

# Minutes

## October 21, 2020

The Provincetown Historic District Commission Work Session of 3:30 PM and Public Hearing of 4:00 PM on Wednesday, October 21, 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: 990 569 830#. 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 3:33pm 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. Update on potential violations reported to the Building Commissioner.

AH mentioned the front building of 143A Commercial St. as only rough-framed and not as yet inspected, but noted the property is back on the radar for the snow fence and front fence on the east side; roofing permits issued for 6 Conwell St., 6 Webster Place, 644 Commercial St., 348A Commercial St., 41 Bradford St. (for siding and roofing, but not the windows); 6 Young's Court.

CM spoke of the fence application for 522 Commercial St., Rear, has sent pictures, mentioned fence is smaller than before but is still a picket. AH said she was aware the owner is doing a smaller section parallel to Bradford St., would verify picket.

CM referenced work at 19 Central St. asked if electrical boxes on the front of the house could be placed on the sides. AH said the property owners have a limited distance to run wires and they could not be run on the south façade with the north façade being difficult; utilities and meters are not in the HDC purview. TB agreed with CM and said that while this issue may not be in the HDC purview, questions to the effect can be raised at hearings.

### 2. 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 November 4, 2020 and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

#### i) 2 Commercial St. – To modify previously approved window changes.

Kevin Bazarian presented; said changes involve adding a couple more windows on the south and north elevations to give more view of the Breakwater; window added on lower level on the north side where hill slopes downward, window added as an egress where bedroom has now been placed at that elevation.

CM said it was difficult for him to comment based on the quality of the PDF. TB noted the changes mainly affect the south side. HS said she didn't have a problem with it, as did MCM. Mr. Bazarian said the house next door has a deed restriction in citing the desire for more windows at the top. TB asked if a window adjustment was possible on the second story to give better alignment. Mr. Bazarian said he would apply JD's request for uniformity if it is determined that the shift does not complicate the stairwell.

JD asked if the windows on the west elevation are sliders, to which Mr. Bazarian said all were 9' tall sliders, and that he would try to take all the windows up to the overhang. JD said he'd like the slider-side windows to match in dimensions with the others.

TB made a motion to approve the modification of windows as presented. HS seconded the motion and it passed, 4-0-1: TB, HS, JD, MCM, in favor; CM, opposed.

#### ii) 19 Tremont St., U2 – To replace an existing shed.

Board members remarked that there were no documents in the packet.

TB made a motion to continue the decision to the hearing of November 4, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

AH requested photographic guidance for the applicant; said trespassing is an issue in gaining a better picture.

- iii) [41 Bradford St.](#) – To replace 4 windows in kind.

TB said he couldn't get any information to download, as did the other Board members.

AH said she thought the problem with this had been fixed and MCM announced she was able to receive the documents at that moment as she went into the files.

TB made a motion to continue the decision to the hearing of November 4, 2020. HS seconded the motion and it passed 5-0-0; TB, HS, JD, CM, MCM.

- iv) [274 Commercial St.](#) – To replace an existing roof deck.

HS said she could not review these documents, as did others. AH requested the Board check into their packets over the weekend preceding the following Wednesday meeting to ensure that everything is complete and available. HS said she notified Permit Coordinator, Ellen Battaglini, of the issue in this case. TB said AH's point is well taken and the Board would heed her advice regarding online documents as well.

TB addressed the plans as pertaining to the candy shop across from Town Hall, noted the roof has a prominent location. MCM said she was fine with the decking being Azec with the railing wood, as did HS. CM said he agreed, but wanted to be sure the plastic lattice was not being re-built and the features at the tops of the posts be replaced in kind. JD said he agreed with what everyone said, particularly CM per the finials.

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

TB made a motion to approve as presented with the condition that the railings be wood with captured balusters, the lattice not applied, the finials be retained. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

- v) [167 Commercial St., U1](#) – To relocate a front door and add a window on each side.

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

- vi) [19 Central St., U4](#) – To demolish and reconstruct an accessory building.

TB made a motion to consider as Full Review to be heard at the meeting of November 4, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

HS requested a quick review to ensure nothing else was needed from the applicant aside from submitted sketches.

- vii) [16 Brewster St.](#) -To renovate a structure including replacing windows, sliders, doors, siding, and deck surfaces.

TB questioned if the replacement was in kind. Discussion ensued around the issue of downloading case documents.

[NOTE: NO VOTE TAKEN]

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

242 Bradford Street

Regina Binder presented from new drawings; made the case for getting rid of the bunker and going back to the design for what she said is a sweet, little cottage to be built to code; referenced submitted appendix to give historical perspective on the case dating back to 2014.

MCM spoke of her personal knowledge of the case prior to when she had joined the HDC, and said she has come to know and trust Ms. Binder for her dedication to historical integrity; would support the proposal. CM said he appreciated that the rooflines would not stick out, said he'd like to see a different style of window on the east elevation that is more historical; not as comfortable with the railing on the Hancock side, which Ms. Binder said was necessary according to FEMA and that Hancock St. is a private way. CM remarked that he felt a chimney would be nice to see in place to break up the first lines. Ms. Binder said there is a chimney on the 1854 façade and nothing on that side would be touched. CM said he is generally in favor.

JD said he felt it was an unfortunate, incomplete and misleading proposal; cited drawings not done to proper scale. Ms. Binder said they just wanted to get the back cottage right after years of work, that there would be no change to the front building and noted that architects are very expensive, requested approval today as they are going to trial. JD said he was in favor of the project but is frustrated by inconsistent drawings. Ms. Binder said the proposed windows would all be the same as on the front building, 6/6, wood.

TB made a motion to approve with the modifications to 242 Bradford Street with the condition that the new windows on the cottage be the same size as the historic windows along Bradford Street. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

HS requested that elevation A.1.5 be included in the decision. TB thanked Ms. Binder for her diligence and patience through the long history of the case and for lowering the building.

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

TB acknowledged Jay Critchely's upcoming art installation at Bubalas on Commercial Street.

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

a) [HDC 20-171](#) (continued from the meeting of October 7<sup>th</sup>)

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

AH said she has no contact information for the property owner nor was she able to be in touch with the contractor.

TB made a motion to continue the decision to the meeting of November 4, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

b) [HDC 20-175](#) (continued from the meeting of October 7<sup>th</sup>)

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; said he and his mother have owned the building since 2006 and made numerous improvements over the years; remarked that the window is in terrible shape, leaking air.

No public comments or letters.

HS repeated earlier requests for proper drawings, to which Mr. Fridman said the hand-drawn items are measured to scale. JD questioned the pane proportions and voiced that the dimensions should be the same, to which Mr. Fridman concurred, as did TB, who suggested a new configuration ratio.

Michelangelo Cicero spoke; said featured elements in the design should look the same.

JD said a hip roof would look more appropriate that would flare out rather than a hip coming off a gable, to which Mr. Cicero agreed and thanked the Board for its improvements. JD referenced the skylight. MCM agreed with TB and JD on consistent panes on the south side. CM said he felt the cottage is a significant structure and that the bump-out has no real historical context, needs to see drawings to cast his vote. HS agreed, asked per the dormer, to which Mr. Fridman said has been eliminated as it would be too close to the property line.

CM took issue with a vote being proposed based on current plans that disregard the historical significance of the building with the addition of a bump-out. MCM said she was upset when the bump-out on 509 Commercial St. was removed in the renovation. TB offered that bay windows may be considered historic. AH recommended the HDC review new drawings for visual clarity before the decision would be voted on and filed. Mr. Cicero said corrections would be made and submitted to the HDC.

TB made a motion to continue the decision to the meeting of November 18, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

c) [HDC 20-2027](#) (continued from the meeting of October 7<sup>th</sup>)

Application by **Tom Thompson**, on behalf of **Amandio V. Correia**, requesting to remove a non-historic (circa 1976) brick fireplace and chimney from an east wall, restore the wall, gable end and soffit moldings and install a direct vent fireplace to accommodate a new propane fireplace in the same location in the structure located at **188 Bradford Street**.

Tom Thompson presented; said new plans reflect a center-flue chimney to which TB and JD said looked great, but TB added that the historical look of the design would be examined.

CM questioned the width of the chimney as proposed. Mr. Thompson referenced a 16" square chimney, which JD said he felt was wide enough to be appropriate. TB agreed.

TB made a motion to approve with the conditions that the chimney be 16" square and the size and color of the grout joints and the color of the brick be historical. HS seconded the motion and it passed 5-0-0; TB, HS, JD, CM, MCM.

d) [HDC 20-2032](#)

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**.

No one presented. AH said Brian Dennison represents a division of Renewal by Anderson, but that she had no further information. TB noted more plans were needed.

TB made a motion to continue the decision to the meeting of November 4, 2020. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

TB announced a short break at 4:56pm.

e) [HDC 20-2042](#)

Application by **Lisa West** requesting to replace 2 windows and to replace a bay window with a 90-degree bump-out containing 3 windows on the structure located at **5 Brewster Street, U1**.

Lisa West presented. TB and HS noted that drawings of the bump-out were not included with the application. Ms. West referenced a photo she sent of an Anderson 400 series double hung unit that she'd like to use as the replacement for crank windows that leak and do not work properly, to be same size - 24x52. TB referenced Fibrex as a composite that is

acceptable in certain situations. Ms. West asked per molding, which TB said was appropriate.

Ms. West said she is trying to add character to the house. JD suggested what is appropriate to a 19<sup>th</sup> century window is 24x48, to which Ms. West agreed, said they want to change the bay window to a bump-out on the left of the front elevation. JD advised shutters and an Italianate door as a way to both add character and aid in retaining the historical aspect of the building – as opposed to adding a 21<sup>st</sup> century bump-out.

No public comments or letters.

TB recommended Ms. West consult as architect as there isn't enough information to approve a bay window. She replied she had yet to consult one, but would consider it.

TB made a motion to approve the two double hung windows with the condition that the windows be 24x48 and the window material be Fibrex. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

JD referenced a sketch he made and presented on the screen, said he pass it along to the applicant. Ms. West asked per the vertical grilles on the bedroom windows and if it was okay to just use verticals on the uppers. JD said they should be 2/1, to which Ms. West agreed, specified that the windows would be white.

f) [HDC 20-2050](#)

Application by **Christopher Correa** requesting to add 3' high stone wall and a split rail stockade fence behind the stone wall on the property located at **8 Conwell Street**.

Christopher Correa presented; said they proposed a Pennsylvania fieldstone wall about 3' high with privets removed and a split rail fence to be installed that matches the one on the right side of the driveway. HS said she has incorporated different sizes, styles and colors of granite at her own property and that it is a very pretty look; asked if the stone wall would be similar to the picture presented. Mr. Correa said the top will be level and not step down, but the material would be the same.

No public comments or letters.

Discussion ensued on the placement of the split-rail fence, which HS and JD said they didn't understand the need for. Mr. Correa said it was at the owners' request. JD weighed in against stone wall fences as not being historically accurate, but rather reflecting a level of taste. TB asked if a historically correct ballast stone wall would be acceptable, such as at the White Wind Inn, the corner of Central and Commerical Sts., or the one at the end of Alden Steet. JD said brownstone boulders are native to the Cape and were made into walls.

TB made a motion to approve as presented with the condition that the stone wall be a ballast stone wall. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

JD, HS, and MCM added that the split-rail fence not be part of the approval. TB made a brief case for the fence depending on the grade.

TB made a motion to reconsider the vote of approval with conditions. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

TB made a motion to approve as presented with the condition that the split-rail fence be eliminated and the stone wall be ballast stone. HS seconded the motion and it passed, 5-0-0; TB, HS, JD, CM, MCM.

g) [HDC 20-2051](#)

Application by **Kevin Bazarian** requesting to remove and replace windows, doors, siding and roofing and to create decks and stairways in the back of the main structure on the property

located at **18 Bangs Street**.

Kevin Bazarian presented; said the single family house, which will eventually be converted into a two-family-house, was originally a rooming house; seeking to eliminate green vinyl siding, shingles and clapboards; all windows to be replaced, aligned for symmetry; made the case for returning the house to a wood construct.

No public comment or letters.

JD said he liked the proposal, opening the wall for captured balusters; suggested single shingling, Provincetown doors rather than solid panel doors, 2/1 windows.

Joe Trepiscione at 20 Bangs St., direct abutter, spoke; asked if the builder would consider jogging in the decks on the north side so they're not visible from Bangs St. and less impacting on his property, to which Mr. Bazarian said would be acceptable. Mr. Trepiscione asked if the flare as proposed worked on this bungalow-style house. JD said the thought the flare has a certain bungalow aspect to it. Mr. Bazarian remarked that the posts are thin and, as such, not considered the originals. Mr. Trepiscione questioned the style of the house and correct size of the porch, asked if the deck size can be designed in scale to those proportions.

CM said he agreed with JD in that the house is better off with shingle than clapboard, to which HS and MCM concurred. TB said he was disappointed with what he said was a packet lacking in drawing details and would abstain, to which CM agreed was a challenge.

JD made a motion to agree with the proposal with the condition that the belt-coursing between the 1st and 2nd floor be retained with the flare-out on the second floor; 2/1 windows throughout, body of building be completely shingled; and five courses above the belt at point of flare-out, some sort of patterning to break up the surface such as saw-tooth or skip-shingle

Lyn Plummer spoke out, asked per the Provincetown doors designation. AH asked if the abutter's jogging of the deck request was to be added to the conditions, to which Mr. Bazarian said he would adhere to Mr. Trepiscione's request.

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

h) [HDC 20-2052](#)

Application by **Richard Urkiel** requesting to replace an existing first floor deck on the structure located at **20 Court Street, U1**.

Richard Urkiel presented; said deck is rotting and breaking off in pieces and that the original deck had design flaws such a safety hazard; spoke of measures to eliminate an ineffective step; noted deck has a burn-mark from the previous owner; captured balusters.

No public comments or letters.

JD said he was fine with the design as presented; spoke against the two-toned look of painted and unpainted posts and caps in terms of authenticity, whereby mahogany seems to never get painted. CM agreed with JD, weighed in favor of a uniform look, to which HS and MCM agreed, but MCM said a condition could not be made as it is not in the HDC purview.

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

i) [HDC 20-2053](#)

Application by **Adam O'Connor** requesting to replace wood handrails and balusters with Azek handrails and balusters on a deck located at **171 Bradford St., U9**.

Adam O'Connor presented; said the composite handrail would be white to match the building; posts not moving; decking has been replaced with Azek, gray.

No public comments or letters.

HS noted that Azek is approved for decking, but not traditionally for rails and balusters, to which CM concurred.

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

j) **HDC 20-2055**

Application by **Greg Mazares** requesting to install a new door on the structure located at **171 Bradford St., U9**.

AH said this applicant was to be represented by Renewal by Anderson and that she had hoped to have the owner on the line; said that the door looked to be Therma-Tru fiberglass and confirmed for TB that the replacement was fiberglass, as well.

No public comments or letters.

HS said she was okay with the replacement as it is 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.

MCM left the meeting at 6:20pm.

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

HS made a motion to approve the meeting minutes of September 2, 2020. TB seconded the motion and it passed, 4-0-0; HS, TB, JD, CM.

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

TB made a motion to approve the October 21, 2020 decision of **HDC 20-2027, 188 Bradford Street**. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the October 21, 2020 decision of **HDC 20-2042, 5 Brewster Street, U1**. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the October 21, 2020 decision of **HDC 20-2050, 8 Conwell Street**. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the October 21, 2020 decision of **HDC 20-2051, 18 Bangs Street**. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the October 21, 2020 decision of **HDC 20-2052, 20 Court Street, U1**. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the October 21, 2020 decision of **HDC 20-2053, 171 Bradford Street, U9**. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

TB made a motion to approve the October 21, 2020 decision of **HDC 20-2055, 171 Bradford Street, U9**. HS seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

Acknowledgement

TB acknowledged the work of HS who, he said, spends at least 10-15 hours before each meeting to clerk all cases completely; thanked AH, and former HDC commissioner Marty Risteen, for their work on receiving Community Preservation funds to begin the new HDC inventory survey.

### Condensers

JD asked per an owner who has placed two boxed industrial air-conditioning or other units at 122 Commercial Street next to Loveland and about 3' from an abutter's front door; asked if there was not some sort of purview for impacting visually, as well as inducing sound issues, on neighbors. AH said there could be a FEMA condition based on their elevation placement and that usually such additions are not installed from a public view. JD proposed that if bump-outs are not acceptable on historic properties why are these giant boxed-fan-like condensers approved? TB noted that these have been discussed at length but that people just keep installing them. AH said these units can be legally put in after a class certificate of some kind and do not require a building permit, but that a propane tank cannot be within 10 feet, to which JD said in this particular case the structure is about 2' from the propane tank. AH said she would investigate further. CM asked if these concerns extend to electrical boxes at 19 Central, which AH said is a required utility and dependent on the placement of the meters.

### Document Access and New Software System

HS reiterated AH's previous request for HDC members to review the documents in their packets in a timely fashion to provide helpful feedback and foster improvements to the distribution of materials.

AH said that Town Staff also needs feedback on the new software for formatting links to documents in order to keep perfecting the process and flow of information. JD cited a request in place since the beginning of the process for what 'exists' to be viewed alongside what is 'proposed' on the same screen.

HS made a motion to adjourn the meeting at 6:50pm. TB seconded the motion and it passed, 4-0-0; TB, HS, JD, CM.

Respectively Submitted,  
Jody O'Neil