



## Historic District Commission

# Minutes

**The Provincetown Historic District Commission Site Visit and Public Meeting of Wednesday, October 6, 2021. Site Visit held at 2:30 P.M. at 225 Commercial Street. Public Meeting to begin at 3:30 P.M., held in the Judge Welsh Room at Town Hall, 260 Commercial Street, Provincetown, MA 02657.**

Pursuant to Chapter 20 of the Acts of 2021, this meeting/hearing will be conducted **in person** and as a courtesy via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law.

Joining the Meeting: [Click here to join the meeting](#)

**Microsoft Teams: Join on your computer or mobile app**

**Phone: Or call in (audio only) [\(833\) 579-7589](tel:833-579-7589) Phone Conference ID: 676 947 247#**

**To Participate during public comment:**

- Teams: Raise hand to be called on to speak; or
- Phone: Speak name clearly to be called on to speak.

**Please do not speak again until acknowledged by Chair or meeting moderator.**

- Keep your phone muted at all times when not talking (\*6 to mute & unmute your phone);
- Do not use speakerphone, Bluetooth devices (speakers or headphones); and
- Mute all background noises, including PTV, television or computer and use only phone audio.

*Agenda item may be taken out of order and votes may be taken on any of the agenda items below.*

**2:30 P.M. Site Visit: 225 Commercial Street/The Canteen**

LD, JD, HS, CM, MM & AI gathered at the location at 2:30pm, joined by Recording Secretary, Jody O'Neil. Owner Loic Rossignon met the Board and referenced the first four windows on the second story and the bottom front windows facing Commercial St. wherein styles of replacement such as 6/6s or 2/2s were discussed. Mr. Rossignon said there are numerous examples of 1/1 windows in the area, including 24 such units at Vorelli's restaurant directly across the street. LD said that the HDC cannot bear responsibility for design features installed prior to the bylaws and that ultimately the contractor bears responsibility for the error in window construct at Canteen.

Site visit concluded at 2:50pm.

**3:30 P.M. Work Session**

Members present: Laurie Delmolino (LD), Chair, Historical Commission Rep.; John Dowd (JD), Vice Chair, PGB Rep.; Hersh Schwartz (HS), Clerk, Chamber of Commerce Rep.; Christopher Mathieson (CM), PAAM Rep.; Michela Murphy (MM), Alternate; Anthony Iannacci (AI), Alternate.

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

LD called the meeting to order at 3:30pm and gave roll-call. TS read the protocols per the State guidelines for in-person Town Meeting protocols; handed the meeting over to LD.

**1. 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 October 20, 2021 Public Hearing agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.**

- i) [25 Winthrop St., U5](#) (continued from the meeting of September 15<sup>th</sup>) – To replace 3 windows and a door.

Brad Mallow and Daniel Skahen presented. Mr. Mallow said this is the third meeting per replacement of the bay window and noted a previous request for a perspective, which is here provided; gave dimension as 68 across; front door to be replaced.

HS said it looked like everything requested had been provided. LD asked that the window is installed to match the same plain as the slider.

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

- ii) [165 Bradford St.](#) (continued from the meeting of September 15<sup>th</sup>) – To replace 8 windows in kind.

Paul McLean from Renewal by Anderson presented by remote; said one phase of this project was done a few years ago with the window opposite; now the change is like for like, same type of grilles – old fashioned single or two on top/two on bottom; double-hung with full divided-lite. LD noted applied mullion and spacer. JD asked per same manufacturer, to which Mr. McLean said it was – same integrity all the way around.

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

- iii) [49 Bradford St., U8](#) – To replace a front door in kind.

Andrew Becker presented by remote; said he can also represent his neighbors at Unit U7, also on the Agenda; replacements are due to rot, opting for ‘Provincetown Door’ in wood.

LD made a motion to approve both U8 and U7 as presented. JD seconded the motion and it passed, 5-0-0; JD, HS, CM, MM, LD.

- iv) [491 Commercial St., U4](#) – To add a vertical deck support and thermally-treated trim.

Mark Kinnane of Cape Associates presented.

LD noted an addition to a vertical post, said her concern is if all abutters are aware of the work to be done. AH said work on the second floor has been done and that perhaps Mr. Kinnane can relate what is temporary and what is permanent, to which Mr. Kinnane said the post would continue down to the bricks as the deck is sagging terribly; post to be 4x6 as the height is over 8'; said owner of U3 has been properly notified.

LD said per the abutters, this proposal would need to be a Full Review.

LD made a motion to postpone the hearing the meeting of November 3, 2021. MM seconded the motion and it passed, 5-0-0; MM, JD, HS, CM, LD.

MM referenced a fence at 16 Brewster that has already been in progress and is her case, but that it is not on today's agenda, to which HS said it would be addressed at the next meeting.

- v) 49 Bradford St., U7 – To replace a door in kind

*[Approved as presented; see 49 Bradford St., U8, above.]*

- vi) 20 Court St., U1 – To replace 11 windows.

Rich Urkiel presented; said the previous approval was for seven replacements but that the plan has changed and all the new units will be by Renewal by Anderson. Four across the front, 8/1; same type for the single on the north side and a window on the second floor landing that is 6/1 to be replaced; one in the downstairs bathroom on the north side; south side has four vinyl replacement windows which might date back to the 80s, frames breaking; all replacements to stay 6/1 or 8/1 with divided-lite to match existing.

JD noted the 6/1 as a kind of mission style and that a 2/1 or a 2/2 would probably be more appropriate to the cottage-y style while the 6/6 is more Colonial Revival. Mr. Urkiel said he could consider this option; LD informed Mr. Urkiel that the choice was his to make.

LD made a motion to replace the windows as requested with the suggestion of 2/2 or 2/1 or to remain replaced as 6/6/ or 8/1, with wood trim. MM seconded the motion and it passed 5-0-0; MM, JD, HS, CM, LD.

- vii) 133 Bradford St. – To modify a previous Certificate of Appropriateness for a pergola.

Casey Clarke of McKean Artists and Builders presented; said owner preferred a reclaimed lumber look, seeking to change original mahogany to old rustic pine posts; posts to be round.

AI said he felt square posts were more appropriate as rounded posts seem too rustic for the area. JD concurred. LD said the Board is fine with the reclaimed wood, but to keep the square posts. LD requested a drawing if everything is kept the same, otherwise a new elevation if there are further changes. CM agreed on providing a drawing that could include what was previously approved, but also wanted the creativity to be exercised.

LD made a motion to re-approve with reclaimed wood but with all the same dimensions as the originally approved; square posts. MM seconded the motion and it passed, 5-0-0; MM, JD, HS, CM, LD.

- viii) 495A Commercial St., U6 – To replace a window in kind.

No one presented.

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

- ix) 11 Pearl St. – To extend a chimney by 18”.

Leif Hamnquist of Hammer Architects presented. MM recused herself.

Mr. Hamnquist said they need to raise the chimney height per Code, said they can wait until the 20th.

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

## **2. Any other business that shall properly come before the Commission**

LD offered to table Any Other Business to the end of the meeting.

3. **Public Comments:** On any matter not on the agenda below.  
None.

**4:00 P.M. Public Hearing: VOTES MAY BE TAKEN**

4. **Full Hearings:**

- a) **HDC 21-14** (continued from the meeting of September 15<sup>th</sup>)

Application by Nancy Lockwood requesting to enclose a porch and add a second story with a roof deck on the structure located at **1 Holway Avenue, U1A**.

Nancy Lockwood presented; addressed the Board's changes as detailed in plans dated Sept. 29, 2021, starting with the windows as separated and altered by size and style; added 'P-Town Door' moved over slightly to provide more space, added dormers and gave a better pitch, set the porch on the side back a couple of feet to make the house the main focus; windows separated at side and back of the house; windows on the porch changed and a slider added; smaller square windows upstairs added, as well.

Ms. Lockwood referenced a Google Map document which she said, showed how the surroundings of the proposed structure are masked from a public way by neighboring structures; said only view is front right of the house on Holway; noted heating systems requiring canvas wrapping to keep pipes from bursting as designated.

LD read a letter in opposition from Leah Reis-Dennis and Maria O'Byrne of 1 Holway, U1, claiming the new proposal does not follow the HDC policy advice for height.

Ms. Lockwood related new height as 21', up from 19' based on the pitch change, to which LD requested be dropped back to 19', adding that legal arguments are for the courts.

JD said that with the dormer set-back and 2/1 windows, and with just a bit visibility, proposal seemed to fit the HDC guidelines. MM agreed, as did LD and CM.

Steve Cook from 27 Watson's Court spoke remotely about a wall that will be 14' or 15' from his bedroom window and will totally obliterate their view, said he understood the desire for an increase but requested a reasonable height. Ms. Lockwood added that there will be 19'-20'; high trees between hers and Mr. Cook's properties. CM noted significant additions to other surrounding properties and stated a lack of clarity regarding what 1 + ½ stories signifies and, as such, would not have an issue with 21'. LD replied that, by consensus, additions should not be taller than the original part of the structure. MM agreed with CM that the 2' will not make a great difference in terms of visibility but would make a difference in living space to the residents.

AI said he agreed with LD on the height restrictions being determined by current HDC policies; noted lower levels of impact but surrounding structure heights.

LD made a motion to approve as presented from plans dated Sept. 29, 2021 by Alan Cabral with the condition that the height be dropped down to 19'; all wood trim. MM seconded the motion and it passed, 5-0-0; MM, JD, HS, CM, AI.

- b) **HDC 21-138** (continued from the meeting of September 1<sup>st</sup>)

Application by **Ted Smith**, on behalf of **Howard Burchman**, requesting to convert an existing guesthouse to 3 residential units, including reconfiguring an existing roof and various windows and doors, expanding a one-story appendage on the north elevation, adding a bay window on the south elevation, adding a second floor, and constructing a deck on top of an existing first-floor roof on the structure located at **12 Center Street**.

Ted Smith, Architect and Robin Reid, Attorney, presented. Attorney Reid addressed first floor plans, east elevation; referenced what she said was the HDC's satisfaction with the front of the building on Sept. 1 and that today's hearing was only to address changes to the rear of a single-story structure; stated there was no impact on the view from Center St. with bulk of expanded footprint tucked in. Mr. Smith said they are coming forward from existing by about 4' and a slightly lower ridge; rooms to all be of a modest size, doors most likely 3'.

Attorney Chris Snow, representing the abutter James Schreyer, responded remotely that no abutter notification was put in play as to what was proposed for the cottage; said the new height is a welcome improvement but noted a loss of vegetation on the north side to be replaced with a walkway; requested that the fencing surrounding the new deck to be transparent and consistent with past HDC approvals; said the cottage is morphing to 3x the existing square footage and contributing to the density and congestion of the area; depicted the former garage conversion into a kind of Motel 6-type structure.

Mr. Smith said the notice to the abutters is contained within the original application and that it is not the responsibility of the Town to provide abutter meeting notices for each subsequent meeting. MM offered that Attorney Snow's comment referred to the cottage plans on the original app. Attorney Snow added that his interest is not that an abutter notice had not gone out but that the text did not indicate any addition of a cottage or garage.

Attorney Reid acknowledged that the abutter notification does not include the cottage, but said the abutter notification is provided by the Town; requested that the HDC vote today and re-issue a notification. Ms. Reid addressed Attorney Snow's remarks including that the same standards of 12 Center St be applied to other applications, but that each case is different and the current proposal squarely within the law.

Peter Picard spoke from the public in saying that they are glad the second story has been stripped off, but expressed concerns that there seemed to be a little fudging in terms of details to the rear building; asked if the final proposal is the true height, to which Mr. Smith said it was although the exact pitch could not be precisely determined as they cannot get up in there, and that they would plan for asphalt shingles.

JD repeated his approval of the new plans in citing minimal visibility and applications as considered on a case-by-case basis. CM said there is a differentiation between the accessory building and similarities to the main building when considering the historical narrative of the property. Attorney Reid said shingles not clap would address this elevation and requested a poll tonight so they can go forward to Zoning with the proposal. Attorney Snow cautioned the HDC committing tonight via poll should other un-notified members of the public come forward with issues per the Board's stance on the application.

LD took an unofficial and nonbinding poll at this time where all Board members agreed on the direction of the application; Attorney Reid to sign a time waiver tomorrow.

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

c) [HDC 21-178](#) (continued from the meeting of September 15<sup>th</sup>)

Application by **Kurt Raber**, on behalf of **Riley Brothers Realty, LLC**, requesting to improve an existing structure by removing and replacing a one-story wing on the rear elevation and replacing it with an addition housing a compliant stair to a three-bedroom residential unit on the second and third floors and to continue the use of a second structure on the rear elevation to house a bicycle storage on the ground floor and two one-bedroom residential units on the upper level on the property located at **136 Bradford Street**.

Kurt Raber and Lester J. Murphy Jr. Attorney (remotely), presented. Mr. Raber addressed submitted revisions: low-sloped shed in front building removed, double window added in the dormer with increased head-trim, removed third picture window on far left first

floor – double window added, window or hood trim cured, rear entrance to front building simplified with an eave detail that returns the corner, roof hipped back to the bracket with simple frieze and corner board, attic level has 3<sup>rd</sup> bedroom and now has mansard roof added to three sides, egress stairs from one story roof-deck is now inset so stairway is hidden from view approaching west-east, door out to the rood deck is stretched to a custom height with hood window trim affixed, doors 9' wide instead of 10', same height as previous drawings, bracketed hip roof raised about 6" to engage mansard properly.

No public comments or letters.

AI sought clarification on the shingled wall as opposed to a fence or divider which he said seems like a distortion of the existing vocabulary. JD congratulated the applicant on imposing all the requested changes; said the one thing he would note is the little box-out on the south elevation as flat and a cornice on the one-story addition west of the deck. CM commended the applicant for work on the proposal and accompanying revisions.

LD asked per the chimney which Mr. Raber said was eliminated.

LD made a motion to approve as presented with the addition of an ogee or similar change in molding; all trim be wood. CM seconded the motion and it passed, 5-0-0; CM, JD, HS, MM, LD. Plans dated Sept. 28, 2021.

d) [HDC 21-183](#) (continued from the hearing of September 15<sup>th</sup>)

Application by **Lucy Siegel** requesting to construct a 9' by 17' addition to an existing structure, replace an exterior stairway, several windows and an existing vinyl fence on the property located at **18 Pearl Street**.

Lucy Siegel and Francis Sullivan, Architect, presented. Mr. Sullivan addressed the previous two areas of concern, including a new spiral stair now changed to a straight-run stair up the side of the building and up to a deck replacing an existing deck; 9x7 addition; all wood stairs with pined balusters; other concern: Bradford St window, now double-hungs.

MM said three letters on file were read at the last hearing; no new reported.

LD said her only concern was the size of the windows; Mr. Sullivan responded that he kept the windows in the traditional guide of the Colonial style. JD referred to submitted photographs of correct examples in Town of suitable window configurations for a bay where the windows essentially fill the entire box. Ms. Siegel said they had a discussion on this and thought it would be odd as the flanking windows to the bay are 6/6, and not old units. LD said it seemed shorter in design than what is typical or classic. Mr. Sullivan disagreed with JD's assessment that the structure as exists was formed of a piece without an addition.

Ms. Siegel said 1880 was the first ownership they could trace but that Town records date to 1850. LD suggested modifications may still be made to achieve a more desirable window confirmation. Ms. Siegel mentioned the interior room restrictions and that currently there is a single pane of glass; asked if separations and three pieces might be of the same size, to which JD said would go a long way toward an approved design – with 6/6, or 2/2 as being more correct. Mr. Sullivan said his concern is that another continuation is in process.

MM and AI said they had no other concerns about other facets of the current design. Ms. Siegel said she didn't mind making the window length a bit longer with added trim, but felt it would be incongruous to have 2/2 windows where all the others are 6/6. LD said that ordinarily this might be true except where later additions are made and, as such, a different window configuration works historically. Ms. Siegel said they would be fine with 2/2. LD requested dimensions to replace page A6.

LD made a motion to approve as presented with the condition that A6 is replaced with a new window design. MM seconded the motion and it passed, 5-0-0; MM, JD, HS, AI, LD.

AH said the amendment to page A6 would be placed on the next Agenda under Any Other Business.

e) [HDC 21-187](#) (continued from the meeting of September 15<sup>th</sup>)

Application by **Casey Clark**, on behalf of **Topknot Properties, LLC**, requesting to amend a previously approved Certificate of Appropriateness (HDC 20-051) regarding the replacement of windows on the structure located at **225 Commercial Street**.

Casey Clark and Loic Rossignon presented. Mr. Rossignon thanked the HDC for conducting a site visit earlier in the day, noted low visibility from Commercial St., said his preference is to keep the windows simple at 1/1; said all his direct abutters have 1/1 configurations including Vorelli's Grille across the street which has over two dozen 1/1s.

CM said he felt 6/6 might be more architecturally correct as appear at the back but would be fine with any configuration; asked if there could be an assurance that a mistake such as has been made not be repeated in the future. AI remarked that all the surrounding 1/1s in the area as pointed out by Mr. Rossignon were not approved by the HDC and cautioned against what might be approved in the future if the proposal by the applicant is allowed to pass as requested with windows that are not within the HDC guidelines. Mr. Rossignon said he believed what was existing was 6/2 – different from rear units. HS agreed that the windows should be constructed as previously approved. MM said snap-in grilles are a no, but could be okay with the current units remaining as 1/1s.

LD made a motion to allow window units to remain as exists. AI seconded the motion and it failed, 0-4-1: AI, JD, HS, CM, opposed; MM, abstained.

LD said the next step will be to replace with the proper or approved windows to which AH said the permit is still open for the property. MM said grants may be available for historic window replacements and would pass along any available information she might find.

LD announced a short recess.

LD made a motion to take the application for PAAM out of Agenda order. MM seconded the motion, no vote taken.

f) [HDC 21-189](#) (request to continue to the meeting of November 17<sup>th</sup>)

Application by **Audrey Mostaghim** requesting to flatten a roof, add a roof deck over an existing structure and add a spiral stair as a second means of egress on the property located at **133 Commercial Street**.

[NOTE: The next continuation date was determined to be October 20, 2021.]

g) [HDC 21-194](#) (continued from the meeting of September 15<sup>th</sup>)

Application by **Bill Fornaciari**, on behalf of **198 Commercial PropCo, LLC**, requesting to remove an existing first-floor rear addition, construct a new third-floor rear addition, and to add a fourth-floor equipment deck and a new front-facing third-floor balcony on the structure located at **198 Commercial Street**.

Stuart Jackson, owner, and Kurt Uccello, presented. Mr. Jackson cited elimination of Juliet balcony, gave new back elevation details; noted an asymmetrical configuration.

LD made a motion to approve from the revised plans of September 29, 2021. MM seconded the motion and it passed, 5-0-0; MM, JD, HS, CM, AI.

JD left the meeting at 7:20pm. AH requested commissioners announce their meeting departures.

h) [HDC 21-197](#) (continued from September 15<sup>th</sup>)

Application by **Eric Larsen**, on behalf of **Marcene Marcoux**, requesting to install a shed on the property located at **186 Bradford Street**.

Eric Larsen presented by remote; noted the changes as a reduction of the deck, eliminating a railing; grade perspectives and exact location identified. LD asked per the porch, to which Mr. Larsen said is one continuous space, depending on your interpretation, no roof.

No public comments or letters.

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

i) **HDC 21-202**

Application by **Mark Kinnane**, on behalf of **Lisa F. Shea Trust et al.**, requesting to raise a structure and install a concrete pier foundation, add a new front porch and two stairways, and demolish and reconstruct an addition on the west elevation and a first-floor deck with associated stairways to match the existing on the property located at **613 Commercial Street**.

Mark Kinnane presented; said the proposed raise is to 4' which will not meet FEMA requirements, and that an application is in to the State to appeal the 9' lift as required, with a hearing tomorrow at 11am; asked if it is turned down, would it will be approved by the HDC; south facade to be retained with the addition of stairs and little roof over front door; west elevation: elimination of one window on the second floor; adding windows to kitchen area on east elevation, skylights on the roof, tear down of small L seen from front of house to work the construction and to be rebuilt in kind; ground floor deck to be raised as second means of egress; white cedar shingles; asphalt roof; railings added to deck; fence on west side to provide privacy; assessor's card states property from 1920, which MM corrected as 1890.

No public comments or letters.

CM said his issue is the railings and posts and sloped roof above the door; lines appeared to be a bit of a mish-mash, asked per chimney to which Mr. Kinnane said would be eliminated which CM said doesn't seem historically correct. Mr. Kinnane said they would be reconstructing the first floor wall that fills in the 1'10" gap. CM continued with his concerns, including many non-historic windows which could possibly work with a better line regarding the bump-out. Mr. Kinnane clarified that one window was to be removed, to which CM added that the windows on the first floor could be better served with some separation, suggested losing one of the set of four windows; not convinced per skylights,

LD and AI noted the chimney is not of any historical significance as a utility chimney.

LD described the trim of the building, if original, as very ornate and per the proposal exhibits a clash of elements; recommended choosing one side or the other for the two-sided stairs to orient; suggested a small hip-ish, not shed-ish type of roof as these are typically seen around Town as flat. MM agreed on LD's assessment of the front façade. AI said he'd like to see the stairs come down on the right as building is very top-heavy to the left. CM agreed.

Per west elevation, LD advised backing off the window frame from the corner board; said her biggest concern, as with the other side, is the 6' cedar fence on top of a 3 1/2' to 4' high foundation raise. AI noted an issue in considering proposals facade by facade as, with this case, when you walk around to the south or water-facing side you see how the fenestration wraps the building and a rhythm at work in a homogeneous way. Mr. Kinnane said he understood these concerns. HS said she felt the windows on the second floor could be larger, to which AI agreed but not as such an extreme departure as the other fenestration. LD related that the increased fenestration as proposed is based on fenestration that has already been enlarged from previous application.

Mr. Kinnane proposed three sets of twos, or some configuration, to better mimic the existing, to which LD suggested trying a few things to see what sticks; replacing the trapezoids. AI asked if it might be possible to flank the door with two small windows as with the dormers. Mr. Kinnane asked if the roof deck can be left as is with revised modifications to



which LD agreed as it is pre-existing. LD pondered removing the middle skylight, to which Mr. Kinnane said would be amenable and HS agreed, possibly adding one further down as an option. Mr. Kinnane concurred with MM that all four windows on the 2<sup>nd</sup> floor are different sizes to which he attributed to meeting Code. MM said she'd like to see more window continuity on the east and west.

LD made motion to continue the decision to the meeting of October 20, 2021. CM seconded the motion and it passed, 5-0-0; CM, HS, MM, AI, LD.

j) [HDC 21-205](#)

Application by **John B. Livingstone** seeking approval for an existing fence on the property located at **522 Commercial Street, UB**.

Dr. John Livingstone and Joanne Gaffney presented. Dr. Livingstone thanked the HDC for its work, gave background on the property and examples of previous fencing including Timberwall and 6' tall sections; segments with the retaining wall replacement featuring an addition suggested by Russ Crosby, dropping own to 5', which, he said, met with HDC approval in May 2020 – same type as on the west border; applicants expressed their displeasure at a hodge-podge of fence heights and styles, particularly vinyl.

AH read a letter in opposition from Jane Dyson and Elizabeth Mauro of [235 Bradford St., U5](#), and a letter in support from George Rogers and Patrick Watson at [3 Atkins Lane](#). Ms. Dyson came on the line to seek clarity on consideration of the east side fence, to which LD said had been approved in 2020. Dr. Livingstone said there was no previous application for the 5' section of fence on Bradford as they were told it was not necessary, but agreed with Ms. Dyson that the application should have been considered as a full review.

CM read directly from the fence application to confirm that what was built did not conform to the original explanation of work to be performed. MM pointed out that there have been more fence issues over the past few years and that these would seem to derive from the Crosby Company; suggested the company be notified of this issue. CM said the fence in question goes well beyond the HDC 48" policy from the grade. AI agreed that the fence debate continue but that the HDC might come together to determine that what was built is disrespectful and hideous. MM successfully explained fence discrepancies to the applicant.

Discussion continued on what constituted the front of the house. LD noted that the dwelling is different from other houses in Town in that it constitutes a licensed commercial space for providing mental health care and that there should be a proviso made for these particular conditions as pertains to what is seen on the Bradford St. side. HS said her concern is that, in general, fence companies which have been working with the Town bylaws for years are potentially taking advantage of clients by not applying correct guidelines to their builds and that on this case, reluctantly, the HDC should let it go. MM expressed her empathy for the applicants as well as a regard for the neighbors' complaints; suggested a condition to approve only as long as the property remains a private health practice. AI noted a number of ways to build privacy, including hedges. Dr. Livingstone added that it was more than privacy; that it concerned noise control as they are opposite the Provincetown Theatre.

CM disagreed with LD's proposal due to how large the fence sits on the premises and based on abutters' objections, but would be open to look at other ways to mitigate the problem with a different solution; felt a more complete or comprehensive application would have helped move the decision along.

LD recommended that the applicants seek the abutters' approval in lowering the fence to appear on the other side of the retaining walls but advised continuing the hearing to the next meeting and the Board having another look at the property per the fence situation.

LD made a motion to continue the hearing first on the Agenda at the meeting of October 20, 2021 CM seconded the motion and it passed, 5-0-0; CM, HS, MM, AI, LD.

k) [HDC 21-206](#)

Application by **Ted Smith**, on behalf of **Gregory Whitehead et. vir.**, requesting to demolish a garage and replace it with a one-story addition on a northwest elevation, infill a southwest corner and add a dormer on the southeast corner of the structure located at **24 Standish Street**.

LD recused herself and JD assumed the Chair.

Ted Smith, Greg whitehead and Rob presented. Mr. Smith said not much of anything has been done to the building since its inception but it now needs a Title 5 septic system, requiring that the structure be taken down as they need the leeching field; plan is to change the aesthetic which will require moving the ridgeline back; keeping gable end on right-hand side and raising it about 3'; dormer added on left-hand side; infill as indicated on the backside to connect a much shorter one-story, welted ceiling garage; limiting the number of windows on façade for privacy reasons; second level floor to be reframed where dormer proposed; second floor to feature two non-conforming rooms based on footprint and ceiling heights; non-functioning chimney to be raised, as well.

AH read a letter in support from Daniel Jackson and Thomas Mueller of 19 Alden St. co-owners with Bruce Derfler, James Conley and Rodney VanDerwarker.

CM said he felt there is a sense of losing the essence of the original structure; three doors not constituting an historical context, on north elevation noted a lot of negative space, and that removing the existing windows loses some historical perspective; doesn't understand three doors together; garage door mimicked on north elevation; ganged-together windows not historical. AI agreed with CM per the non-functioning garage doors; also questioned the historical appropriateness of proposed window configurations, but said his biggest objection is the garage door inclusion; asked per roofing materials.

Mr. Smith cited asphalt shingles as building materials and Mr. Whitehead added they were looking to go as historical as possible. AI commended cedar shingles which he said, might go far to soften some of the inconsistencies. JD noted a small, humble building that will be rendered unreadable as proposed; had trouble with the scope of the project even as he understood the desire for more space and working off a very handsome design.

MM said the main issue for her is the second floor dwarfing the bottom floor as too top heavy; issue on the east elevation with the added 3; liked upper window replacement; okay with dormer coming down a bit; agreed with CM on the connective space and roof coming within the gable end; per west elevation: too many windows and ganging – not historic; recommended taking out middle window and spacing more appropriately, as with the dormer windows; cited four different ridge lines as too much, preferred to see cleaner lines and a simplified construct.

HS said she was glad to see the chimney maintained even as it's non-functioning; agreed with eliminating the garage door and to perhaps see a window there; not opposed to two doors but moving the one on the right or on the connector porch to the right of the two ganged windows. JD said changes at the back of the building are minimally visible but that there are other options, to which Mr. Smith said there is no headroom on the second floor as it is a non-finished space. AI said he thought it could be simplified. JD referred to a design sketch he made and advised trying to maintain as much of the front as possible and then push concerns to the back in the next address.

TS asked if it might be possible to build a frontage facing Alden St. that could have greater leeway in scope as a separate directional view point from Standish, with an option to hook up to the Town's sewer system. JD agreed and the Board found this a very good option.

JD made a motion to continue the decision to the meeting of October 20, 2021. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, JD.

l) [HDC 21-208](#)

Application by **Russell Cazeault**, on behalf of the **Moy Family Trust**, requesting to replace existing wood trim with Azek trim on the structure located at **7 Brewster Street**.

No one presented.

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

m) [HDC 21-214](#)

Application by **Grace Ryder-O'Malley**, on behalf of the **Provincetown Art Association & Museum**, requesting to restore an historic building façade, including replacing 10 windows, a former entrance door, trim, corner boards and siding, and repairing shutters, a brick stoop, clerestory sidelights, and a transom on the property located at **460 Commercial Street**.

Chris McCarthy, CEO of PAAM, Grace Ryder-O'Malley, COO of PAAM, and Leif Hamnquist and Mark Hammer of Hammer Architects presented. MM recused herself.

Ms. McCarthy said PAAM did a major renovation last between 2003 and 2005 and that the Captain's House has taken a beating due to the weather with evident rot; downstairs is a gallery space and upstairs, staffing; original stairs done by Conrad Malicoat to which Ms. Ryder-O'Malley said there is someone prepared to repair the unit who once studied under Mr. Malicoat; said they have funding from Mass State from the Mass Office of Travel & Tourism and that the Mass Historical Commission has signed off on the project and materials as submitted.

Mr. Hammer said the windows will be replaced as single pane mahogany, true divided-lite, taking off exterior storms to replace with interior storm panels and half screens, lower four windows will be blind, backed up with an insulated wall; restoring entryway to their best, via historical photographs going back to the 1920s, which Ms. Ryder-O'Malley passed around, along with ones from the 1950s and today. Ms. McCarthy added that the structure is a green building and that they have a new grant to reduce the carbon footprint.

Mr. Hammer said that the emergency exit would not be utilized, which Ms. Ryder-O'Malley confirmed; Mr. Hamnquist noted the 4-panel door relates to the original as 1840 and based on the photograph from 1925. Ms. McCarthy acknowledged the structure as the former Daniel Cook house.

JD said the defining feature is the door-surround which deserves all the attention; asked if the side-light feature would be replaced, to which Ms. Ryder-O'Malley said the door company is not comfortable replacing without the side lights. Ms. McCarthy said they have two major grants to cover the work, which Ms. Ryder-O'Malley indicated as a local CPA grant in addition to the one from the Mass Office of Travel & Tourism, both of which, she said, will come due this year.

No public comments or letters. Ms. Ryder-O'Malley said they reached out previously about the project and have letters in support on file from neighbors as well as from the Cape Cod Commission, Rep. Peake, and Sen. Cyr, who all attributed to their grant processes.

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

## 5. Review and approval of Minutes:

HS made a motion to approve the HDC meeting minutes of September 1, 2021. CM seconded the motion and it passed, 5-0-0; HS, CM, MM, AI, LD.

HS made a motion to approve the HDC meeting minutes of September 15, 2021. CM seconded the motion and it passed, 5-0-0; HS, CM, MM, AI, LD.

## 6. Deliberations on Pending Decisions: VOTES MAY BE TAKEN

HS reported that the following decisions written by HS were filed with Town Clerk:

**HDC 21-14**, 1 Holway Ave., U1A; **HDC 21-183**, 18 Pearl St.; **HDC 21-187**, 225 Commercial St.; **HDC 21-194**, 198 Commercial St.; **HDC 21-197**, 186 Bradford St.

HS reported that the following decisions written by MM were filed with Town Clerk:

**HDC 21-178**, 136 Bradford St.; **HDC 21-214**, 460 Commercial St.; **HDC 21-208**, 7 Brewster St.

MM and AI announced that they would not be participating in person at the October 20, 2021 meeting. LD said she would probably not be at this meeting and would have JD assume the Chair.

LD made a motion to adjourn the meeting at 9:16pm. CM seconded the motion and it passed, 5-0-0; CM, HS, MM, AI, LD.

Respectfully Submitted,  
Jody O'Neil