

HISTORIC DISTRICT COMMISSION
PUBLIC MEETING
Caucus Hall, Town Hall
Provincetown MA

WEDNESDAY, JULY 11, 2018

Members Present: Thomas Biggert (TB), Chairman, Pilgrim Monument Rep; Marcene Marcoux (MM), Vice Chair, Chamber of Commerce Rep.; Ted Jones (TJ), PAAM Rep.; Hersh Schwartz (HS), Alternate; Michela Carew-Murphy (MCM), Alternate.

Excused Absence: Laurie Delmolino, Historical Commission Rep.; John Dowd, PBG Rep.

Others Present: Annie Howard, Building Commissioner.

TB called the meeting to order at 3:30pm.

1. Work Session: VOTES MAY BE TAKEN

Deliberations on Pending Decisions

Decisions by HS, read by HS:

- a) **HDC 18-236**, 8 Conwell St. TB made a motion to approve the decision of June 6, 2018. MCM seconded the motion and it passed, 5-0-0. TB, MCM, MM, TJ, HS.
- b) **HDC 18-268**, 214 Commercial St., #A. TB made a motion to approve the decision of June 6, 2018.

Discussion turned to the case of **HDC 18-243**, 143 Commercial St. pertaining to which decision of the application had been approved involving cable and wood railing. MCM said she felt the HDC needed to stand by its decisions. TB replied that the HDC would stand by the bylaws and also respect the applicant's request when there is an opportunity to apply a ruling with discretion. MCM argued that TJ, as with herself, approved the first decision of June 6th, but the modified conditions that were approved were not articulated on the decision they both signed.

MCM said she took issue with the applicants returning, unannounced, to a later business meeting with a rejection of the conditions the HDC had previously approved; said the remedy would be to return to the precise previously approved decision or else to have the applicant return to more clearly finalize the approval.

HS asked how the vote could be changed at this point in time. TJ said the HDC had made multiple compromises to the applicant and asked how the board can feel good about that when they've come down against another, recent request by claiming the need to enforce strict code.

MM referenced the situation wherein the Fine Arts Work Center had been asked to submit an application with plans in lieu of showing up unannounced to chat informally about a design or renovation. HS made a motion to require an application be formally submitted and placed on a meeting agenda before plans can be heard by the HDC. TB seconded the motion and it passed, 5-0-0. HS, TB, MM, TJ, MCM.

MM proposed that the changes the applicant put forth failed if the vote stands at 2-2 and cited the Mullin Rule would need to have been invoked in the second vote. HS noted the initial vote on the June 6th ruling was 4-0-0 and included LD, TJ, HS and MCM. HS said the second vote was 3-2. TB said the decision of HDC-268 would not be filed today.

MCM asked if HS can alter the written decision to include the conditions HDC voted on for approval which indicated a top, middle and bottom wood railing. MM said it would have to be noted that there was a request for an amendment to the application that was denied but said this could not be resolved today. TB said it would be determined if his vote on the second decision would stand, in lieu of invoking the Mullin Rule.

No vote was taken on **HDC 18-268**, 214 Commercial St., #A.

Decisions by TB, read by TB:

- a) **HDC 18-248**, 129 Commercial St. TB made a motion to approve the decision of May 16, 2018. MCM seconded the motion and it passed, 5-0-0. TB, MCM, MM, TJ, HS.
- b) **HDC 18-249**, 6 Atwood Ave. TB made a motion to approve the decision of June 20, 2018. HS seconded the motion and it passed, 5-0-0. TB, HS, MM, TJ, MCM.
- c) **HDC 18- 262**, 18 Pearl St. TB made a motion to approve the decision of June 20, 2018. MM seconded the motion and it passed, 4-0-0; TB, MM, TJ, MCM.
- d) **HDC 18-190**, 18 Priscilla Alden Rd. TB made a motion to approve the decision of March 21, 2018. MCM seconded the motion and it passed, 4-0-0. TB, MCM, MM, TJ.

MM said filed decisions needed to be added to the master list and copies of filed decisions should be filed appropriately and records maintained. MCM said she could keep track of filed decision copies as well as updating and maintaining the master list, suggested TB and MM get together to define the clerk's duties.

2. Review and approval of Minutes.

TB made a motion to approve the minutes of June 20, 2018 with changes. MCM seconded the motion and it passed, 4-0-0. TB, MCM, MM, TJ.

TB made a motion to adjourn the meeting at 2:52pm. MM seconded the motion and it passed, 4-0-0. TB, MM, TJ, MCM.

Respectfully Submitted,
Jody O'Neil