.

LD made a motion to adjourn the meeting at 11:44am. CM seconded the motion and it passed, 4-0-0; LD, CM, HS, MCM.

Respectfully Submitted,
Jody O'Neil