



Historic District Commission

Minutes

The Provincetown Historic District Commission Public Meeting of Wednesday, January 19, 2022 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, Chair, Historical Commission Rep.; John Dowd (JD), Vice Chair, PGB Rep.; Hersh Schwartz (HS), Clerk, Chamber of Commerce Rep.; Chris Mathieson (CM), PAAM Rep.; Michela Murphy (MM), Alternate; Anthony Iannucci (AI), Alternate.

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

LD called the meeting to order at 3:30pm and gave roll-call. AH requested everyone speak up and speak clearly in order to be heard through masks. TS read the protocols per the State guidelines for hybrid 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 January 19, 2022 Public Hearing agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

VOTES MAY BE TAKEN:

LD made a motion to consider the following for Administrative Review: i) 284 Bradford St., UA; ii) 30 Commercial St.; iii) 127 Bradford St., U4; iv) 15 Atwood Ave. v) 16 Point St., U4.

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

LD made a motion to consider the following for Full Review: vi) 161 Commercial St.; vii) 333 Commercial St., U1B; viii) 11 Conant St.; ix) 211 ½ Bradford St.; x) 19 Center St., U1.

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

- i) 284 Bradford St., UA (continued from the meeting of January 5th) – To replace 8 windows in kind.

Ron of Highland Builders presented by remote. AH said she did not believe that any of the windows in question had been reviewed or replaced and if so, would have occurred prior to the creation of the HDC. HS said her notes on the case listed 6/6 as desired.

LD made a motion to approve with the following conditions: 6/6 as first choice; 2/2 as second choice; replaced as is, third choice. HS seconded the motion and it passed, 5-0-0; HS, JD, CM, MM, LD.

- ii) 30 Commercial St. – To replace a window and a slider in kind.

Robin Callahan of Cape Associates presented by remote: said window will be replaced in kind, same size.

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

HS remarked that the new HDC decision stamp contains the wording that *all trim must be wood*.

- iii) 127 Bradford St., U4 – To replace gutters and rotted fascia in kind.

No one presented. AH said that prior to 2018 the replacement of gutters and rotted trim behind the gutters did not require a building permit, only a home improvement contractor's permit, but now do require a builder's permit; said she spoke with the owner of Gutter Monkeys and received word that the Azec would be replaced with pine; suggested that HDC consider approving a gutter and weather-friendly material going forward to better mediate the attachment of the gutter to the fascia. LD agreed, on a case-by-case basis.

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

- iv) 15 Atwood Ave. -To add French doors and a window to an accessory structure that is not visible from a public way.

Mark Boucher presented; said the plan is to open up the accessory structure to the garden as possibly an art or yoga studio; reconsidered three sliding glass windows as not appropriate or desirable.

LD made a motion to approve as presented with the understanding that the structure is not visible from a public way. CM seconded the motion and it passed, 5-0-0; CM, JD, HS, MM, LD.

- v) [16 Point St., U4](#) - To replace a porch in kind.

Deborah Paine presented; noted no visibility from a public way, screened-porch with great deterioration; Upstate door panels with screens inside them to be employed

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

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

Demolition of Unit 16 at 36 Shank Painter Road.

AH said the building in question holds the Comcast and Fireside Insurance businesses; 17 gallons to be returned to the sewer flow; no plans for a replacement for Comcast; property is within the flood plane and those regulations will apply for any future plans.

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

AH said she will need a signed letter of approval for demolition of the property.

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

LD tabled Public Comments to the end of the meeting.

4. Full Hearings:

- a) [HDC 21-242](#) (continued to the meeting of January 5th)

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**.

LD made a motion to continue the decision to the meeting of February 2, 2022 at the applicant's request. CM seconded the motion and it passed, 5-0-0; CM, JD, HS, MM, LD.

- b) [HDC 21-279](#) (continued to the meeting of January 5th)

Application by **Alexander Sprague**, on behalf of **Brian Piccini**, requesting to replace a fence on the property located at **191-A Commercial Street, U1**.

No one replied when called on; LD tabled the hearing to the end of the meeting.

[Continued]

No one later presented. JD said Stockade fences are not acceptable, but that the request can be considered for the contemporary aspects of the house. MM suggested delaying a decision until the applicant was available to address the plans.

LD made a motion to continue the decision to the meeting of February 2, 2022. CM seconded the motion and it passed, 5-0-0; CM, JD, HS, MM, LD. *AH to check on time-waiver.*

c) [HDC 21-312](#)

Application by **Jonah Swain**, on behalf of the **Michael F. Fernon Revocable Trust**, requesting to replace decking and rails on the property located at **162 Commercial Street**.

Jonah Swain presented by remote; said rails and posts are to be replaced in kind, but the mahogany decking is proposed with composite.

No public comments or letters.

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

d) [HDC 21-315](#)

Application by **Todd Westrick**, on behalf of **Joseph Middleton**, requesting to replace existing and add new fencing on the property located at **32 Bradford Street**.

Todd Westrick presented; said there are two sections: one concerns an existing fence that is old and straddles the property line along with the retaining wall with the goal to remove and replace with what will be in front of the concrete block wall so as not to be seen; added that the concrete block wall is not seen on the other side as it filled in by driveway and neighbor's landscaping, fence flushed to grade; area leveled and graveled so construction can take place.

Other section relates to a green space in the front that is to provide for a buried fuel tank supply of propane; fence as proposed will enclose a garden and be squared with the landscaping; two gates. Proposed fence is a wooden, square picket 4' tall and painted white; picket spacing of about 1'3/8".

No public comments or letters.

JD and MM said they were fine with it.

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

TS related that the owners would need to notify the Planning Board if a change of site plan or ground materials usage is intended.

e) [HDC 21-317](#)

Application by **Casey Clark**, on behalf of **Markes Property Group, LLC**, requesting to change the material of a proposed pergola on the property located at **133 Bradford Street**.

Casey Clark presented by remote; said the dimensions are a little bigger for reclaimed wood, but otherwise are the same; circular posts; work to be done by of Cataumet Sawmill of Falmouth.

No public comments or letters.

MM said she was fine with it. JD asked if photographs were available. Mr. Clark said he had previously submitted photographs and that five posts are required to hold up the structure. CM said there might be an issue with the round posts and LD said 4x4 and 6x6 could be approved per square posts to which AH said she would need to check the chart for accurate specs. JD referenced the structure as a 19th century building which should relate to the architecture with language that speaks to what is there. AI said he felt that while the area in question is narrow, it is part of a vast space which could sustain the design as planned.

LD made a motion to approve with the condition that the posts be 8x8 square pending updated plans. CM seconded the motion and it passed, 5-0-0; CM, JD, HS, MM, LD.

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

LD suggested creating a file of photos and documents featuring design elements and architectural features that could be passed along by HDC to applicants as they formulize

their plans for presentation and/or in making revisions for approval. LD requested the Board forward photos they might have in their files. MM said it was a great idea and a way to make things more accessible; offered to bring in books from her Mass Historic classes. LD added that TS has information to contribute, as well.

CM said he was speaking to local Kristin Hatch who is on a committee that doles out money for Town ventures and suggested that a request could be made for contracting a consultant to work in producing a report that details structures within the flood zone as regards commercial buildings, condos, single homes and the like; or to serve as a master plan for an area re-build at locations like Lopes Square.

MM said from classes she's recently taken there are opportunities for financial support; spoke of the value in having someone come in and take surveys and/or re-train or newly orient the HDC to rules and regulations; cited Newport erosion study as an example.

JD suggested that rather than having an outside contractor come into Town with a vision references could be culled from local resources already available online illustrating the historical integrity of the Town's properties. CM mentioned that his idea would be to have the HDC direct or guide this hired position to the Commission's objectives. MM noted that as the Town is the largest historical district in the State it would be a Herculean task to craft a comprehensive study; suggested college students to intern for credit from schools that have preservation programs.

TS presented the Coastal Resiliency: Climate Adaption Planning for Provincetown's Historic District report; said there are adaptive strategies in place, including short and long-term, regarding the future of hazardous storms and flooding; related that the Town can lead by example with both prevention measures and in taking direct action to safeguard historic properties. CM expressed that having a through-line from the history of a structure to where it sits today and where it needs to be protected to combat climate control would be helpful to achieve uniformity. AH added that 'elevation height' is often a floating target and not a stagnant number. MM spoke of the City of Newport's Elevating History and the measures the municipality has in place for mitigation, as well as mitigation efforts in Amsterdam.

AI raised the issue of the undercarriage of the rebuild at 509 Commercial St. in asking what prevention measures the HDC can impose to limit such drastic alterations to the Town's historic properties – even as they come up against new FEMA zoning rules. TS said a policy plan was a fine idea and that the HDC is empowered with issuing a variance even in the flood zone. JD asked per the HDC'S liability in approving elevation raises which turn out to be ineffective against weather damage. TS said the Commission is legally covered by the Town while it operates within its jurisdiction. AH said the FEMA flood plane and relevant elevation regs have not changed since 2014 but the application has been updated.

6. Review and approval of Minutes:

LD made a motion to approve the HDC meeting minutes of January 5, 2022. CM seconded the motion and it passed, 5-0-0; CM, JD, HS, MM, LD.

7. Deliberations on Pending Decisions: VOTES MAY BE TAKEN

AI wrote the decision for HDC 21-190, 133 Commercial St.

HS assigned decisions as follows:

MM: 161 Commercial, Boatslip

AI: 333 Commercial St., Edwige

MM: 11 Conant St.

HS: 211 ½ Bradford St. & 19 Center St., U1.

Per HS, the following decisions were filed with Town Clerk:

HDC 21-266, 28 Bradford St.

HDC 21-296, 638 Commercial St.

HDC 21-297, 206 Commercial St.

LD made a motion to adjourn the HDC meeting at 5:09pm. CM seconded the motion and it passed, 5-0-0; CM, JD, HS, MM, LD.

Respectfully Submitted,
Jody O'Neil