

**HISTORIC DISTRICT COMMISSION**  
PUBLIC MEETING  
Town Hall  
Provincetown MA

**WEDNESDAY, JULY 18, 2018**

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

Others Present: Annie Howard, Building Commissioner; Town Counsel, George Pucci.

TB called the meeting to order at 3:37pm.

**1. Work Session: VOTES MAY BE TAKEN**

**a) Update on potential violations reported to the Building Commissioner.**

Fence at Caskill Lane and Bradford Street, near Howland Street

Approved, 6' stockade fence is in place and looks strikingly new; lane is west of playground.

5 Cottage Street

AH said she noticed three sections against the wall and now two sections have gone up; that she would look into it.

11 Brewster Street

TB noted the lot is gone. AH said it went down on July 5, 2018 and the demolition was approved. MCM noted the application was for the artist's studio submitted on Jan. 11, 2018; **HDC 18-078**, decision written by MM.

Bangs Street lift

Lift for wheelchair is not to code, features captured balusters.

AH said there are a couple of odds and ends on her table which she is not prepared to address at this time.

**b) 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 Public Hearing agenda of August 1, 2018 and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.**

TB made a motion to consider the following as Full Reviews to be head at the HDC meeting of August 1st: viii) 280 Bradford St.; ix) 430 Commercial St.; x) 522 Commercial St.; xi) 259 Bradford St.; xii) 10 Whorf's Ct.; xiii) 8D Commercial St., UB; xiv) 20 Court St., #3; xv) 170 Commercial St.

MM seconded the motion and it passed, 5-0-0; TB, MM, LD, TJ, JD.

TB made a motion that the following cases would be considered as Administrative Review: i) 245 Bradford St., #1; ii) 245 Bradford St., #3; iii) 262A Bradford St.; iv) 4 Anthony St.; v) 539 Commercial St.; vi) 402 Commercial St.; vii) 280 Bradford St.

LD seconded the motion and it passed, 5-0-0. TB, LD, MM, TJ, JD.

- i) 245 Bradford St., #1 – To replace roofing shingles.  
HDC reviewed plans. No one presented.  
TB made a motion to approve as presented; MM seconded the motion and it passed, 5-0-0. TB, MM, LD, TJ, JD.
- ii) 245 Bradford St., #3 – To replace roofing shingles.  
HDC reviewed plans. No one presented.  
TB made a motion to approve as presented; LD seconded the motion and it passed, 5-0-0. TB, LD, MM, TJ, JD.
- iii) 262A Bradford St. – To replace a slider in kind.  
HDC reviewed plans. Laurie Ferrari presented.  
TB said the HDC liked to suggest a more historical replacement when occasions like this arise. Laurie Ferrari said that that the slider is at the back of the building.  
TB made a motion to approve as presented. LD seconded the motion and it passed, 5-0-0. TB, LD, MM, TJ, JD.
- v) 539 Commercial St., #5 – To replace 3 windows in kind.  
HDC reviewed plans. Maureen presented.  
MM suggested a higher elevation would be helpful for future submitted plans. Laurie Ferrari said she thought it was the second floor.  
TB noted Anderson 400 series, 1-over-1s, no grilles, made a motion to approve as presented. LD seconded the motion and it passed, 5-0-0. TB, LD, MM, TJ, JD.
- iv) 4 Anthony St. – To re-shingle.  
HDC reviewed plans. No one presented.  
TB said the only problem he saw was AZEC trim and that the back is fairly visible from Commercial St. Previous owner spoke from the audience, said that she thought that there are two units in question and that while it is the back side, it is not quite visible. TB said the fence and landscaping are the reasons it might not be visible.  
TB made a motion to approve with the condition that the trim not be AZEK. MM seconded the motion and it passed, 5-0-0. TB, MM, LD, TJ, JD.
- vi) 402 Commercial St. – To replace siding.  
HDC reviewed plans. No one presented.  
TB noted trim is to be wood with paint. JD asked if it would be clapboards or shingle all around.  
TB made a motion to approve with the condition that the materials to be used are in-kind, i.e., the clapboards are clapboards, same size; flush board is same in upper portion. LD seconded the motion and it passed, 5-0-0. TB, LD, MM, TJ, JD.

vii) 12A Pleasant St. – To replace a utility enclosure in-kind.  
HDC reviewed plans. TB clarified the request is the result of storm damage and affects the back.

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

**1. a) UPDATES CONTINUED:**

143 Commercial St.

TB confirmed that he was allowed to invoke the Mullin Rule and vote on the reconsideration of the railing, so the second decision stands at 3-2.

MCM said the conditions were misstated on the June 6<sup>th</sup> approval. AH passed around copies to determine an absent signature on the front house and verified signatures on the revised plans.

15 Atwood Ave.

AH passed around copies of the decision for signatures; LD, TJ, MCM, HS.

**c) Review and approval of Minutes:** TB elected to pass along the revised minutes of June 20<sup>th</sup> for Jody O’Neil, Recording Secretary.

TB made a motion to discuss and approve minutes and decisions at the end of the meeting. MM seconded the motion and it passed, 5-0-0. TB, MM, LD, TJ, JD.

**d) Any other business that shall properly come before the Commission:**

466 Commercial St.; Mary Heaton Vorse house

Deborah Paine presented on behalf of the owners; said some selective forensic demolition had been done on the interior to get a sense of the structure and framing, and that AH and Dave had also been out to the house recently; said that a new foundation is needed on the back of the house and what has become clear is that the first floor needs three walls re-built; second floor is reported in pristine condition, but kitchen sink has been draining into the house, creating a mess.

Deborah Paine also spoke of the front fireplace and chimney being kept as is in the rebuild, while one in the back, in the ‘L’, would become 6” wider and about 8” longer to accommodate the need for flues that are to code; said she’d like to seek the HDC’s approval for replacing the front door.

TB asked if there was anything worth saving at the back of the building. Deborah Paine said they would save anything they could to benefit the integrity of the building. JD said he had hoped that the expanded chimney would be in the old part of the house.

**3. Public Hearing: VOTES MAY BE TAKEN**

**b) HDC 18-107 (continued from the meeting of June 6<sup>th</sup>)**

Application by **KA Bazarian**, on behalf of **509 Commercial St., LLC**, requesting to raise a structure 9' to meet FEMA regulations, to remove and replace a deck and enclose the area beneath it on the south elevation and to construct a stairway for egress on the west elevation on the property located at **509 Commercial Street**.

Lester J. Murphy, Jr., attorney, Kevin Bazarian, and Maria Cirino, co-owner, presented.

Lester Murphy noted the application has been ongoing for nine months and that the building sitting in its unfinished condition for almost a year is starting to deteriorate; said the applicants never wanted to have to raise the structure but that no viable alternative exists for not raising building by 9' despite multiple plan revisions at the HDC's request; latest plans were filed last week including elimination of cupola, inserted third story window, two smaller windows on second floor now raised to be parallel to middle window, front door to be a legal, valid access with wrap-around porch – in an effort to recreate prior look of building; proposed building be pulled back 15' to lessen impact of raising structure and as advised by the Cape Cod Commission.

Maria Cirino said that every single change that exists on current plans is as directed by the HDC.

TB read a letter in opposition from Kristin Hein at 508 Commercial St., imploring the HDC to await its determination until the publication of the Town's comprehensive plan to address new guidelines for raised structures, to consider remarks from engineer Eric Cederholm's report who had not done an on-site evaluation, and a request to remove dormer for gable roof.

MM said it was helpful the applicant integrated the considerations offered by the Cape Cod Commission, that she is missing the bay window which is part of its commercial statement, but having the front door returned is significant; asked if a reduction in the balcony is possible and said she supports the move-back of 15'.

LD said she felt they were very close but that she would like the final piece of paper from the engineer's report who had been on-site even though she didn't doubt the foundation was falling apart. Kevin Bazarian corrected that both the architect and the engineer had been on-site.

LD noted the cantilever as submitted needs posts for historical integrity. Maria Cirino said they can't have posts due to need for parking underneath. LD suggested wooden posts be employed as to what is typically used for historic authenticity and said she is not in support of moving building back based on the precedent it would set.

HS said she agreed with MM that the push-back will help the structure not appear so looming.

TB said he agreed with LD that pilings should be placed under the house and that a deck cannot be cantilevered as presented, suggested matching posts; said the important thing is that the building remain a contributing structure, noted a mess of stairs; said he is in favor of moving the building back 15' but would hate to see a precedent set of parking under the structure. LD asked if a curb-cut could solve the underneath issue. Lester Murphy noted the 18' requirement for parking, which AH quoted is 8' by 18'. TJ added that parking space would be eliminated from the walk-way. MM was against moving the house back 18' – only 15' feet.

MCM asked after the bay window which is in all the historic books. LD replied that the bay window is not part of the original building. TB said the

HDC could weigh in on historical significance of the window independent of when it was added to the structure.

TB took a poll on moving the house back 15' which went as 3 in favor (TB, MM, HS) and one against (LD).

TB took a poll on pilings under the house instead of posts, which went as 4-0; TB, MM, LD, HS. LD added that revised plans needed to be reviewed.

TB took a poll on requesting the entry porch have two posts at a minimum to match the stair tower, which went as 4-0; TB, MM, LD, HS.

The HDC agreed it was not in favor of the cantilever.

TB made a motion to approve with the above conditions met. MM seconded the motion and it passed, 4-0-0. TB, MM, LD, HS.

Maria Cirino (sp) thanked the HDC for the work it does on behalf of the Town. AH clarified that final plans were forthcoming for the HDC's review.

c) **HDC 18-224** *(continued to the meeting of June 20<sup>th</sup>)*

Application by **Attorney Lester J. Murphy**, on behalf of the **Cape Cod Pilgrim Memorial Associations**, requesting to construct a funicular and make other site improvements, including adding an entryway, kiosk, funicular pavilion, tracks and a landing at the crest of a hill located between **Bradford Street** and **1 High Pole Hill Road**.

Lester J. Murphy, Jr.; Tom Swensson, Project Architect of Brown, Lindquist; Jay Norton of Coastal Engineering; and Dave Hawk of Hawk Design presented.

MM made a statement before excusing herself from the determination: that an historical preservation restriction must be part of the application and that exact and not aspirational or conceptual designs needed to be submitted by the Thursday prior to the meeting otherwise the application would be considered incomplete.

TB determined that LD, TJ, MCM and TB would be sitting on the case.

Lester Murphy said they were returning with information as previously requested by the HDC; read into the record a response from Mass Historical Commission to the applicant's project notification form that was filed on June 13<sup>th</sup> which determined that the proposed project is approved, noting that it will have no adverse effects on the Pilgrim Monument or Provincetown Historic District and that the Mass Historical District has approval over design plans before implementation.

Lester Murphy remarked that the letters submitted from the public are 120 in favor to 50 opposed and spoke of a viable, attractive proposal to better connect visitors to the landmark attraction; said that the Conservation Commission voted unanimously last night to approve the project.

Public Comments

Rachel White spoke, said she is a Monument member and always considered the Monument her own as she grew up in that neighborhood; gave historic perspective on the area in asking after the ownership of the strip of land that demarked the land containing the Monument. Lester Murphy said the Monument owns the land as determined by Land Court. Rachel White said she wanted to know who signed the deed and if the deed is up for public scrutiny; said she's been awaiting answers to these questions and has also asked why the Town was paying employees to maintain the grounds if it is

privately owned, to which the Town has not replied; said she cannot determine if she is for or against the funicular based on these points.

Jack Yandrisovitz read his letter, said he viewed the funicular simply as a mode of transportation, a way to get from A to B; compared the various existing modes of transportation including pedi-cabs and trolleys; said the project is overdue and necessary for safety reasons, as well.

Mary-Jo Avellar spoke, said she was an abutter on the corner of Winslow Street; cited the traffic that runs up and down the streets and that she is offended by this project; proposed an elevator or similar to run up the north side of the property; asked what the view would be like when the trees aren't leafed; said High Pole Hill already blocks a public way and that the Town has already given the Monument a lot of lee-way.

Stephen Borkowski spoke, said he was a strong opponent of the funicular which, he said, is not consistent with the historic townscape and has been the result of a lack of transparency and blatant lobbying; thanked the HDC for its service.

Bill Docker spoke in support of the funicular, said people need help to get up to the Monument and properly enjoy the historic nature of the Town with its panoramic view; commended the HDC for its long years of service.

Paul Teixeira spoke as an abutter at 116 Bradford St., the Birch House, said he was opposed to the project as he is a direct abutter and that he had submitted a two-page letter; mentioned eight trees that are to be removed for the project and said his aim was also to protect the existing landscape.

Dwayne Steel spoke against the funicular, highlighting the Town's distinctive look and cited the project as an eyesore that was not really needed; that while it is an intriguing project it would add to the blight of the landscape.

Dick Salmon spoke as a year-round voting resident who issued his and his partner's support of the funicular which would provide better access through increased visibility at no cost to the Town.

Shira Kavon spoke as a year-round resident of the Town and employee of the Museum in favor; referenced the funicular in Montmartre, France as proof the apparatus does not create blight to the landscape and that increased access will only enhance what is already in place.

Allen MacKinnon spoke in favor, said he was a member of the Public Landscape Committee, but that he was speaking as a private citizen; that the Monument is our Plymouth Rock and that new management has done a great deal for the community including involving Native Americans and the schools in addressing that history, working with the Provincetown 400 Movement in having 1500 Mayflower descendents expected in attendance in 2020.

John Krajovic spoke, referenced what he sent to the HDC a month ago; said he is a member of the Bas Relief Design Advisory Committee, the Public

Landscape Committee and an urban planner; said he opposed the location of the funicular – that High Pole Road is the place to put it and is dismayed that no one has spoken of the impact the project would have on the Bas Relief which the Town voted to renovate with funds of 800k; that the Bas Relief is the representation of the signing of the Compact which serves as the basis of the U.S. Constitution; cited potential danger at the intersection for cueing-up.

AH reported there were 23 opposed and 57 in favor from the documents she had in hand, some of which dated back to May 2018.

### HDC Deliberations

TB determined the plans at hand were from May 16<sup>th</sup>.

TJ said he appreciated the applicant taking the time to work with Mass Historical Commission and the letter presented; that many of those submitting letters had seemed to follow a form, which he found could be misleading; that the HDC needed to move forward in working with a design plan, but that he is disappointed with the current plans, made some suggestions for what he felt were more aesthetically and historically pleasing elements.

Tom Swensson spoke of the current design aspects from a functional perspective and as developed in response to public input.

MCM said she was a supporter of the Monument and that the Museum is wonderful but that her consideration is for the people who live in Town year-round and the impact of the funicular on their quality of life; that she could accept almost anything other than a funicular as she finds it too big for that space; that there should be an educational, historical element to the pavilion and that while she is not in favor of the project, if she is to be out-voted then she would like some design input.

HS asked if High Pole Hill was ever a consideration. Paul DeRuyter replied that the long-term financial viability of the Museum is also in play and that this is the reason the funicular is where it is, as planned – that visibly is key and that High Pole is a Town road. Lester Murphy added that the pavilion and ticket kiosk would then need to be on Alden St. or built into the hillside.

TJ said that nearly all the detractors asked why golf carts or similar could not be employed to serve the Monument for less money than the project would incur. Lester Murphy said that would add traffic and is not a part of their proposal.

HS added that she stands in favor of the project as presented, for now.

LD spoke, thanked the applicant for acquiring the letter from Mass Historical Commission; said the property in question is the most major historical site in town and that we needed to get it right; that while she was completely for the funicular and recognized the access potential, finds the pavilion roof structure detracts from the Bas Relief and questioned if the pavilion is needed at all; said she thought the entrance pillars looked about 5' wide and 7' tall, which Tom Swensson said were 3 and a half feet squared and 7' tall. LD said she favored landscaping as something inviting to blend in with the historical fabric that exists and that the kiosk looked enormous.

TB summarized that three of four sitting board members were in favor of the project but that they wanted to see a re-design. For his part, TB said he

found the current design appealing but not a gem and agreed with LD about the over-size aspect of the columns and objected to the 42" square columns and a 6' iron picket fence; reminded the HDC that it has no purview over landscaping; that the total count is four in favor and one against.

Lester Murphy asked if the pavilion re-design was still on the table, or did the HDC feel the need to eliminate it. MCM and TJ said they agreed with LD to remove the pavilion. Tom Swensson spoke in favor of the pavilion as a means of shelter from the sun and elements.

Paul DeRuyter took the mic and requested a more formal action on the funicular and that he thought the pavilion might be eliminated, but wanted to gather more input from the public and to work at the design from a financial concern. TJ responded to Paul DeRuyter by saying that the HDC would not be able to approve the funicular on the application without complete design plans.

Tom Puccio, Town Counsel spoke, said a vote could be taken to approve the project but that the HDC could not break down their vote in a piece-meal way; suggested a straw-poll could be helpful to the applicant. TB reminded the HDC that the applicant was spending a lot of money on designs and asked for a poll as to who was in favor of the funicular which came to 3 in favor (TB, LD, HS), 1 against (MCM) and 1 abstain as TJ said he could not vote.

Paul DeRuyter asked that the three who voted in favor of the funicular concept make a condition of approval be the removal of the roof of the pavilion. Discussion continued on the relevance of the pavilion. HS remarked that an overhead shelter is needed for visitors to the funicular. Tom Puccio took the mic and said any talk of how and when people would use the funicular lies outside the HDC's purview.

Tom Swensson asked that if the pavilion is eliminated and there is no building does the applicant come before the HDC. TB said no if everything is at ground level. MCM asked if the fence could be more part of the mechanicals. Jay Norton said it was not their intent to make the fence a focal point. John Krajovic took the mic to suggest the reduction of the fence and a lighter structure is a way to better integrate into a park-like setting; referenced the Chinese Pavilion at the Museum of Science.

TJ suggested a fountain could help mute the pedestrian traffic for the neighbors and MCM also opted for an open, light concept. LD requested photos of the funicular cars at the next meeting to which MCM asked if wood could be considered. Tom Swensson said wood required more maintenance and rot faster, but that there are examples which have a more historical look. MCM also asked after an audio playback to mollify the neighbors, which TB said is not in the HDC's purview.

Lester Murphy signed a time waiver extension to August 15, 2018. TB made a motion to accept a time waiver extension for the applicant. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, TJ, HS. TB made a motion to continue the decision to the meeting of August 15. LD seconded the motion and it passed, 5-0-0; TB, LD, TJ, HS, MCM.

TB called for a five-minute break.

**d) HDC 18-252 (request to withdraw to the meeting of June 20<sup>th</sup>)**

Application by **Holly Tarleton**, on behalf of **Michelle O'Connor-St. Pierre**, requesting to rebuild a front porch and deck above on the south elevation and to replace red cedar clapboards on the south and west elevations and a south fence in kind on the property located at **452 Commercial Street**.

No one presented.

TB asked where the project currently stands. AH said the applicant intended to exercise the Certificate of Appropriateness in its original form featuring turned columns, which TB said were never approved and that the drawings the HDC has been considering in its new application were square columns with recess panels.

AH said she received a phone call from the attorney representing the applicant which she had not yet returned and that she was surprised no one was present to represent.

TB made a motion to postpone the decision to the end of the meeting. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, TJ, HS.

e) **HDC 18-269** *(continued from the meeting of June 20<sup>th</sup>)*

Application by Olivier Jamin Chanegart requesting to extend an existing deck in the south elevation and to add a chimney on the east elevation of the structure located at **259-263 Commercial Street**.

No one presented.

TB noted there were no new drawings on hand. AH said the decision was continued to today's date but was never signed. MM said she had invoked the Mullin Rule on this case.

TB made a motion to postpone the decision until the end of the meeting. MCM seconded the motion and it passed, 6-0-0; TB, MCM, MM, LD, TJ, HS.

f) **HDC 18-279** *(re-noticed to the meeting of August 1<sup>st</sup>)*

Application by **Regina Binder**, on behalf of **199 Bradford St. LLC**, requesting to replace trim, siding and roofing materials, to add a covered porch and balcony on the south elevation, to reduce the size of window openings on the west elevation and to replace windows on the south and east elevations on the structure located at **199 Bradford Street**.

No one presented. TB noted the application was incomplete in that there no existing drawings. AH said she would send an e-mail to Regina Binder to clarify missing drawings.

g) **HDC 18-284**

Application by **Whalen Restoration Services**, on behalf of **Evelyn Simon**, requesting to replace windows on the structure located at **560 Commercial Street**.

Jason Cullity of Whalen Restoration presented.

AH said the HDC had given a partial approval based on window and opening changes. Jason Cullity asked if he could keep the storm windows in place with wood trim. TB said the applicant would need to stick to wood windows based on the bylaw.

JD asked if the HDC was only accepting wood window replacements. LD replied that if the windows are original then wood is maintained and MM said it was also based on visibility.

Jason Cullity asked about the transom addition for a newly proposed window with an opening that is 5'8" high by 7'6" wide. MCM said she

respected the bylaw but also understood where a compromise might be made based on the lack of visibility of the kitchen window.

Jason Cullity remarked that porch windows had already been approved for vinyl.

JD said he likes to look at the bigger picture and that the façade of the building in this case and the hidden window on the side add some leniency to the request. TJ said he had nothing to add. HS said she would want wood and that she didn't have a problem with the transom window. MCM said she, too, had no issue with the transom window.

TB made a motion to approve with the condition that the front windows be wood. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, TJ, HS

**h) HDC 18-289**

Application by **Peter MacDonald**, on behalf of **Robert Davis**, to construct a one-room detached accessory building on the property located at **348 Commercial Street**.

Ruben Valenzuela and Rob Davis presented; said they were trying to reduce the costs by using asphalt roof shingles, corner-boards instead of flared shingles and making south-facing windows smaller and changing the door from glass to plank.

MCM said she didn't have any problem with the changes. AH confirmed the property cannot be seen from either Commercial or Bradford Sts.

TB made a motion to approve as presented. LD seconded the motion and it passed, 4-1-0; TB, LD, MM, TJ in favor; JD, opposed.

**i) HDC 18-290**

Application by **Jonah Swain**, on behalf of **Wendy Cressey** and **Tara Conant**, requesting to install a new metal chimney on the structure located at **444 Commercial Street, U2**.

TB noted a request to postpone to the meeting of August 1<sup>st</sup>.

Philip Cozzi spoke, said he was the interior designer on the project and spoke of the chimney and stove elements. AH reviewed the design aspects and said the only potential issue might be the chimney height in terms of the gable end and ridge line – that the picture is misleading. Philip Cozzi said he understood the measurements to be correct but if not, would make amendments as requested by the HDC. No public comments or letters.

JD said he was for keeping the chimney as is – that putting wood on the element is inauthentic and not historic. MCM said she agreed.

LD asked if there was potential for the fireplace to come close to the ridge in the design. Philip Cozzi replied that this is an interior design and so it is where must be.

MM said the chimney is highly visible and would prefer to see it looking enclosed with brick. Philip Cozzi said brick veneer would prove very expensive, offered to paint the unit out, but AH countered that paint does not hold up and creates maintenance problems.

TB made a motion to approve as presented. LD seconded the motion and it passed, 3-2-0; TB, LD, JD in favor; MM, TJ opposed.

**k) HDC-299**

Application by **SV Design**, on behalf of **18 Commercial Street, LLC**, requesting to add a 93 sq. ft. first floor addition to the southwest elevation

and to expand a back entry deck and add stairs on the south elevation of the structure located at **18 Commercial Street**.

Paul Muldoon from SV Design presented; gave historic overview of property known as 'The Red House;' said addition will be away from Commercial St. and connect sockets on first floor level and gave specifics on materials to be employed..

No public comments or letters.

TB confirmed there are only two elevations in question. MCM said that she would support it and TJ concurred. JD asked about the fenestration on the French doors and if an adjustment might be made to keep them more aligned to others existing. Paul Muldoon said he was amenable to the suggestion and TB made a recommendation.

TJ asked how the HDC felt about the shutters, which LD said was not in their purview. TB said the word on shutters is they should be functional. LD asked if windows on new design could be made similar to the existing and feature two instead of three to keep the proportions. Paul Muldoon said the owners would hesitate based on their wishes for a modest addition and modifications.

MM read aloud the bylaw on shutters. MCM asked if the shutters could be folded-over to resemble the rest of the windows. AH clarified that the HDC was not requiring the applicant to install shutters.

TB made a motion to approve as presented with the condition that the rear French doors have adjusted panes and that if shutters are employed they be operational and close fully. LD interjected, stating the rear of the property with additions was not visible from a public way. TB restated the motion to approve as presented. JD seconded the motion and it passed, 5-0-0; TB, JD, MM, LD, TJ.

**j) HDC 18-292**

Application by **Bronwyn Malicoat** requesting to demolish a garage subsequent to a determination by the Historic District Commission that said demolition will not be detrimental to the historic, architectural or cultural heritage of the Town as set forth under General Bylaws Chapter 11, Section 11-1-5, Demolition Delay Permit, on the property located at **310 Bradford Street**.

No one presented.

AH said the only way to see the garage properly is to go onto the property as better photographs are not possible otherwise; that the garage is outside the historic district and is over 50 years old with grass growing through the roof and two trees threatening to fall onto it as determined through additional photos.

MCM remarked that if the HDC does not allow the demolition to proceed, the structure might fall down on its own.

TB made a motion to approve as presented. MM seconded the motion and it passed, 4-0-1; MM, LD, TJ, JD, approved; TB abstained.

**d) HDC 18-252 (continued)**

AH reported that she received a letter on June 19<sup>th</sup> requesting to withdraw the application for HDC 18-252 in lieu of the continuance of HDC 17-215; said they have a Certificate of Appropriateness and commissioned porch columns that were to be turned.

MCM said it was her impression that the second application was necessary because the porch wasn't properly improved. AH described the newly proposed turn posts and said the applicant has agreed to remove the plastic lattice; that the structure raise for parking beneath had not been addressed.

MM asked what would be the stance if the HDC voted to not accept the request to withdraw. AH said the Certificate of Appropriateness had not expired. LD said the HDC needed to be more specific in its deliberations and TB said better drawings were also needed in this case.

AH clarified that the 6x6 columns would be removed. MCM said she didn't feel comfortable voting until the precise specs of the turned columns are presented. AH said the new posts would not be the 14" rounds but that no sizes were given for posts in original approval.

TJ spoke as an abutter; said the abutters had paid for an engineer's study and were happy with the newly proposed 6" Victorian farm posts and that he has hired a lawyer to represent himself in this case; that the abutters wish the HDC to know that they feel the owners have not been accommodating to the abutters and cautioned that this sort of thing could happen again.

TB made a motion to approve the request for withdrawal. LD seconded the motion and it passed, 3-1-0; TB, LD, HS in favor; MCM, opposed.

**e) HDC 18-269 (continued)**

AH read from the motion on the case where it is stated that on June 6<sup>th</sup>, the chimney was approved and dimensions, heights and elevations were requested and a vote passed to move the decision to June 20<sup>th</sup> for deck and rail details. AH said she would contact the applicant to seek a time-waiver to be signed by e-mail or other means and that they were expected to be on hand for today's meeting.

Decisions to be written by TB: **HDC 18-290**; **HDC 18-299**.

Decision to be written by TJ: **HDC-292**; to use Martin Risteen's letter as a guide.

Decision to be written by MM: **HDC 18-107**.

Decisions to be written by JD: **HDC 18-284**; **HDC 18-289**.

**1. c) Review and approval of Minutes:**

TB made a motion to approve with changes the meeting minutes of June 6, 2018. MM seconded the motion and it passed, 4-0-0; TB, MM, TJ, MCM.

**d) Any other business that shall properly come before the Commission:**

TB made a motion to add HDC filed decisions to the Master File by Recording Secretary, Jody O'Neil. MM seconded the motion and it passed, 3-0-0; TB, MM, LD.

TB made a motion to adjourn the meeting at 7:57pm. LD seconded the motion and it passed, 7-0-0; TB, LD, MM, TJ, JD, HS, MCM.

Respectfully Submitted,  
Jody O'Neil