



Historic District Commission

Minutes

The Provincetown Historic District Commission Public Meeting of Wednesday, April 20, 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.

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:8335797589) Phone Conference ID: 668 648 435#

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.; John Dowd (JD), Vice Chair, PGB Rep.; Chris Mathieson (CM), PAAM Rep.; Michela Murphy (MM), Alternate; Anthony Iannucci (AI), Alternate.

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

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

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

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 May 4, 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 April 6th) – To replace a rubber roof and 28 windows.

Milton presented.

CM expressed that as the building is highly visible he would be against the style of window as proposed, as did MM and JD. LD encouraged a window with better historical aesthetic features such as Anderson Renewal, Pella or Boston Sash and that a cut-sheet will be needed at the next meeting.

Milton said the owners had been in a hurry to complete the work and that the Harvey windows were pre-ordered prior to HDC approval, delivered after a twelve week wait. LD questioned if the owners might be able to utilize the ordered windows at the rear of the property or where there is not public visibility. CM said he would be hesitant to approve the Harvey units anywhere on the property without elevations and site views.

LD made a motion to continue the decision to the meeting of May 4, 2022. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

- ii) [5-7 Point St., U1](#) (continued from the meeting of April 6th) – To replace existing windows in kind.

Kathleen Yerkes presented by remote from photographs which were taken with closer views as requested by the HDC; indicated the two right windows and one side unit to be replaced. LD noted standard wood, Roscoe, true-divided lite.

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

- iii) [607 Commercial St., U3](#) – To build an enclosure over an elevator door and replace the trim around it, to replace existing mechanical doors with same-sized doors and remove and replace the shingles around them with trim board, and to enclose a propane tank and electrical and garbage receptacles.

Bill Woodward of Cape Associates presented by remote.

LD made a motion to consider the decision for a Full Review at the meeting of May 25, 2022. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

CM said it was hard to ascertain the work as planned based on a lack of elevation of the front façade. Mr. Woodward said work is also proposed along Commercial St. to mask a propane tank, garbage cans and electrical elements, and to match existing fencing. LD requested that all the necessary dimensions can be provided.

- iv) [164 Bradford St.](#) – To remove and replace a chimney in kind.

No one presented.

LD made a motion to approve as presented; replacement to be exactly in kind including mortar lines and bricks in the older vintage; removal of utility chimney not seen from a public way. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

- v) [14 Winslow St.](#) – To replace exterior trim in kind.
No one presented.
LD made a motion to approve as presented with the condition that all trim be wood.
MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.
- vi) [333 Commercial St., U1B](#) – To replace a roof with a retractable awning that is not visible from a public way.
No one presented.
MM said visibility was limited and that she didn't have an issue with it.
LD made a motion to approve as presented with the condition that wood be used, and not plastic. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

LD made a motion to consider the following as Full Review at a future meeting:

- vii) [11 Atlantic Ave.](#) – To replace an existing pool enclosure with a fence;
- viii) [14 Prince St.](#) – To add a 17' 6" dormer to the rear of the house to create more headroom;
- ix) [635 Commercial St.](#) – To install new composite decking;
- x) [243-249 Commercial St.](#) - To replace all existing storage sheds with new prefabricated sheds, a chain link fence, the east-facing stockade fence, temporary awning/tent for bar, light poles, and exterior doors on upstairs patios;
- xi) [4 Miller Hill Rd.](#) – To construct a two-floor addition;
- xii) [617 Commercial St.](#) – To replace decking and railings with Azek and stainless-steel cable rails.

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

CM said he would prefer to see elevations of the fencing at [11 Atlantic Ave.](#) which Alex Taratuta said he would supply.

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

Discussion of 3 Atkins Lane.

AH read a letter from Hal Winard of Winard Construction explaining how clapboards were employed both for historic reasons and because white cedar shingles are currently unavailable. LD recommended a site visit.

11 Bradford St. Fence

CM reported that a fence has gone up at the property which had not gone before the HDC, which AH confirmed. CM questioned if some new fence has actually replaced pre-existing.

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

None fielded.

4. Full Hearings:

- a. [HDC 21-242](#) (continued to the meeting of May 4th)
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 May 4, 2022. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.
- b. [HDC 22-11](#) (continued to the meeting of June 1st)
Application by **Brian Calhoon**, 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 decision to the meeting of June 1, 2022. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.
- c. [HDC 22-29](#) (continued from the meeting of April 6th)
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 made a motion to continue the hearing to the meeting of May 4, 2022 for review of materials uploaded as of today. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.
- d. [HDC 22-37](#) (continued from the meeting of April 6th)
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 presented, indicated the owners were on line; explained removal of the double French doors as the property needing a second means of egress, opening at 29", Chapter 91 license required to elevate the structure – a lengthy process.
AH said a 36" wide door is needed from 32" clearance as the primary point of egress with the second egress no less than 28", and that in this case, the second opening could not be a window and must be a door. AI suggested that the property raises at Delft Haven could result in an imbalance of the whole nature of the compound by the presence of a huge door on the Commercial Street side. Mr. DiRocco said the unit lifts, from what he understands, are not currently being considered for FEMA imperatives but as discretionary measures due to flooding; said the alley is about 40" and not feasible for a landing.
CM said that in considering the totality of the complex and the Town's outlay, he was opposed to the plan as it goes against HDC bylaw. AI proposed addressing the issue once the building is raised in the case that the plans will then make better sense.
Christopher Santo, co-owner of Unit 1 and also co-owner of Unit 17, sought clarification of the door solution; said he felt it highly unlikely that the other unit owners would wish to disrupt the symmetry of the Quad. LD added that there was not enough votes to pass the proposal, recommended a return to the Association for further discussion.
LD made a motion to continue the decision to the meeting of May 4, 2022. CM seconded the motion and it passed, 4-0-0; CM, JD, AI, LD. MM, recused.

e. [HDC 22-41](#)

Application by **Ed Lanoue**, on behalf of **Scott G. Sanders et vir.**, requesting to cover an existing spiked fence next to a courtyard, to extend an existing lattice fence and a spade-top fence to a pump house, and to add a 9' x 11' shed along an east lot line in the front of the property located at **522 Commercial Street, UA**.

LD prefaced the application of **HDC 22-41** by citing a need to delay deliberations until the HDC has been properly informed by Town Consul on matters relating to Condo Association rules and regulations when owners undertake renovations.

Austin O'Toole, attorney representing the applicants, called in; said the other owner has signed off on the project and referenced a document signed by Trustee, Joanne Livingstone on January 21, 2022 stating she would not contest the construction of the shed, and which was sent prior to new her letter of April 19, 2022.

MM said she was not comfortable making approvals where only one party of a condo association has signed off when the work concerns two or more owners. AI wondered if it might be possible to have Town Consul mandate proof of ownership and the Board in receipt of a signed letter of approval from the Trustees as a condition of approval.

JD countered that just because the Board approves work to be performed based on HDC bylaw does not mean that the applicant then has the legal right to perform the work if there are issues with other unit owners in the Association; that these processes need not be mutually dependent. AI replied to JD that his concern is in creating fractured work rather than the potential for lawsuits. LD re-stated her wish to have Town Consul weigh in.

Ed Lanoue of Bannon Custom Builder, representing Brad Lamme, presented; said he believed there was only one owner who had signed off on the work because it only affected the one unit, with the exception of the pump house; proceeded to detailed plans of the proposal; including a fir fence at 6' across the back, 'Skull Island' and 'Vineyard' fence sections plus the specs and location of the shed and pump-house; some Azek used along the deck ledger area with prime cedar employed elsewhere.

JD took to the touch-screen to make the case for one kind of fence.

Joanne Gafney-Livingstone spoke by remote; said she has not had time to review the current plans, although agreed they look better, but that she needs time to meet with Mr. Lamme to reach agreement; added that the Master Deed and Condo Trust dictate that a trustee does not have the right to build on their easement without consent of the other trustee; main concerns are that the well house is held in-tact, the shed not put up against the well house and that access is not restricted as a result of the proposed construction, including to the mechanicals.

MM said she felt the hearing should be postponed for two weeks in order for consultation to be brokered between the two owners, to which LD agreed, relating to Mr. Lanoue that they could not break up the application in terms of approval for the rear fence.

Mr. Lamme spoke by remote in stating that they had previously consulted with their neighboring owners and that the signed document that is in hand should serve as binding.

LD requested stakes on plans for the next hearing; suggested continuing the flat fence instead of the tops as proposed. JD noted the integrity of the fence designers, and suggested their input could be helpful in articulating the design flow at the next meeting.

Discussion followed on the backyard.

LD made a motion to continue the hearing to the meeting of May 4, 2022. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

f. [HDC 22-53](#) *(continued from the meeting of April 6th)*

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**.

No one presented. No new plans reported as submitted. No time waiver required.

LD made a motion to continue the decision to the meeting of May 4, 2022. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

g. [HDC 22-59](#)

Application by **Kathryn Olsen**, on behalf of the **BM Woodfin Irrevocable Trust**, requesting to replace a chain link fence with a cedar fence on the property located at **26 Standish Street**.

Kathryn Olsen presented; said they felt a white picket was more historically in keeping, shared photos of pickets previously in place at the property.

Rachel White gave some history about the property and the generations of family that have continued to support its historic integrity.

AH cited two letters in support from Tracy Katchnick-Anders, and Gordon Siegel and Vincent Bregila. The Board voiced its enthusiastic support of the plans.

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

h. [HDC 22-63](#)

Application by **John Fresenius** requesting to install a picket fence on the property located at **110 Commercial Street**.

No one presented.

CM noted carvings in the balustrades of the balcony, asked if other Board members would seek symmetry therein with the fence. LD noted no gate identified anywhere.

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

i. [HDC 22-68](#)

Application by **Ginny Binder**, on behalf of **Clipper Ventures Realty Trust, Sara Cole, Trustee**, requesting to add a removable awning/canopy over a seating area on a second-floor deck in the rear of the property located at **335 Commercial Street**.

Ginny Binder presented; cited visibility from a public way; offered other canopies in Town and elsewhere for comparison; material proposed as Tempotest Starlight FR, which she said is fire-proof; stated a preference for a blue striped shade; same pitch as the roof and no higher than the existing roof and to run the entire width of the rear building – not including the steps; will get specs from Dorchester, the manufacturer.

JD displayed two examples of design plans and post placements which Ms. Binder cited as accurate, but said there didn't seem to be a striped pattern option with Tempotest; 2x2, galvanized steel posts along the outer perimeter, per plan. TS advised Ms. Binder that she needed to get approval from Zoning as she is extending the set-back.

LD made a motion to continue the decision to the meeting of May 4, 2022 from drawn elevations. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

Review and approval of Minutes:

LD made a motion to approve the HDC meeting minutes of March 2, 2022, April 6, 2022 and April 13, 2022. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

5. Deliberations on Pending Decisions: VOTES MAY BE TAKEN

MM assigned decisions to be written as follows: CM, 11 Atlantic Ave., 4 Miller Hill Rd., 617 Commercial St.; AI: 538 Commercial St. MM to send JD a couple from next time. AI has completed 14 Prince St. 635 Commercial St., 249 Commercial St.

AH reviewed assignments as: LD: Bradford St., 286 Bradford St.; MM: 243-249 Commercial St., 635 Commercial St., 26 Standish St., 335 Commercial St.

LD read Recreation Director Brandon Motta's letter per the new public park at 387 Commercial St., the former Elena Hall property, seeking Certificate of Appropriateness; said he will plan to appear before the HDC in the future.

LD made a motion to adjourn the meeting at 5:57pm. MM seconded the motion and it passed, 5-0-0; MM, JD, CM, AI, LD.

Respectfully Submitted,
Jody O'Neil