

HISTORIC DISTRICT COMMISSION
PUBLIC MEETING
Town Hall
Provincetown MA

WEDNESDAY, SEPTEMBER 5, 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 (AH), Building Commissioner.

TB called the meeting to order at 3:35pm.

1. Work Session: VOTES MAY BE TAKEN

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

Fence at 18 Cottage Street

AH said the assessor's record had the wrong mailing address so the documents were returned but have since been sent to the correct address.

206 Bradford St.

AH said this would be brought up during the agenda section involving 'Any other business.' MM asked why then and not during the Update to which AH said was based on the presence of the applicant who would like to approach the board at that time.

AH said other potential violations concern outside display signs, nothing really historic,

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 September 19, 2018 and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

TB made a motion to consider the following to be heard as Full Reviews:

vii) 51 Commercial St., Rear; ix) 8 W. Vine St.; x) 8 Cottage St.; xvi) 575 Commercial St.; xvii) 8-10 Atlantic Ave., UF; xviii) 7A Pointe St.; xix) 12 Winslow St., Bldg. #2.

MM seconded the motion and it passed, 5-0-0; TB, MM, TJ, HS, MCM.

TB made a motion that the following cases would be considered as Administrative Review:

i) 4 Mechanic St., UB; ii) 8 Conwell St.; iii) 198 Commercial St.; iv) 10 Law St., UB; v) 357 Commercial St., #12; vi) 4 Winslow St.; viii) 50 Commercial St. U3; xi) 6 Conant St., Cottage; xii) 519 Commercial St.; xiii) 193 Bradford St.; xiv) 24 Bangs St.; xv) 9 Washington St.

MM seconded the motion and it passed, 5-0-0; TB, MM, TJ, HS, MCM.

i) 4 Mechanic St., UB – To replace 7 windows in kind (*continued from 8/1*). Josh Piper of Cape Associates presented.

MM remarked the poor quality of some of the photos submitted and Josh Piper said he didn't have pictures of some of the windows due to access issues, said that they were aluminum track on the inside in response to TB's request to keep the originals.

MM said she'd like to see the front elevation windows remain wood. Josh Piper said the owner doesn't wish to go that way and couldn't make today's meeting; said he purchased the windows in February at last year's prices, requested they be allowed in this case, referenced bylaw 5 where vinyl clad is allowed.

TB said he was seeing white birch, but Josh Piper said they were Anderson 400 series vinyl clad.

MCM said she may be an abutter and doesn't have a problem with it.

TJ suggested the applicant had purchased the windows prior to reading the bylaw which takes the choice away from the HDC.

MM said she wanted the two in front to remain wood, but otherwise had no problem with it.

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

ii) 8 Conwell St. – To replace 17 windows (*continued from 8/22*). No one presented.

TB said he felt it wasn't clear what was being requested, if 2-over-2s were being replaced for what were 1-over-1s.

TJ said he felt the 2-over-2s should be replaced in kind. MCM agreed.

TB made a motion to accept with the condition that all double-hungs will be replaced with 2-over-2s. MCM seconded the motion and it passed, 5-0-0; TB, MCM, MM, TJ, HS.

iii) 198 Commercial St. – To replace a fence in kind.

George Goen presented, said their fence had to be taken down for construction on the abutter's property.

MM asked for exact dimensions. George Goen said he wasn't sure but addressed the photographs for better clarity.

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

iv) 10 Law St., UB – To replace a patio door in kind. No one presented.

MM said the request was highly ambiguous. TJ, HS and MCM said they were fine with it. TB noted minimal visibility.

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

- v) 357 Commercial St., #12 – To replace a patio door in kind.

No one presented.

TB noted high visibility, made a motion to approve as presented. TJ seconded the motion and it passed, 5-0-0; TB, TJ, MM, HS, MCM.

- vi) 4 Winslow St. – To replace 24 windows in kind.

Mike Cyzoski presented; said he was replacing historic sills, 6-over-6s, all wood, that were restored once ten years ago, that a firm had come out from Boston to do the work but they hadn't held up.

MM said her concern is that the windows are key in defining these structures in an historic district and that this is a major change,

HS asked if the front or east side elevation could be replaced with wood. Mike Cyzoski consulted with the board at the bench, confirmed vinyl clad was the request.

MM made a motion that all the windows on the front or east elevation be wood and vinyl permitted on all others. HS seconded the motion and it passed, 5-0-0; MM, HS, TB, MM, TJ, MCM.

- viii) 50 Commercial St., U3 – To place a window in kind.

AH mentioned that Andy Linderer apologized that he could not be present, said she believed the building in question was off to the left and minimally visible from the point of view of traffic flow.

TB noted black pine finish on the application. MM asked if it was wood, which TB said could not be determined from the tear-sheet.

MCM said it appeared they were replacing all three and MM questioned the elevation, felt more photos were necessary.

TB made a motion to continue the decision to the meeting of Sept. 19th awaiting more photos. MM seconded the motion and it passed 5-0-0; TB, MM, TJ, HS, MCM.

- xi) 6 Conant St., Cottage – To replace 8 windows in kind.

Bob Santos presented, said they wanted to replace the windows in the cottage with the same ones in the main house from 2015, 6-over-6s and 3-over-3s; said the replacements are what were approved at the main house at that time: interior wood, fiberglass sash, Fibrex frame and applied grilles

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

Tom Sandarey of Renewal by Anderson said their windows are a wood composite, historically accurate, with simulated glazing; gave his opinion on the materials used in reference to a few applications where the window or door replacements were in question. TB remarked that it was helpful to know the 200 and 400 Anderson series are vinyl clad.

xii) 519 Commercial St. – To install solar panels.

No one presented.

AH said the reason this application was before HDC is because the solar policy says no higher than 3" above the roof and the brackets themselves are 3 ¾" before the panels are set on them; noted the property is St. Mary of the Harbor.

MM said the Town's solar bylaws are in conflict with the Mass Historical laws.

TB noted they were all highly visible. MM said she'd like them to have symmetry. MCM said she thought they were trying to get the most panels into the design and that she felt other, varying panel configurations had been approved before.

TB made a motion to continue the decision to the meeting of Sept. 19. MM seconded the motion and it passed, 4-0-1: TB, MM, TJ, HS approve; MCM abstained.

xiii) 193 Bradford St. – To replace 25 windows and 2 doors in kind.

No one presented. Tom Sandarey said that the door is wood, windows composite.

TB made a motion to approve as presented. TJ seconded the motion and it passed, 4-0-1: TB, TJ, HS, MCM approve; MM abstained.

xiv) 24 Bangs St. – To re-shingle.

Howard Daniels, Board of Trustee, presented.

TB noted the trim would be replaced with wood and made a motion to approve as presented. MCM seconded the motion and it passed, 5-0-0; TB, MCM, MM, TJ, HS.

xv) 9 Washington St. – To re-shingle.

No one presented. AH confirmed it was clapboard for clapboard, said that there is a language barrier between staff and the applicant.

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

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

Fence at 206 Bradford St.

Tammy L. Arcuri, owner, presented, handed off a letter in support from the owners of the Inn at Cook Street; spoke of the fence as being beloved in the neighborhood, said she continued the back garden fence horizontal to the street so it's perpendicular to Bradford which, she said, can only be seen when driving into Town; said she was originally interested in doing two stone pillars but couldn't locate the correct materials.

TB said the design of the fence is not the issue, but rather the height. Tammy Arcuri said she wasn't aware of the 4' height restriction. TB replied that the current fence appears to be 5' and also poses a problem in that the bylaw states a privacy fence starts 10' past the front corner of the house.

MM referenced the Certificate of Appropriateness from Sept. 6, 2017 as an overriding issue wherein the exception was made to give it a more 1950s look but that it be 4', maintained in a pristine state, and 10' from the property.

Tammy Arcuri said her understanding was that because she made the fence to the left of the driveway that this was the area where the design came into play and cited a new, blinking red traffic light at the intersection of Bradford and Howland and a sign indicating “dangerous curve” as the basis for the fence height; also, that the neighbors’ trees will impact her property if the fence section should be cut down.

MCM said she is in favor of making an exception in this case, noting that exceptions are made by the HDC in other situations such as a 6’ stockade fence that was allowed to be replaced in the neighborhood.

TJ asked if she was aware of the 4’ height restriction to which Tammy Arcuri said not in that location, but that the lot does slope so there were modifications made. TJ said the zag on the west side with differing heights meeting in the corner needed to be corrected. Tammy Arcuri said she is asking to not make a cut but to modify on her side with landscaping.

MM noted that the HDC, unlike Zoning, does not give variances; said the design went up counter to specific bylaw approval and should not stand as is and that the fence is in violation of the Certificate of Appropriateness of Sept. 6, 2017 and the modifications required of the fence.

No public comments. Letters of support were filed from John Ohara at 204 Bradford St.; Kevin Shea and Judy Richland, owners of the Watermark Inn, Commercial St.; Irene Mitnick and Allison Baldwin, owners of Roux Provincetown Bed & Breakfast, Bradford St.; Paulette Emond at 207 Bradford St. and Serge Joyal at 206A Bradford St.

MM made a motion that the fence must be consistent with the Sept. 6, 2017 Certificate of Appropriateness and that the front fence be only 4’ and the side fence go back 10’ before elevating to starting a 6’ height. TB seconded the motion and it passed, 3-2-0: TB, MM, HS in favor; TJ, MCM opposed.

509 Commercial St.

Lester J. Murphy, Jr., attorney, Lyn Plummer, Maria Cirino and Kevin Bazarian presented.

Lester Murphy announced that the contingent was present today for informational purposes.

Maria Cirino reported that it has been determined after consultations with the engineer and AH that the building cannot both raise 9’ and move back 15’ due the decayed nature of the building and so they would need to take down the current structure and build the piling from new material.

Lyn Plummer said the first existing floor has hardly anything left to the walls, there, second floor joists are spongy and non-functional, what is all new on 2nd floor would have to be demolished and replaced.

Maria Cirino added that these conditions reflect at least 25k in new materials that are now being rendered unusable, replied to TJ that when she bought the building she was not aware the bottom sill was rotting.

TB clarified that today’s address was to alert the HDC that a demolition request was in the works, to which the applicants concurred. Maria Cirino assured the HDC that they intended to fully honor the approved application and Cape Cod Commission guideline regardless of what from the previous structure can be used in their rebuild.

Engineer Eric J. Cederholm's letter was submitted to back up the applicant's claims, recommending demolition of the existing structure in order to drive timber piles for the foundation in the new location.

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c) Review and approval of Minutes:

TB made a motion to postpone the review and approval of minutes to the end of the meeting. MM seconded the motion and it passed, 5-0-0; TB, MM, TJ, HS, MCM.

3. Public Hearing: VOTES MAY BE TAKEN

a) HDC 18-224 (continued to the meeting of September 19th)

b) HDC 18-279 (continued to the meeting of September 19th)

c) HDC 18-304 (continued from the meeting of August 1st)

Application by **John Livingstone & Joan Gaffney Livingstone**, requesting to modify east and west elevation windows and doors and to add a cable rail system to a second floor bathroom and a landing and stairs to an existing roof deck on the north elevation on the structure located at **522 Commercial Street**.

John Livingstone, Joan Gaffney and Steve Magliocco presented.

John Livingstone said goals of the project are to enhance the living and air flow to the back deck by removing the upper portion of an upper deck over the back deck through modification of an existing stair and adding windows; said neither areas of window change are visible from either Commercial or Bradford Sts.

TJ said he had conducted a site visit and appreciated the property, said he had no problem with what they were proposing with the exception of the cable railing that is visible from Commercial St. John Livingstone said their reason for the cable railing is that it reduces the visibility. TJ said cable railings are usually only permitted for the water-side. John Livingstone cited one that exists nearby.

MM said she has no problem with the proposal except the cable railing, noted the historical nature of the property. TB suggested in this case, based on the deck sitting up so high and in that they are offering to reduce the area, perhaps they might allow the cable railing but require captured balusters all the way down the stairs and the deck.

TB made a motion to approve with the condition that the railings be captured balusters with the exception of the top railing around the roof deck which is allowed to be cable railing. HS seconded the motion and it passed, 4-1-0: TB, HS, TJ, MCM in favor; MM opposed.

d) HDC 19-007 (request to postpone to the meeting of October 3rd)

TB made a motion to accept the time waiver for **170 Commercial St**. HS seconded the motion and it passed, 5-0-0; TB, HS, MM, TJ, MCM.

e) HDC 19-011

Application by **Peters Property Management**, on behalf of **Provincetown Condominium**, requesting to replace shingles, trim, glass panels, a door and

windows on the south and east elevations of the structure located at **577 Commercial Street**.

Laurie Ferrari presented; said there was ongoing leaking from the top that works its way down, three glass panel replacements will be Anderson custom-made water-tight units; requests Azec to make it water-tight; also requested three additional window replacements with Anderson 400 series and the door to be replaced in kind.

TJ asked of the building's age. Laurie Ferrari said she had no idea but that it had been referred to as Garbage Gable, maybe built in the 1970s.

No public comments or letters.

MM noted high visibility and said her problem was with the Azec and that it should be wood; all other changes are fine. Laurie Ferrari said the reason for Azec is that the location is 40' high and is difficult to paint. HS said she agreed with a vote for wood over Azec; TJ and MCM agreed.

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

f) **HDC 19-017**

Application by **Red Sails Condominium Association** requesting to remove a 1970s cinder block furnace flue on the east rear elevation and to restore the original façade and features on the structure located at **25 Bangs Street**.

Paul Wood, one of the owners, presented, said he wouldn't call it a chimney; that it was really a flue and they wished to eliminate the exhaust flue and replace it with a gas furnace and a structure that is clean, energy-efficient and to restore it to its historical nature and original streetscape.

AH referenced a letter from Matthew in support, which Paul Wood said was the same as what he had just presented.

MCM said she was alright with it and TB concurred, noting the structure was less than 50 years old.

MM stated her preference for maintaining the chimney which Paul Wood countered strongly was not a chimney. MCM said if it was a brick chimney she would agree with MM, but as it's not this is not one of the things from the 1970s she would vote to keep. HS said she'd like to see it stay, but is fine with it being removed, as well, since it is older than 50 years.

TB made a motion to accept as presented. MCM seconded the motion and it passed, 3-1-1: TB, MCM, TJ in favor; MM against; HS abstained.

g) **HDC 19-018**

Application by **PMR Realty, LLC**, requesting re-approval of a previously permitted project, **HDC 17-282**, that includes adding a dormer to unfinished attic space on the structure located at **212 Bradford Street**.

Michael McIntrye, co-owner of East End Market, presented; said they went five days beyond the expiration date, requesting to proceed at this time.

No comments or letters.

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

h) **HDC 19-020**

Application by **William N. Rogers, II**, on behalf of **Enco Realty, Inc.**, requesting to add two shed dormers, one on the southwest and one on the northeast elevation, and decks and stairs as primary egresses on the

northeast elevation and to replace existing windows and doors on the structure located at **32 Bradford Street, Bldg. #1**.

Lester J. Murphy Jr., attorney, **Leonard Enos** and **Gary Locke** presented.

Lester Murphy said approvals have run out and they are effectively starting from scratch and would go to Zoning after HDC.

Gary Locke said the goal is to have the three units share a common egress that meets code; that the interior is very old school and inadequate and they feel the new proposal will go along with other area renovated buildings; traditional pediment heads, historic sills, cedar shingles to be used.

No public comments.

TB read a letter opposed to the proposed scale from Philip Wilson of 34 Bradford St.

Gary Locke said the original deck was plainer and a bit more utilitarian; said by breaking it up and adding trim pieces to the posts according to recommendations originally made by Commissioner Dowd, they hoped it had been minimized.

MCM said she didn't have a problem with the stairs and is happy to see the building renovated.

TJ noted the change in the stairs on the side makes what is usually a secondary means of egress into one that is primary and doesn't look right, asked if the secondary stairs could be placed at the rear. Gary Locke responded that there isn't a lot of room in that area, cited a problem in evacuating people if necessary as there are three apartments in the building, one per floor.

HS remarked that the doors on the south elevation are different from the photos presented. Gary Locke replied that they are from 2012 and clarified the new door.

MM said she was glad to see these changes, but would like to see less mass and less focus on the stairway.

MCM said part of the reason she likes the stairs on the side is that they provide better access for renters in all seasons. Gary Locke said the stairs are being built to code in terms of widths for corridors and walk-ways.

AH referenced the stair carriage on Montello St. as very chunky and said these are types of stairs have become more common with non single-family homes.

Gary Locke said when painted white the stairs will disappear somewhat. AH said because the building will be sprinkled they can avoid the need to have two means of egress for each unit.

Leonard Enos said they'd put the stairs in the rear if they could, but it just creates many more issues, including set-backs.

TB said the dormers should be set back and show a little more of the roof line. Gary Locke said they were at their limit, which AH cautioned against as well. TJ and MM said they agreed with TB.

TB made a motion to approve with the condition that the face of the dormer be set back at least 9" and the railing on the stairs and discharge on the first floor south elevation be at one direction to the right. MM seconded the motion and it passed, 4-1-0: TB, MM, HS, MCM in favor; TJ against.

TB announced a five minute break.

i) **HDC 19-023**

Application by **Renewal by Anderson**, on behalf of **James Lucie & David Balardini**, requesting to replace 17 windows on the structure located at **8 Conwell Street**.

Tom Sandarey presented; discussed window configuration confusion.

TB made a motion to approve as presented with the condition that the replacements be 2-over-2s. MM seconded the motion and it passed, 5-0-0; TB, MM, TJ, HS, MCM.

j) **HDC 19-025**

Application by **Francis Sullivan Architect** on behalf of **Lucy B. Siegal**, requesting to add a 10' wide dormer to a south slope roof and to add a landing outside of a door on the south elevation of the structure located at **18 Pearl Street**.

Francis Sullivan and **Lucy Siegal** presented. Francis Sullivan said the project consisted of two items: building a dormer on the south slope and a landing and set of steps down to the grade by the side door.

No public comments or letters.

TJ, MCM and HS said they appreciated the design. TB said he had an issue with the face of the dormer aligning with the corner of the wall below, to which MM concurred.

Francis Sullivan said he felt they were making an improvement in that they'd be removing a skylight.

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

Discussion followed on the topic of previous window replacements.

k) **HDC 19-027**

Application by **Don DiRocco, of Hammer Architects**, on behalf of **Jay Anderson**, requesting to amend a previously approved project, HDC 17-107 & HDC 17-288, involving the renovation of a shack at **51 Commercial Street** for the slight re-design and re-location of that structure to the rear of the front structure on the property located at **53 Commercial Street**.

Lester J. Murphy, Jr, attorney, **Don RiRocco** and **Leif Hamnquist** presented.

Lester Murphy referenced the history of the application and said that after they had received design approval on the various structures, they were informed by the Environmental Protection Agency, Chapter 91, that they could not make changes as planned and the existing building would have to raise by 5' due to its presence in the FEMA flood zone; new request is to take the shack that was on the rear of the 51 Commercial St. building and put it on the 53 Commercial St. building.

Don DiRocco addressed the power point presentation to illustrate the new location of the shack and wood railings as the one new addition.

AH said the shack is currently being supported by two pieces of steel.

No public comments or letters.

TB sought clarification in what was approved and what is now being proposed. Don DiRocco explained how the structures had been rotated and TB matched up the elevations.

Don DiRocco said 53 Commercial St. front has to be 3' from the adjacent grade based on the new building code. AH informed the HDC and applicant of the new grade requirements. Lester Murphy said Mr. Anderson had incurred significant flooding in the January 4th storm.

TB made a motion to approve as presented. HS seconded the motion and it passed, 5-0-1: TB, HS, MM, TJ, in favor; MCM, abstained.

Lester Murphy said they would be back for approval in pulling back 51 Commercial St. away from the Harbor.

l) HDC 19-029

Application by **Tom Thompson**, on behalf of **Eric Ritter**, requesting to install a double-hung window in the rear of the structure located at **16 Standish Street**.

Tom Thompson presented; said the house had gone through an extensive renovation about ten years ago, noted Anderson windows.

No public comments or letters.

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

m) HDC 19-030

Application by **Tom Thompson**, on behalf of **347 Commercial, LLC**, requesting to construct new dormers, renovate a rear ell, construct a new deck and replace existing windows and doors on the structure located at **347 Commercial Street**.

Tom Thompson presented, confirmed that the HDC were all working with the correct elevations from August 25, 2018 and presented photographs taken at the Harbor showing the overall site; read a letter from the owners who could not be on hand due to a family situation, cited family heritage regarding the property and said renovations would begin this fall.

Tom Thompson reviewed elevations reading bylaw regulations into the public record, including the chapter on roof decks; said the need for the renovation is due to a new code restriction that required the removal of some previously designed windows; wants to rebuild the dormer on the west side with sloped roof and new windows; rear deck addresses portion of roof line; owners request new egress doors at the rear of gallery as there is no secondary egress at this time; considering taking the stairs down to west side and putting in a couple of skylights.

Robert Nee, representing the condo association at the rear of the property spoke, said they were glad the property was going to be renovated, but are concerned about privacy views as well as possible access issues and the location of gas tanks; said they had not seen current elevations.

Tom Thompson noted that there is a 6' stockade fence that separates the owners' property and that the small deck should have no impact on the condo residences and is 17' deep and 6' across and said there should be no hindrance to access to gas tanks.

TB remarked that gables in rear were originally off-set to the left and asked per the change in making it off-set to the right. Tom Thompson said the change would provide a little more living space upstairs and also keep

the roof continuous on one side; dormer on the west side would be about the same length.

The HDC reviewed each elevation in turn. TJ remarked on the large amount of work being done and TB asked how much material is being eliminated. Tom Thompson said a section of the rear ell would be removed but he otherwise didn't foresee a lot of removal being done and materials would be replaced in kind, including cedar shingles and Marvin windows. TB said he wasn't in favor of the Juliet balcony on the south elevation and that they are not historic, asked if windows could be employed instead. Tom Thompson indicated it was the owner's request, said a working deck had been an option but that the owners wished to respect the neighbors.

Robert Nee said the elevations were reassuring except for the large rear window on the ground floor which he said looked like it was to be used for retail purposes.

TB made a motion to accept with the condition that, if possible, the third floor sliding glass door be a hinged door with a window or a slider with grilles if necessary. MCM seconded the motion and it passed, 5-0-0; TB, MCM, MM, TJ, HS.

TB added that new plans were required to reflect the stair change at the rear on the first floor.

n) **HDC 031**

Application by **Dimitar Notev**, on behalf of **Jeremy Cohn & Mariko Kamid**, requesting to replace 6 panels and 1 door on the first floor and 17 windows and 1 door on the second floor of the structure at **5 Arch Street**.

Joshua Speight of Dimitar Notev presented and noted the owners were also present; said they would like to replace windows due to water damage and continue through the rest of the project; requesting Azec.

No public comments or letters.

The HDC clarified with the applicant the windows to be replaced; age of the building was noted to be from 1880 and Joshua Speight said the 1-over-1s would have added grilles.

TB made a motion to accept as presented with the condition that all the trim be wood. MM seconded the motion and it passed, 5-0-0; TB, MM, TJ, HS, MCM.

o) **HDC 19-032**

Application by **William N. Rogers, II**, on behalf of **Thomas Biggert & Christopher Pula**, requesting to add a 4' doghouse dormer to the west elevation, wood shutters and window boxes on the north elevation and a 4' semi-circular extension to, and a pergola above, an existing deck on the south elevation and to replace windows on the north and south elevations of the structure located at **473 Commercial Street**.

TB recused himself.

Gary Locke, of William Rogers, and **Chris Pula** presented, spoke of the new sun room as a way to spruce up the former house of Admiral MacMillan; said a cantilevered semi-circular window in the back will make the second floor spectacular; cited doghouse dormer on west side .

No public comments or letters.

HS said she liked the top window, suggested it was a reduction and appreciated the flower boxes and shutters. Gary Locke said they were keeping the Dutch door. MM said she questioned the dormer on such an historic building to which Gary Locke said was needed to give more room to the bathroom area and, as it's located almost at the back wall, won't be very visible at all.

TJ said he hoped the shutters would be functional to which Chris Pula said they would.

MCM said she also liked window boxes and shutters and doesn't have a problem with people adding dormers where they're needed to create space; said her only thing was eliminating what might be an original window, which Gary Locke remarked was probably added later and doesn't fit with the rest of the house.

Gary Locke described the changes to the south elevation and second floor including adding a transom window. Chris Pula said the windows on the top floor are old casement windows and replacements which, Gary Locke added, will be larger and more functional.

TJ said he found the plans highly stylized and ambitious and there was nothing like it on the waterfront. Gary Locke said the pergolas would be fir and anything exposed would not be pressure-treated.

MCM said she is fine with the pergola, that while there is a lot going on at the top, she appreciates the all-wood aspect; said her only thing involves the various numbers of panes of glass on each floor which seemed a bit busy.

MM said she would like, in part, for the design to be more simplified than it is in a major historic property. Gary Locke said that the CAD drawing might make it look more voluminously than it is. MCM asked after the east elevation 6-over-6s, which Gary Locke said are actually 2-over-1s, a drafting error

TJ asked about the east and west sides of the sunroom and a uniformed sill aspect, which Gary Locke said is a design feature.

MCM asked if it would be possible to get a rendering or 3-D representation. TB stepped in to correct that the window replacements would be 6-over-6s as they originally existed and the 2-over-1s will be employed in the rear; that only windows changing in the main house are the dining room windows and the railing would be wood and painted white; emollients in the back reflect the old windows..

MM made a motion to accept as presented with the condition that new drawings are submitted reflecting the correct fenestration as discussed. HS seconded the motion and it passed, 4-0-0; MM, HS, TJ, MCM.

p) HDC 19-034

Application by **Liz Carney**, on behalf of **Madelyn M. Carney**, requesting to reconstruct an existing multi-level deck and egress stairs at the property located at **411 Commercial Street**.

Tom Thompson, **Liz Carney** and **Grace Carney** presented, submitted photographs with views from the Harbor and streets and also of surrounding cable railing at other sites.

Tom Thompson said the picture window would be replaced with a combination of picture and casement window to allow for greater ventilation; a 10' slider will replace a casement window on the first floor

and is mostly not visible or else will mirror what is already existing; deck is extended over the first floor roof and the stairs at back altered.

No public comments or letters.

TB read a letter in support from Richard Foster of 409A Commercial Street, LLC, and a letter in support from Dr. Brian O'Malley of 410 Commercial Street.

TB said he felt it was a big improvement and will improve visibility from the beach, asked of the window material which Tom Thompson said would be aluminum clad Marvin's with traditional details but without grilles.

Liz Carney said the house was changed significantly in the 1960s and a change to the dormer was done by AJ Santos about 5 years ago and has 8 units of housing and some of the most affordable housing in town.

MM said she felt it was a lot of design and that the cable didn't add to the historical integrity of the house. Tom Thompson said the cable helps a large footprint deck appear less massive.

Liz Carney responded saying the cable rail is the most appropriate in its stream-lined, less cumbersome relationship to the existing structure.

TJ said he doesn't have a problem with the cable railing in this case.

Tom Thompson said these changes comport to the National multi-family building code and that keeping the cable rail is the best way to keep it transparent and keep the same height.

HS said that while she's not in favor of the cable, as it's on the waterside she's alright with it. MCM said she always votes for wood over cable.

TB made a motion to approve as presented. HS seconded the motion and it passed, 4-0-1: TB, HS, MM, TJ in favor; MCM abstained.

1. c) Review and approval of Minutes:

TB made a motion to approve with changes the meeting minutes of July 18, 2018. MCM seconded the motion and it passed, 4-0-0; TB, MCM, MM, TJ.

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

Informal discussion on the current situation at 509 Commercial St, to which MCM said it was her understanding from information gathered at the Historical Commission meeting that the HDC was within its rights to request money be put into escrow for the HDC to hire its own engineer to review the applicant's designs, which AH said was correct. TB questioned if it was still a contributing structure after all the changes to the property.

Decisions to be written by HS: HDC 19-018; HDC 19-029; HDC 18-304.

Decision to be written by TJ: HDC 19-020; HDC 19-017; HDC 19-031.

Decision to be written by MCM: HDC 19-023; HDC 19-011.

Decisions to be written by TB: HDC 19-025; HDC 19-027; HDC 19-034.

Decisions to be written by MM: HDC 19-030; HDC 19-032.

TB made a motion to adjourn the meeting at 7:51pm. MCM seconded the motion and it passed, 5-0-0; TB, MCM, MM, TJ, HS.

Respectfully Submitted,
Jody O'Neil