

Public Meeting March 3, 2021

The Provincetown Historic District Commission Work Session at 3:30 PM and Public Hearing at 4:00 PM on Wednesday, March 3, 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: 812 428 303 #. 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.; Michela Murphy (MM), Alternate; Anthony Iannacci (AI), Alternate.

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

Excused absence: Christopher Mathieson, PAAM Rep.

TS gave opening remarks at 3:31pm 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.

1. Work Session: VOTES MAY BE TAKEN

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

AH said that most building violations have been out of the Historic District; reported that roofing and/or siding permits have been issued for [607 Commercial Street](#); [27 Brewster](#), which has an active leak; [397 Commercial](#), from an occurrence on October 3, 2020; [198 Commercial Street](#); [75 Commercial Street](#); [139A Commercial](#), also with an active leak and which is set to go before the HDC for a railing and partial deck extension approval; and [519 Commercial Street](#) for a siding permit at the rectory building of St. Mary of the Harbor.

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 March 17, 2021 Public Hearing agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

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

[26 Commercial St.](#) – To replace windows, doors, trim siding, roofing, decking and railings and to reconstruct a chimney; [401 ½ Commercial St.](#) -To replace an existing aluminum frame, canvas-covered awning and to install a simple structure made of aluminum with a louvered top; [7 Conway St.](#) – To replace and lengthen a picket fence, to enclose an outdoor shower and to add a trash enclosure; [139A Commercial St.](#) -To replace trim, deck material and deck railings; [357 Commercial, U12](#) – To replace an existing deck with a larger deck and to replace an existing dormer; [493 Commercial, U2](#) – To replace a slider with a window and a window with a slider.

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

TB made a motion to consider the following as Administrative Review:

[372 Commercial St.](#) - To replace a side entry door in kind; [10 Brewster St.](#) – To replace a window in kind; [5 Conant St., U1](#) – To replace windows in kind; [8 Montello St.](#) – To replace a real chimney with a faux chimney.

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

i) [372 Commercial St.](#) - To replace a side entry door in kind.

No one presented.

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

ii) [64 Commercial St.](#) – To replace a front door in kind.

No one presented.

HS clarified to TB that just the screen door would be replaced.

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

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

- iii) [10 Commercial St., U14](#) – To replace a deck and railings in kind.
 - No one presented.
 - AH confirmed to TB that the road in question is a private way.
 - TB made a motion that the property and attendant application is not in the public way.
 - LD seconded the motion and it passed, 5-0-0; LD, HS, JD, AI, TB.

- iv) [10 Brewster St.](#) – To replace a window in kind.
 - No one presented.
 - TB noted multiple awning windows, double-hung, 1/1. HS asked where the 14th window might be hidden, based on the photograph.
 - TB made a motion to approve as presented. LD seconded the motion and it passed, 5-0-0; LD, HS, JD, MM, TB.

- v) [5 Conant St., U1](#) – To replace windows in kind.
 - John Y. presented; said he has a mismatch of windows and it seeking to consolidate into a single style, noted most houses on the street with 2/2; requests 2/2 simulated divided-light for what he said was a working-class neighborhood. HS said the home was built between 1850 and 1870, Greek Revival, that has been altered and is considered contributing. John Y. said he plans to add casement, 4” trim, and extend the sill beyond the units.
 - JD said he agreed in that the 2/2 is more Mid-Victorian and appropriate to the house as well as helping with the bay-side wall. LD said she agreed with JD.
 - TB made a motion to approve with the condition that the windows be 2/2 and the trim wood. LD seconded the motion and it passed, 5-0-0; LD, HS, JD, AI, TB.

- vi) [8 Montello St.](#) – To replace a real chimney with a faux chimney.
 - No one presented.
 - LD said the facets of the chimney would need to be replicated in kind. JD added that in being built the same way, eliminating the metal cap at the top could be an option.
 - TB made a motion to approve as presented with the condition that the same size brick be used, same size thin non-white grout line be used, and brick be a traditional red brick color. LD seconded the motion and it passed, 5-0-0; LD, HS, JD, MM, TB.

- xiii) [10 Atwood Ave.](#) – To replace fences.
 - No one presented.
 - TB said he couldn’t determine if the application indicates new fencing, which would render a Full Review. MM said that Full Review is indicated.
 - TB made a motion to consider as Full Review. LD seconded the motion and it passed, 5-0-0; LD, HS, JD, AI, TB.

4. Any other business that shall properly come before the Commission: Discussion, re: [136 Bradford St.](#) and [522B Commercial St.](#)
[136 Bradford Street](#)

Lester J. Murphy, Attorney, presented; noted a prior approval from last year for an addition that would significantly increasing the size of the building, which was later rejected by the Zoning Board after the applicant sought scale relief; Kurt Raber and Catalyst Architects then altered the plan to have two buildings share the modifications while retaining some of the previous architectural features. JD asked how the Victorian building would be altered, to which Mr. Murphy explained would be slightly enlarged and renovated as a separate free-standing building with three garage doors for the bike shop featured to the rear of the property. AH found the submitted plans that had been sent to her and the Permit Coordinator on February 17th but noted that they hadn't been uploaded. Mr. Murphy highlighted the pertinent elevations. JD offered that it will be very helpful to have the agreed upon and signed off-on decision on hand. Mr. Murphy replied that the architect will probably want to return in an informal way in two weeks time to get the temperature of the HDC before proceeding with costly plans. AH to send links to the plans and put the item on Any Other Business for the meeting of March 17th.

522B Commercial Street

Dr. Livingstone was not on the line when called upon. AH referenced the fence from the HDC hearing of April 2020 as being like the one from the assessor's photograph taken in 2019, but without the privet hedge and trash barrel; described the fence as a 60' run of 6' high (5) 1x14 board and (1) 2x2 baluster fence, stain-grade, 5x5 posts and caps; some previous vinyl sections were evident; owners requesting for the fence to pass HDC's approval as installed. JD said the HDC's decision of approval for the fence as is currently installed should stand despite numerous requests to address violations as related by AH; but determined that what had been approved has been incorporated for an additional section beyond what had been indicated. JD directed the Board to a coordinates on Google Maps to make the fence comparison after which he allowed that the owners had not indicated the specific location of the approved designation.

TB advised the HDC to examine the application, look over existing photographs and place the matter on the agenda for the March 17th meeting under Any Other Business.

MM raised the topic of a pet project that had been discussed at last month's Work Session, which TB suggested placing at the end of the meeting to commence with Public Hearings.

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

6. **Public Hearings: VOTES MAY BE TAKEN**

a) [HDC 20-2261](#) (continued from the meeting of February 17th)

Application by **Brian Alexander**, on behalf of **James E. Green et al.**, requesting to re-side, add, replace, and reconfigure existing windows, replace a front entry door, and replace front corner boards and trim on the structure located at **592 Commercial Street**.

AH reported that the applicant has requested to continue the hearing to the meeting of March 17, 2021.

TB made a motion to continue the decision to the hearing of March 17, 2021. LD seconded the motion and it passed, 5-0-0; LD, HS, JD, MM, TB.

b) [HDC 21-6](#) (continued from the meeting of February 17th)

Application by **Mark Kinnane**, of **Cape Associates**, on behalf of **Thomas Shirk**, requesting to add a dormer, with skylights and double-hung windows, and two windows on the north elevation of the structure located at **7 Johnson Street**.

AH reported that the applicant has requested to continue the hearing to the meeting of

March 17, 2021.

c) [HDC 21-18](#)

Application by **Mark Kinane**, of **Cape Associates, Inc.**, on behalf of **Daniel Chak Revocable Trust, Daniel Chak, Trustee**, requesting to construct two dormers on an east and a west elevation on the structure located at **12 Howland Street, U12A**.

TB made a motion to accept the applicant's request to withdraw without prejudice. LD seconded the motion and it passed, 5-0-0; LD, HS, JD, MM, TB.

d) [HDC 21-21](#)

Application by **Christopher E. Bartick** requesting to replace a slider with a bay window on the structure located at **177 Bradford Street, UB**.

Chris Bartick presented; said he is replacing a bay window with a slider to correct the wording of the application as posted; unit is out of street view, he said, but for a sliver.

No public comments or letters.

JD said that as the building is so minimally visible and with the flat roof design in a more modernist tradition, he wouldn't have any trouble with the plans. MM and LD concurred. AI asked if there were any other sliders on the building, to which Mr. Bartick indicated there were, at the basement elevation. AI spoke of a uniform look from Bradford Street that he would be sorry to see go and considers a slider at that side to add confusion and does not speak the same language as the original window style. TB agreed with AI. JD asked per the size of the sliders on the ground floor to which Mr. Bartick said he wasn't sure if it was the same size as the one he is was proposing.

HS said the building was constructed in 1970 and is non-contributing.

TB made a motion to approve as presented. LD seconded the motion and it passed, 3-0-2: LD, HS, JD, in favor; AI, TB, abstained.

e) [HDC 21-27](#)

Application by **Peter Page**, on behalf of **Ira Grolman et al.**, requesting to replace deck boards and railings on the property located at **15 Court Street, U5**.

Peter Page presented; said the replacements include all deck boards and rails with the owner seeking composite material such as Azek; style to remain the same.

No public comments or letters.

MM said she is fine with the decking being Azek, but the rails should be wood, to which HS agreed, as did LD.

TB made a motion to approve as presented with the condition that the railings and balusters be wood. LD seconded the motion and it passed, 5-0-0; LD, HS, JD, MM, TB.

f) [HDC 21-34](#)

Application by **Adam Rogers** requesting to install a skylight on a structure on the property located at **10-12 West Vine Street, U3**.

Adam Rogers presented; said the installation involves one skylight by the side of the door.

JD said he has no problem with the skylight but that the windows with muntins were not approved by the HDC. Mr. Rogers said the windows were previously approved as had existed on a previous structure. LD asked if they were store-front windows. Mr. Rogers he did not know

but that Ted Smith had replicated the units, which he said were expensive.

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

7. **Deliberations on Pending Decision: VOTES MAY BE TAKEN**

TB made a motion to approve the March 3, 2021 decision of **HDC 21-21 177 Bradford Street, UB**, written and read into the record by HS. LD seconded the motion and it passed, 5-0-0; LD, HS, JD, MM, TB.

TB made a motion to approve the March 3, 2021 decision of **HDC 21-27, 15 Court Street, U5**, written and read into the record by HS. LD seconded the motion and it passed, 5-0-0; LD, HS, JD, AI, TB.

TB made a motion to approve the March 3, 2021 decision of **HDC 21-34, 10-12 West Vine Street, U3**, written and read into the record by HS. LD seconded the motion and it passed, 5-0-0; LD, HS, JD, MM, TB. *[NOTE: AH to provide date and decision of previous approval for windows at the property.]*

8. **Review and approval of Minutes:**

HS made a motion to approve the HDC meeting minutes of the Work Session of February 22, 2021. LD seconded the motion and it passed, 5-0-0; HS, LD, JD, MM, TB.

9. **Other Business**

Education Sub-Committee for HDC Book and Inventory Publication

MM revisited a topic for discussion that involves compiling and producing a book of the HDC bylaws and a current inventory survey of the Town's Historic District; said she has spoken to local and New York historian David Dunlap as well as some contacts at colleges about the potential for procuring interns to work on information gathering and the development of a kind of attractive and informative coffee table book in exchange for college credit; mentioned the possibility of grant money as well as prizes which had been given in the past by the HDC in various categories to property work of note and feels this could be a great incentive for the community and well as promoting historic renovations and the retention of historical integrity.

TB asked how MM would propose getting started on the project. MM replied that David Dunlap has offered his research as much as possible; said perhaps the fastest and easiest way might be crowd-sourcing and to go district by district, establish a Facebook page to enlist help from the community. AI asked if the book would be intended for sale, to which MM said it would - to help recoup some of the production costs; mentioned former HDC Commissioner, Martin Risteen, as another valuable source. AI remarked on the difficult business of book publishing and the prospect of questionable returns.

TB suggested an education sub-committee. JD said one thing he always considered would be helpful is to provide four local examples of period-appropriate home design models. LD concurred and considered a feature along the lines of 'dormer dos and don'ts;' said the book appears to be a huge job but taking it step by step could produce a great resource. AI said that even with all the information compiled it would be three years before such a book could be expected to see publication. MM said she sees the project as a long-term investment. TS said he had just gotten input from PTV which offered to consider an informational video for the HDC.

TB invited a continuation of the project discussion at an upcoming Work and brain-storming Session. MM asked if she would be in violation of the open-meeting law if she were to pass along e-mail updates on the project to the HDC, to which AH explained it would not apply.

Art's Dune Tours Building

AH explained the situation with the building on Standish Street that houses Art's Dune Tours in that the pandemic had delayed previously approved plans by 135 days, but which had now been upgraded with plans to approach the HDC under Any Other Business to replace three doors with better insulated units.

House on Commercial & Whorf's Court

JD referenced his previous thoughts of a couple months back on the building under construction to AH, who reported that the owner had halted work for the winter. TS said that if the owners did not do the right job they would not be issued a Certificate of Occupancy. TB noted that the HDC's leverage comes at the end of the project, to which JD added that he doesn't want to be seen coming in at the end and being asked why there had been no intervention at the outset or while the work was being done. AH also related discrepancies in what was approved and what is built at 116 Bradford Street, the property the new funicular at the Bas Relief Park.

TB made a motion to adjourn the meeting at 5:15pm. HS seconded the motion and it passed, 6-0-0; HS, LD, JD, MM, AI, TB.

Respectfully Submitted,
Jody O'Neil