



Historic District Commission

Minutes

The Provincetown Historic District Commission Public Meeting of Wednesday, November 17, 2021 at 3:30 PM 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.

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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.

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

Member by remote: John Dowd (JD), Vice Chair, PGB Rep.

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

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 then handed the meeting over to LD.

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

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

VOTES MAY BE TAKEN

- i) [7 Commercial St., U3](#) – To replace a window in kind; & [7 Commercial St., U1](#) – To replace a window in kind.
No one presented.
LD noted U1 window as not visible from a public way; double hung with divided grilles; Azek requested TS said he would inquire if wood had been added to the application template.
LD made a motion to approve as presented with the condition that all trim be wood. CM seconded the motion and it passed 5-0-0; CM, JD, HS, MM, LD.
 - ii) [536 Commercial St., U2](#) – To replace a window and entry door in kind.
No one presented.
AI said the window casement looked to be vinyl clad composite. MM noted the pictures looked great but that there was not a lot of information.
LD made a motion to continue the hearing to the meeting of December 1, 2021 with more information regarding location, visibility and material of current door. MM seconded the motion and it passed, 5-5-0; MM, JD, HS, CM, LD.
 - iii) [200 Bradford St.](#) – To replace a window in kind.
Mike Cyzoski presented; said unit is 6/6, Anderson double-hung, wrapped with 1x5 pine and historic silk, vinyl-clad.
HS asked per the material of the other windows. Mr. Cyzoski said the other units are divided-lite and that only some could be confirmed as 6/6.
LD made a motion to approve as presented with the condition that all trim be wood. CM seconded the motion and it passed, 5-0-0; CM, JD, HS, MM, LD.
- LD announced that trim on all window replacements are to be approved as requested with the condition that the all trim be wood.
- iv) [7 Cook Street](#) – To replace 3 windows in kind.
Spencer McCormick presented; said there are actually 4 windows to be replaced on the side-rear which are broken-out and rotted, 3/3s; suggested first window is 30' back from Cook St.; said he forwarded a spec sheet today.
LD made a motion to approve as presented. MM seconded the motion and it passed, 5-0-0; MM, JD, HS, CM, LD.
 - v) [96-98 Bradford St.](#) – To replace rotten clapboards, 5 windowsills, and 1 window in kind.
Laurie Ferrari of Peters Property Management presented by remote; said mahogany or P5 would be utilized – not composite; same manufacturer.
LD made a motion to approve as presented with the condition of all wood trim. MM seconded the motion and it passed, 5-0-0; MM, JD, HS, CM, LD.
 - vi) [3 Allerton St.](#) – To replace a chimney in kind.
No one presented.
HS mentioned a need for more information.
LD made a motion to table the hearing to later in the meeting. No vote taken.
[Continued]

Joe McCarthy presented; said the chimney with copper cap will be rebuilt as is; concurred with LD that he would use old-style brick, thin mortar joints and three corbel steps at the top.

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

LD made a motion to consider the following for Full Review to be heard at the December 1, 2021 meeting:

- vii) [191-A Commercial St.](#) – To replace a fence.
- viii) [34A Pearl St., U1](#) – To install a shed.
- ix) [282 Bradford St.](#) – To restore a garage/studio with new bay doors and to construct a new residential structure that connects to the garage/studio.
- x) [244 Bradford St., U1](#) – To remove and replace windows, a deck and railing, and to add a slider.
- xi) [7 Arch St.](#) – To replace a gable eave with a dormer, add a dormer and a skylight, replace a deck, repair a foundation, and to replace windows and doors.
- xii) [586 Commercial St., U11](#) – To enclose a balcony.
- xiii) [246 Bradford St.](#) – To replace a window with an egress door.
- xiv) [28 Bradford St.](#) - To remove and replace an existing retaining wall, stair structure and fence.

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

Alexander Sprague, co-owner and carpenter of 191-A Commercial called in.

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

LD made a motion to move to *Any Other Business* to the end of the meeting. CM seconded the motion and it passed, 5-0-0; CM, JD, HS, MM, LD.

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

452 Commercial Street

AH said she had a conversation with Michael and that he would not be able to close out the permit but would be having a talk with the owners; suggested the owners would be back to meet with the HDC regarding updates.

Whorf's Court

AH said she would be on site tomorrow for fire and sprinkler acceptance tests but that Kay is not ready yet for a final presentation on the eaves.

4. **Full Hearings:**

a) [HDC 21-138](#)

Application by **Ted Smith**, on behalf of **Howard Burchman**, requesting to modify the principal structure by reconfiguring the roofline, adding a second story deck, altering windows and doors, expanding on the west and north elevations, and adding a bay window; and for the modification of the rear structure by increasing the footprint along the south and west elevations on the property located at **12 Center Street**.

Robin Reed, Attorney, Howard Burchman, owner and Ted Smith, Architect, presented. Ms. Reed noted one uploaded plan highlighting the differentiation of the extension with the front building, wherein the extension presents as not clapboards but shingles with no change in the foot prints. Mr. Smith gave exact dimensions.

CM said he was hoping to see all shingles, but the one part as noted is welcome. JD said he preferred buildings as all caps or all shingles, but is fine with the plans as presented.

MM noted four letters in favor: Nora Philips and Cindy Macari at 6-8 Center St; Erika Apicella of 342A Commercial St., #1; Heather Baker, 342A Commercial St., U1; Donna Walker of 348A Commercial St. Condo Association; two opposed: abutter Peter and Jumana Picard of 342 Commercial St., #B; Vincent Hurteu of 14 Center St.

LD made a motion to approve from plans A26 with the condition that the cottage be shingled. CM seconded the motion and it passed, 5-0-0; CM, JD, HS, MM, LD.

b) [HDC 21-189](#) (*request to continue to the meeting of December 1st*)

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**.

LD made a motion to continue the decision to the meeting of December 1, 2021. JD seconded the motion and it passed, 5-0-0; JD, HS, CM, MM, LD.

c) [HDC 21-206](#) (*continued from the meeting of November 3rd*)

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**.

Ted Smith presented. LD recused herself; JD assumed the Chair.

HS located a set of plans in hard copy from Oct. 25th. AH asked if Mr. Smith had overwritten the last set of plans as submitted since the date of submission on the PDF has not changed. Mr. Smith said he had submitted a third set of plans detailing the input from August.

MM asked per sewer hook-up to which Mr. Smith said this matter had not been resolved and that the owner is waiting to explore options; said if the Town sewer does come onboard there might be an option to possibly add a porch onto the structure.

JD made a motion to continue the decision to the meeting of December 1, 2021. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, JD.

Mr. Smith said he would mail in a signed time-waiver.

LD stated there appeared to be two Agendas of today's meeting – only one of which included 44 Captain Bertie's Way and a request to demolish a garage. AH said this case – the property that was Pete's Mobil – was approved at the previous HDC meeting. Recording Secretary, Jody O'Neil, confirmed. Tom Tannariello appeared representing the property and was informed of approval.

d) [HDC 21-218](#)

Application by **Mark Kinnane**, of **Cape Associates, Inc.**, on behalf of **Carol Adelman et ux.**, requesting to install a permanent support post and to trim the north and west elevation windows with Lifespan on the structure located at **491 Commercial Street, U4**.

Mark Kinnane presented by remote; said the added post will meet Code; three windows on upper level had been trimmed with Azek as owner not aware this was not permitted; other units are in wood and all to be painted; said there is no way to discern the difference between trim materials from that distance.

JD said the posts are great and suggested that once painted the three Azek windows on the 3rd floor will pass fine without distinction from wood; made noted of an honest mistake.

MM requested more information be provided for alternative materials such as Lifespan. LD agreed, asked if Mr. Kinnane could drop off a sample of the thermally-treated poplar which Mr. Kinnane said is not a new material but which weathers like wood and does not rot – according to the manufacturer. MM said that going forward she would prefer elevations on everything.

LD made a motion to approve as presented. CM seconded the motion and it passed, 4-0-1: CM, JD, MM, LD, in favor; HS, abstained.

e) [HDC 21-242](#)

Application by **Brian Alexander**, on behalf of **James A. Green et al.**, requesting to install new windows on the northeast corner sleeping porch on the structure located at **592 Commercial Street**.

Brian Alexander presented by remote; said all existing windows will be replaced with new Marvin's to match units in the existing sleeping porch to feature custom-made Marvin accordion windows; removing aluminum frame screens to address water seepage, trimmed out in cypress and painted; bump-out still a part of the plans; bi-fold door on plans A-2.1 was found to relate as windows, not a door.

JD said he was fine with it in noting the location being way in the back; said he doesn't recall approving the windows in the bump-out as longer or taller than the existing A-size windows on the south and east elevations. Mr. Alexander said the windows as proposed are smaller than the originals.

CM said the opening looks taller than the windows being added and the variation in the sizes is what tells the story of the house from a historical perspective. MM agreed with CM and said she would need to see all the dimensions and to verify the spec sheet regarding a proposed window or a door. Mr. Alexander said the dimensions of the A window on the left and the F window as proposed are 56" and 58" in height, respectively.

AI asked if it lies within the HDC'S purview to weigh in on what the room would be used for, i.e., a sleeping porch or to relegate the architecture of the house. Mr. Green said they are making this change both to keep water out and retain the look of the sleeping porch.

Mr. Alexander said the windows of the bump-out were previously approved.

JD said he didn't find much architectural or historic merit in the sun porch openings and didn't feel the new window configurations would relate to a sun-porch; recommended matching the dormer windows on the front, or size A. AI suggested a single-pane or storm window where the screen was, but all agreed this would be a difficult maneuver. MM proposed interior storm windows, but LD said these might still incur water leakage and that she didn't find any historic value to the porch; asked per bi-folds. Mr. Green said the bi-folds would retain the integrity of the sleeping porch, which was a much later addition to the house.

Mr. Alexander quoted window dimensions as 31+ ¼ x 58, with three at 90x58; F-windows, 2" larger. JD said he felt the solution would be to find a window that has the glazing size that fits, as opposed to the sash being the match. AI said the bi-fold windows appear to have thicker trim based on the need to accommodate the hinging and the weight.

LD re-stated MM'S point – that something does not match-up regarding the Coastline bi-fold doors; requested a drawing with dimensions as apply to the actual elevations. Mr. Alexander noted the units are wood interior pine, to which Mr. Green said he would have to produce a new drawing to this one east-side elevation which was not drawn correctly.

No public comments or letters.

LD made a motion to continue the hearing to the meeting of December 1, 2021. CM seconded the motion and it passed, 5-0-0; CM, JD, HS, MM, LD.

LD announced a three-minute break.

f) [HDC 21-245](#)

Application by **Leif Hamnquist, of Hammer Architects**, on behalf of **Daniel K. O'Donnell et al.**, requesting to install a window on the north elevation, construct an outdoor shower enclosure and replace a window with a door for access to it, remove a window, relocate an existing window, and install two windows on the east elevation, and expand an existing deck, adding a new railing system, and replace windows with doors on the south elevation of the structure located at **135 Commercial Street, UA**.

Leif Hamnquist, and Larry Busching and Daniel O'Donnell,qq presented; Don DiRocco presented by remote. MM recused herself.

Mr. Hamnquist described the work to be performed on the 1920s house in terms of a straight-line defined from the entrance to the street; relocating a window on the eats elevation by about 8"; deck extension on west elevation; new railing system and deck elevated to top height of existing, expanded by 14' ; everything red cedar per casing, wood on all railing systems; windows and doors from Norwood as with 10 Atwood, 51 Commercial and 425 Commercial; replacing a window with a door for access the outdoor shower.

No public comments or letters.

LD asked why the choice of mahogany horizontal, to which Mr. Hamnquist said is to provide some privacy as the lower unit is accessed by stairs running close alongside the adjoining structure. JD said he didn't feel much time needed to be spent deliberating railings and such in this case as the view from the rear is so minimally visible and citing multiple modifications through the years. CM asked per fence sections to be removed, not replaced.

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

g) [HDC 21-247](#)

Application by **Leif Hamnquist, of Hammer Architects**, on behalf of **SGI 300A, LLC**, requesting to replace, expand, and relocate windows, replace a door with a window, and repair/replace siding, casing, and trim where needed on the structure located at **300A Commercial Street**.

Leif Hamnquist and Don DiRocco (remotely) presented. MM recused herself.

Mr. Hamnquist described the property as an old B&B from the 1960s as set back from the street by a long walkway and a casement in the guise of a double-hung window; said other work is to include changing out windows. JD questioned the building's origins to which Mr. DiRocco concurred in noting the front part as the old part of a Federal building. LD confirmed as well, adding that she has been inside the building previously.

JD remarked that the building restored as an old Captain's house with 2 -story with hipped roofs, double chimneys and 12/12 windows would be a key project for someone with the right sensitivity to the historical heritage of the site. Mr. Hamnquist agreed but offered that

this is the work as offered up. Mr. DiRocco said an extensive renovation had occurred prior to the current ownership so their revamp is not extensive at this time.

No public comments or letters.

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

h) **HDC 21-251**

Application by **Ed Feijo** requesting to repair and replace a fence on the property located at **23 Brewster Street**.

Ed Feijo presented; apologized by stating his husband had put the fence up without seeking prior approval; new replacement to be a 4' high cedar.

LD conveyed that pickets are what are traditionally approved as opposed to board fences, unless there is a pre-existing condition or a prior approval and based on visibility from a public way; directed Mr. Feijo to choose a design and return to present before the Board with a plot plan indicating where the requested privacy fence would be situated. Mr. Feijo expressed through the Google map on screen where the desired higher privacy fence section would be positioned; said he would draw it up and return to present.

MM asked who installed the wrong fence to which Mr. Feijo said was installed by his landscaper and approved by his husband. CM advised Mr. Feijo to visit the Town's website to review fence policy or any other HDC guidelines. Mr. Feijo said he did go online but did not see a policy directly relating to the area he proposed for his privacy fence addition. LD read the relevant bylaw aloud.

LD made a motion to continue the decision to the hearing of December 1, 2021. CM seconded he motion and it passed, 5-0-0; CM, JD, HS, MM, LD.

5. Review and approval of Minutes:

LD made a motion to approve the HDC meeting minutes of November 3, 2021. CM seconded the motion and it passed, 5-0-0; CM, HS, MM, AI, LD.

6. Deliberations on Pending Decisions: VOTES MAY BE TAKEN

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

HDC 21-218, 491 Commercial Street, U4; HDC 21-245, 135 Commercial Street, UA
HDC 21-247, 300A Commercial Street.

HS assigned decisions to be written as follows:

AI: 34A Pearl St. U1; 282 Bradford St.

MM: 244 Bradford St., U1; 7 Arch St.; 586 Commercial, U11

HS: 246 Bradford St.; 28 Bradford St.

7. Any other business that shall properly come before the Commission [Continued]

Condo Board Approvals

MM asked per a recent applicant approval where the owner was guided by rules under a condo association and questioned the HDC'S authority in these types of situations in

suggesting the Board only accept applications where the applicant has received the prior approval of the condo board. JD said he didn't feel this issue related back to the HDC as the condo board has the issuing authority. TS offered that every application requires an owner's approval and that the onus is on the owner to pass muster with the condo board. HS replied that not every application comes with the owner's signature. AI spoke on behalf of MM'S point in noting the awkward development that arises when ownership passes hands after an HDC approval. LD said the while the HDC approves plans, it does not approve a building permit which makes the issue not under its purview but one that falls to the Building Commissioner's detail with the potential for input from Town Consul.

AH said condominium law is under Mass General Law 143A wherein ownership by the unit starts on the interior face of the stud wall and any violation therein becomes a civil matter.

AH referenced copies sent of Sarah Korjeff's review of plans for 613 Commercial St. from The Cape Cod Commission's office, which the HDC confirmed it had received.

LD asked how to get an emergency roof repair. AH said to come in and it will be turned around in short order; noted that emergency repair provisions exist in the Building Code.

HS asked AH if she needed the Administrative Reviews back for now, which she confirmed.

LD made a motion to adjourn the meeting at 6:02pm. CM seconded the motion and it passed, 5-0-0; CM, JD, HS, MM, LD.

Respectfully Submitted,
Jody O'Neil