



## Historic District Commission

# Minutes

**The Provincetown Historic District Commission Public Meeting of Wednesday, April 6, 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 (LD), Chair, Historical Commission Rep.; Chris Mathieson (CM), PAAM Rep.; Michela Murphy, Alternate; Anthony Iannucci (AI), Alternate.

Members by remote: John Dowd (JD), Acting Chair, PGB Rep.

Excused Absence: Hersh Schwartz, Clerk, Chamber of Commerce Rep.

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

LD called the meeting to order at 3:30pm; gave roll-call. AH read hybrid meeting protocols.

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

LD invoked the Mullin Rule to deliberate on cases from the last meeting whereby she was absent, but has since viewed the tape of the Public Hearing; will sign corresponding letter.

**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 April 20, 2022 Public Hearing agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.**

**VOTES MAY BE TAKEN:**

- i) [82 Bradford St.](#) (continued from the meeting of March 16<sup>th</sup>) – To replace a rubber roof and 28 windows.

Milton Tiapa presented by remote; said the project will see removal and replacement of storm windows which appear to not be original units.

AH noted that Lansing Building Products features the Hardie style. LD questioned the quality of the material proposed, stated that the Anderson Series is usually what is deemed acceptable by the HDC. Mr. Tiapa confirmed to AH that he would bring a sample of the window material to Town Hall on Monday. LD, CM and MM agreed with the request; LD remarked on the beauty of the building and need to preserve its structural integrity.

LD made a motion to continue the decision to the meeting of April 20, 2022. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

- ii) [5 Winthrop St., UD](#) (continued from the meeting of March 16<sup>th</sup>) - To replace a stairway in kind.

No one presented. CM recused himself, volunteered to text the new owners, as they are his neighbors and currently in Australia.

LD mentioned a prior request by the applicant to be considered only as Administrative Review in this case. AH agreed with LD'S choice to table the application until the end of the Determinations to allow time for the applicants to respond, as the only change seems to affect the hand-rail portion of the rail system.

[Continued]

AI referenced the previous contractor's statement that the structure could not be replaced as is, which LD elaborated on, suggested approving with no modifications, or allowing the front wall to open up and render the handrails parallel. AH said there are no longer plans to address a reassignment of the stair carriage.

LD made a motion to approve as is or to employ the option found in the P3 drawing therein including the opening below the window and/or making the hand rails more parallel. MM seconded the motion and it passed, 4-0-0; MM, JD, AI, LD.

- iii) [661 Commercial St.](#) (continued from the meeting of March 16<sup>th</sup>) – To replace existing railings and deck boards on an existing porch and stair.

Matthew Coleman presented; said the baluster would be wood, painted white, trim to be replaced in kind with PVC, noted visibility and closeness to the water; James Hardie Plank as existing on all four sides – request to complete last two sides that are undone; added that previous installation was performed incorrectly and that less than 50% will be replaced.

CM said he is not in favor of PVC, suggested replacements be wood. LD said typically the approval for PVC is reserved for ocean-side facades, and noted the quality of wood has improved. JD recommended window replacements eliminate the panel under the sash. Mr. Coleman said his home owner would approve this request. CM suggested shutters be better sized, to which Mr. Coleman mentioned might also be eliminated. CM related a picket fence.

LD made a motion to approve as presented and to add traditional sills where possible; Azek trim permitted on the Bay side; captured balusters and wood for all other trim. CM seconded the motion and it passed, 5-0-0; CM, JD, MM, AI, LD.

- iv) [288C Commercial St.](#) – To replace windows and doors.

John Culver and Peter Warnock presented. Mr. Warnock said they are now prepared to complete renovations from an HDC approval of 2017, and have recently received approval from Zoning to make the Mud Room part of the kitchen; original windows possibly from the 1940s, replacements to be Anderson 400 series.

JD asked per the transom windows, to which Mr. Culver said will give them a great view of the Pilgrim Monument.

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

- v) [139 Commercial St.](#) – To remove and replace second-floor deck trim, rails, and frame in kind, to remove windows and doors on a southeast elevation wall, repair the wall, and replace all in kind, and to replace siding where necessary.

Richard Cleary presented; said he went to the property to repair a leak and discovered a lot of rot; plan is to rebuild exactly as is, employing PVC. AH cited a violent water intrusion.

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

LD made a motion to consider the following for Full Review to be heard at a future meeting: [162 Commercial St.](#) – To replace a fence; [26 Standish St.](#) – To replace an old chain link fence with a cedar fence; [110 Commercial St.](#) – To install a fence; and [335 Commercial St.](#) – To install a removable awning/canopy. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

- vi) [8 Freeman St.](#) – To rebuild a deck and stairway in kind.

Hal Winard presented on behalf of the owners, the Dwyer family; requested to employ posts down from the front corners of the deck, which LD said would not be a problem.

JD asked if the two posts closest to the wall with brackets extending all the way down would work instead of the four posts, to which Mr. Winard cautioned against hollow sections to the building.

LD made a motion to approve as presented with the addition of two forward posts on the outside deck. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

- vii) [5-7 Point St., U1](#) – To replace existing windows in kind.

No one presented.

LD made a motion to continue the decision to a future meeting following the submission of appropriate photos of the building indicating the work to be performed. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

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

None fielded.

## 3. Full Hearings:

- a) [HDC 22-35](#)

Application by **Laurie Ferrari**, on behalf of **William M. Dillon et al.**, requesting to replace a window, and to replace trim and an historic sill with bodyguard on the structure located at **539 Commercial Street, U6**.

Laurie Ferrari presented; said a window had been installed before going to the HDC for approval; installation was interrupted after a notice was received; explained bodyguard as a wood product.

AH read a letter in support from the abutter at 541 Commercial St.

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

LD proposed to consider both applications at 357 Commercial Street together.

b) [HDC 22-36](#)

Application by **Laurie Ferrari**, on behalf of **Seaside Apartments Condominium**, requesting to remove and replace a block chimney with a metalbest chimney on the back building on the property located at **357 Commercial Street**.

c) [HDC 22-46](#)

Application by **Laurie Ferrari**, on behalf of **Seaside Apartments Condominium**, requesting to replace 2 skylights and to install a composite water table on the structure located at **357 Commercial Street**.

Laurie Ferrari presented; said the metalbest chimney replacement is about 2'-3 high through the rubber roof; skylight replacements are similar in size and style; plans to add a composite water table to the lower portion on the east and west sides in front of units as indicated.

AH read a letter in opposition from Paul Schofield, unit owner at 357 Commercial St., #9.

JD noted that condo association concerns are not the HDC'S purview.

LD made a motion to approve as presented. MM seconded the motion with a caveat that future discussion be had on this subject matter. The motion passed, 5-0-0; MM, JD, CM, AI, LD.

d) [HDC 22-49](#)

Application by **Laurie Ferrari**, on behalf of **McCabe Realty Trust**, requesting to add a round wood railing to a stairway that goes up to a roof deck on the structure located at **149A Commercial Street, UC3**.

Laurie Ferrari presented; said the application is to upgrade per Code with hand-rails, supported by 4x4 posts, pressure-treated, all wood.

No public comments or letters.

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

e) [HDC 21-242](#) (continued to the meeting of May 4<sup>th</sup>)

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**.

AH said no time-waive is needed at this time.

f) [HDC 22-11](#) (continued from the meeting of March 16<sup>th</sup>)

Application by **Brian Calhoun**, on behalf of **Rainbow Connection Realty, LLC**, requesting to replace balconies on the south facade and to reconstruct the west facade decks, balconies, and stairwell to include a lift so that the first floor becomes more accessible on the structure located at **174 Commercial Street**.

LD made a motion to continue the hearing at the meeting of June 1, 2022 at the applicant's request. MM seconded the motion and it passed, 4-0-0; MM, JD, AI, LD. CM, recused

g) [HDC 22-29](#) (continued from the meeting of March 16<sup>th</sup>)

Application by **Kurt Raber**, on behalf of the **Village at the Red Inn Condominium Association**, requesting to replace 8 existing doors with awning windows, to replace trim with PVC stock, to construct HVAC platforms on a roof, and to replace third-floor decking and existing iron pipe railings with a cable rail system on the structure located at **12 Commercial Street**.

LD tabled the hearing to end of the meeting.

*[Continued]*

Kurt Raber presented by remote; questioned if the railing system work lies within the purview of the HDC, based on the percentage of the features relative to the building work to be performed, and as well as the age of the elements.

LD related that Mr. Raber, despite his entreaty, is not exempt from the HDC in that the structure is within the Historic District with the rail system being a defining feature; read Mr. Raber's letter into the record.

AI asked per the pipe railing that has since been removed if this might have been restored, to which AH said could be potentially replaced to some degree but that she was not qualified to ascertain with confidence to what extent based on the elements at hand, noted painted steel pipe needs to be rigorously maintained. LD questioned if there was an alternative to render a good compromise such as something of a lighter weight. Mr. Raber replied that nothing on the market was a commercially viable option. AI said that a Google search of "curved pipe railing" brings up thousands of things; countered that there should be more effort put into finding acceptable alternative solutions to cable rail at the property.

Mr. Raber asked for examples of acceptable exemptions and why he and his client were not permitted to make use of these options; referenced properties of note in the Historic District with public visibility. LD said the burden rests with Mr. Raber to prove that all the alterations at the property would total 25% or less, which would win his case and that the HDC would confer with Town Consul, as well. TS cited a Certificate of Non-Applicability that can be applied as needed.

Susan Delmasian, owner and Association Trustee, presented; asked for the specifics on the calculations needed to reach a 25% alteration designation.

AI requested that the applicant give more respect to the HDC'S request to forego the application of cable railing as historically inappropriate in researching viable alternatives and to not simply return to the Board without newly explored options.

LD made a motion to continue the decision to the meeting of April 20, 2022. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

h) [HDC 22-37](#)

Application by **Don DiRocco**, on behalf of **ACDC Partners**, requesting to remove French doors on an east elevation, and add a door and window on a north elevation of the structure located at **7 Commercial St., U1**.

Don DiRocco of Hammer Architects presented; said the French doors would be replaced with shutters, windows to remain; second means of egress to be installed with a wood Simpson door to match all other Delft Haven complex unit doors; added window on the left-hand side; red cedar for trim; white cedar re-patched and woven in.

Rich O'Connor, cottage owner with Bay window, spoke by remote; questioned the window on the left hand side of the door; requested to maintain the architectural symmetry between cottages and to omit window that is determined to be turned into a door; stated that the elevation of the cottages has not been voted on by the Association. Mr. DiRocco said they were happy to do solid on the door in question.

CM said the street view is of concern and that adding the door and two windows is moving away from the historical imperative. Mr. DiRocco said it was not atypical having a door at a gable end and that doors have led from the bathrooms; noted the building as hailing from the 1920s and that due to flooding raises are inevitable.

AI asked if permission might be granted to move the door but to not add the additional window in creating a greater return to symmetry. JD said he consulted the Google Map of the lay-out and that asymmetry is already in effect.

AI clarified his suggestion as the gable with window to be removed, said he would be fine with the design when taking the symmetry question out of the plan. Mr. DiRocco related that the Condo Association has approved the design.

AH voiced concern that these alterations may affect the structure's contributing status to the Historic District which would remove levels of protection.

CM wondered if shutters on the door would help to keep the existing cadence. JD felt shutters on the windows but not the door would be correct. Discussion turned to the size of the quad-facing doors in contrast to the proposed second egress door. AH presented 3-0 as the mandatory size for a primary egress. Mr. DiRocco said he will check to determine if the main egress door at the property is a 36.

LD made a motion to continue the hearing to the meeting of April 20, 2022. CM seconded the motion and it passed, 4-0-0; CM, JD, AI, LD. MM, recused.

i) [HDC 22-53](#)

Application by **James Rifino** and **Harry Pihl** requesting to install a fence along Cottage Street and Bradford Street on the property located at **8 Bradford Street**.

Harry Pihl and James Rifino presented by remote; addressed submitted photos with sketches and scale-drawing of the fence and a taller gate proposed for the pergola. LD said 36" would be historically correct for the pergola gate, as in keeping with the fence.

JD questioned privacy conditions with the gate. LD requested a drawing with the specifics of the fence and pergola area as proposed.

CM complimented the applicant on all the great work that has been done with the structure in protecting the historical perspective of the property.

LD polled on the fence, found the Board in agreement; determined the work on the picket fence could proceed as proposed.

LD made a motion to continue the decision for the gate to the meeting of April 20, 2022. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

j) [HDC 22-56](#)

Application by **Leslie Packard** requesting to replace a garage door on the structure located at **286 Bradford Street**.

Leslie Packard presented; said she accidentally drove into the garage door.

No public comments or letters.

AH read the proposed building materials. AI, MM said they were fine with it.

LD made a motion to approve as presented and with a wood door if chosen. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

JD left the meeting at 6:05pm.

TS reported that remote meeting participation has been approved by the State through July 15, 2022, and that there is an ongoing review to consider extending the edict further per the Massachusetts Municipal Association.

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

LD made a motion to approve the HDC meeting minutes of March 2, 2022 and March 16, 2022. MM seconded the motion and it passed, 4-0-0; MM, CM, AI, LD.

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

MM assigned decisions to be written as follows:

LD: 4 Miller Hill, U8; 617 Commercial St.

AI: 14 Prince St., 538 Commercial St.

MM: 635 Commercial St.; 243-249 Commercial St.; 162 Commercial St.; 110 Commercial St. 26 Standish St.; 335 Commercial St.

#### Grant Opportunities

MM spoke of a grant opportunity of up to \$100,000 to purchase historic properties, to which LD referenced the old Town-owned Library building, and AH added is in need of repairs.

MM proposed a work session to address the HDC becoming a Certified Local Government which, she said, can open up the Town to many local and government grants; requested creative bios from the current sitting Board that address each member's specific qualifications relative to Town life, culture and business.

Work Session for grants discussion set for Wednesday, April 13, 2022 at 11:00AM to discuss Certified Local Government grants, available education seminars, and anything that shall properly come before the HDC.

#### Coastal Resiliency Advocacy Committee

AH said HDC has to assign a representative to the Coastal Resiliency Advocacy Committee (CRAC). LD related that Commissioner Schwartz has expressed an interest in this position.

LD made a motion to nominate Hersh Schwartz to the position of HDC Representative to the Coastal Resiliency Advocacy Committee. MM seconded the motion and it passed, 4-0-0; MM, CM, AI, LD.

#### Any Other Business

AH said she is seeking a determination if Kensington Garden, 15 Cottage St. can be seen from a public way; noted work is ongoing to repair rot at the property. LD offered to meet AH at the site tomorrow for inspection purposes.

LD reported that 32 Bradford St., across from Liz's Café, is planning to come before the HDC under *Any Other Business* for approval regarding relocation of a window on the building.

LD made a motion to adjourn the meeting at 6:30 pm. CM seconded the motion and it passed, 4-0-0; CM, MM, AI, LD.

Respectfully Submitted,  
Jody O'Neil

