

HISTORIC DISTRICT COMMISSION
PUBLIC MEETING
Town Hall
Provincetown MA

WEDNESDAY, NOVEMBER 7, 2018

Members Present: Thomas Biggert (TB), Chairman, Pilgrim Monument Rep; Marcene Marcoux (MM), Vice Chair, Chamber of Commerce Rep.; Laurie Delmolino (LD), Historical Commission Rep.; John Dowd (JD), PBG Rep.; Michela Carew-Murphy (MCM), Alternate.

Excused Absence: Hersh Schwartz.

Others Present: Annie Howard (AH), Building Commissioner.

TB called the meeting to order at 3:40pm.

1. Work Session: VOTES MAY BE TAKEN

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

51 Commercial St.

MCM reported that she and LD had been by the property and said she questioned the raise. AH replied that the applicant had returned to request to raise another foot than had been initially approved following the Jan. 4th storm, referencing the approval of HDC 18-228 on May 16, 2018, 5-0-0; TB, LD, TJ, MCM, HS. MM said she remembered it as an additional one foot raise. MCM suggested applicants use more clarity in their requests, in general.

99 Commercial St.; 101 Commercial St.

AH said there was nothing new to report at 99 Commercial St. and that she would not be speaking on it at this time based on the period of litigation. MM said that, litigation notwithstanding, what 101 did on the front steps was not approved in the COA, that granite not wood had gone up and that this violation has been going on for two years; and as for 99, the gate and fence went up without coming before the board which is a violation also going on for two years.

Gate at 469 Commercial St.

TB referenced this as the property next to Angel Foods and AH said it's the Bryant property and that the owner has been in Maine; that they are doing a survey and meeting with the Matrix Corporation; described the tie line involved in establishing the determination of a violation which can go to six weeks; said the Town's Co-Compliance has spent the large part of three

years dedicated strictly to rental certifications. TB added that there is an issue of a curb cut there which is under the purview of the Board of Select.

Fence at 18 Cottage St.

MM noted this has been a violation for the past two or three months. AH said it will be on the next agenda and that Michael has been unavailable due to health issues.

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 Nov. 28, 2018, and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

MCM objected to the consideration of iv) 99 Commercial St as Administrative Review in stating that it is her residence and the condominium board has not consented to put forward the application request. It was agreed to place aside this decision for the interim.

TB made a motion to consider the following as Administrative Review:

i) 3 Baker Ave; ii) 21 Commercial St.; iii) 309 Commercial St.; v) 10 Commercial St., #9; vi) 8-10 Commercial St., UB; vii) 89 Commercial St.; viii) 430 Commercial St., #1; ix) 165 Commercial St., #3; x) 165 Commercial St., #4.

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

TB made a motion to consider the following as Full Review: xi) 260 Bradford St.; xii) 361 Commercial St., #C-U4.

AH asked why 260 Bradford couldn't be looked at as Administrative Review per the specifics of the application. TB made a motion to consider xi) 260 Bradford St. as Administrative Review. MCM seconded the motion and it passed, 5-0-0; TB, MCM, MM, LD, JD.

MM seconded the motion to consider xii) 361 Commercial St., C-U4 as Full Review and it passed, 5-0-0; TB, MM, LD, JD, MCM.

- i) 3 Baker Ave. – To replace 3 windows in kind.
Angela Russo presented; said there were seven windows to be replaced.
AH cited a typo on the agenda, that the request was correct on the application. Ms. Russo said they were Andersons and using Boral composite for the trim. Ms Russo said the shingles were Type A Select. TB asked how much trim was involved. Ms. Russo said it affected the corner boards; that the ones going up to the roof seem to be in pretty good shape, but they didn't know how much work was involved until they get into it.
JD said the rake boards need to be maintained as is, which Ms. Russo said she understood. MM said it was her sense that it had to be

wood. Ms. Russo said she had been directed to employ 2-over-1s, but preferred to keep as they've existed since 1949.

TB made a motion to approve with the condition that the trim be wood and either 1-over-1s, as existing, or 2-over-1s. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, JD, MCM.

- ii) 21 Commercial St. – To replace roofing shingles.

No one presented.

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

- iii) 309 Commercial St. – To replace windows in kind.

No one presented.

TB noted wood, 6-over-6s, 400-series composite and MM added they were highly visible. MCM mentioned that as the applicant isn't present the board doesn't know if the replacements have already been ordered.

MM made a motion to accept 6-over-6 or 2-over-1, wood exterior, but that the windows be Marvin wood ultimate double-hung or similar. TB seconded the motion and it passed, 5-0-0; MM, TB, LD, JD, MCM.

- iv) 99 Commercial St. – To repair window glass and replace roofing and siding shingles.

No one presented.

MCM said she thought that as this is a condo association property the board ought not make a determination without the authority of the condo association. TB and MM said they disagreed; that the HDC'S decision can operate independent of the condo board's approval. JD concurred.

MM said that the HDC has traditionally avoided conflicts of decisions that engage the condo board, but optioned that the HDC can add a note to the effect of the condo's approval pending. TB noted a piece of plywood at the back and questioned if it could be a full review. MM agreed and said it was ambiguous.

The board determined LD was not an abutter. MM said they needed more information. AH asked if the board requested the applicant's presence at the next meeting. JD noted the structure was so open to the elements and the winter weather could destroy it. AH said a Full Review takes it the last meeting in December.

TB made a motion to continue as Administrative Review to the meeting of Nov. 28th. 4-0-0. MM seconded and it passed, 4-0-1: TB, MM, LD, JD, in favor; MCM, abstain.

- v) 10 Commercial St., #9 – To replace two windows in kind and re-side as needed.

No one presented.

TB noted cedar shakes, Marvin 6-over-6, double hung, wood trim.

TB made a motion to consider the request as Full Review. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, JD, MCM.

- vi) 8-10 Atlantic Ave., UB – To replace roofing shingles.

No one presented.

TB made a motion to approve with the condition that all replacements be in wood. MCM seconded the motion and it passed, 5-0-0; TB, MCM, MM, LD, JD.

- vii) 89 Commercial St. – To replace three windows in kind.

No one presented.

MM noted red cedar.

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

- viii) 430 Commercial St., #1 – To re-side.

No one presented.

MCM noted that the application stated all red cedar, wood.

TB made a motion to approve as presented with the stipulation that all trim be wood. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, JD, MCM.

- ix) 165 Commercial St., #3 – To replace a slider in kind.

No one presented; the Sand Piper Guest House.

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

- x) 165 Commercial St., #4 – To replace three sliders in kind.

MM remarked that it was difficult to determine which was a slider.

TB made a motion to renew as requested. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, JD, MCM.

- xi) 260 Bradford St. – To replace a chimney, plus.

Mark Hatch presented; said the chimney is about ten years old and that he was previously aware of permitting required; said it was standard brick size and that it would be basically matched but with a different pattern from a different manufacturer, noted the pan flashing which AH said was the culprit of the whole thing.

Mr. Hatch spoke of the extension going to about 16” which the property manager, John Golden, thought the owner, George, would not approve of so the mason cut down about 4” and left the length alone. AH said the lead flashing would be visible but that was because the original was so short and woven in, the water was getting trapped; mentioned that grout color and width had also been discussed.

MM requested a photo after the work had been completed, which Mark Hatch said would be after Dec. 6th at the earliest as they are replacing stoves.

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

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

132 Bradford Street; CVS Property

Bryce Hillman, of BK Architects, presented; displayed model of steel window pane and framing, said they are requesting tempered, laminated impact glass

for storm safety with no special tint and that corrugated metal is another option. AH said 9th edition no longer put the Town in the high wind category and therefore the impact feature is not required; questioned when she issued the permit for the determination of whether impact glass is required, and then discovered it had been filed September 6th and so her point stood.

MM spoke of a procedural issue; that when the commission signed off on the application for CVS it was dependent that the windows had to be exactly in-kind and that this proposal is a variation on what was approved; that the replacements are not true divided lites and that a new application would be required or a consultation needed with the members who sat on the case, which she understood as TB, MM and HS.

Mr. Hillman said they were under construction and it was difficult to proceed without the window approval. MM said it wasn't protocol to have board members conduct a site visit and weigh in if they weren't sitting on the original decision for CVS.

LD said she felt the replacements look much heavier than what were there and TB agreed. JD suggested that if it came back as a Full Review with a new application other members could hear the case; others agreed.

TB mad a motion to bring back the application concerning the window adjustment for Full Review. LD seconded the motion and it passed, 5-0-0; TB, LD, MM, JD, MCM.

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

Historic Homes and Relief as defined by FEMA

MM spoke of a meeting that she, TB and AH had with Sarah Korjeff, Historic Preservation Specialist of the Cape Cod Commission, Shannon Jarbeau, CFM, and a floodplain coordinator, and Lisa Hassler, of Historic Homes of Cape Cod, for an updated determination on FEMA historic designation as it applies to the Town; said part of the difficulty has been that FEMA has four definitions of Historic Homes which apply without the inclusion of "or" written between each one, in turn; said what came from the meeting is that any one of the four conditions may apply for historic designation, and listed the stated conditions as 1), a listing in National Registry of Historic Places; 2) an individual listing; 3) residence in the Historic District and 4) a contributing structure; said that when one of the four conditions are met, the building is exempt from the 50% rule for substantial improvement regarding elevation in the flood zone and that this definition will affect some 1,300 contributing structures in the Historic District.

MM noted that if the major defining features of the structure are lost due to the re-construction or changes then the building loses its ability to be exempt; puts the onus on the Historic District to pay attention to the details in maintaining the buildings as contributing structures; suggested that this represents a radical change in making determinations, and that FEMA values historic homes and districts and the ways in protecting these historic properties do not necessarily involve raising the structure.

MM said there would be another meeting in December involving the parties mentioned which would be open to the public and include the full HDC.

Deborah Paine and Tom Thompson spoke from the public, requesting the public's attendance and requested it be properly advertised.

MM clarified for an audience member that a building that qualifies could find itself exempt and not be required for a raise as a result of reconstruction.

Kristin Heine, from the public, asked if the full height raise would be required if it is not exempt. MM said if it is exempt then the HDC can mandate how high the raise and that the clarification helps to explore other options outside of a raise for flood mitigation.

TB noted added pressure placed on the HDC in order that changes are not made which might remove structures as contributing. Mr. Thompson asked after buildings that are non-contributing. TB replied that the last survey was done in 1989 and that some 600-plus buildings could be up for review and their designation changed. LD added that if approved dormers and such had been added in compliance with the HDC guidelines then these properties are still technically contributing.

3. Public Hearing: VOTES MAY BE TAKEN

TB opened the Public Hearing at 4:47pm.

a) **18-279** *(continued from the meeting of Oct. 3rd)*

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**. **Angela McCarthy** presented; referenced new plans and her intention to gauge the temperature.

TB read a detailed letter in opposition from Bradley Walker at 6A Cook Street, #3.

JD, MCM and TB remarked on the high quality of the letter submitted by Mr. Walker and the points made therein.

MM asked why the applicant never came before the HDC regarding the raised elevation of the building and noted that the changes which have been implemented seem to have gone beyond the needs of repair.

Ms. Russo said she was planning on leaving the front façade as is and that the doors and windows are a separate issue with zoning; that those additions were with the intention of making the property a year-round rental; said the elevation was an emergency situation as there were no footings.

MM asked of the addition of an apartment in the basement, which Ms. McCarthy acknowledged was subject to approval. JD remarked that the new foundation seems to have been put down with window and door openings that had not been approved. MCM questioned if the work done and the work proposed will keep it a contributing structure.

Discussion continued on the north façade, of which Ms. McCarthy said they'd be keeping the same grade, but JD asked if the sunken area would wrap the whole façade and create a mote. Ms. McCarthy said that

the window well would be set back and addressed separately.

Ms. McCarthy maintained they'd be keeping the same grade and there would be no wrap-around.

AH said that what's in question is a 3 square foot well that goes trim-to-trim as any bedroom set below grade has to have an egress window and the window would be 3' forward.

TB said, in terms of the north elevation or front of the house, that he felt the dormers were too big and the roof should have more of a slope to it and side-walls come in away from the roof; said he agreed with the abutter that the form of the house is being destroyed with the dormers. Ms. McCarthy said it was creative space for her sister who is a performer.

JD said he agreed with the complaints of the letter-writer in that the new basement turns the structure into a four story, didn't see the need for extra fenestration in the attic.

MCM said the basement and added dormers made for a mass that she didn't feel was historically appropriate. MM agreed.

LD read the Mullin rule into the record for both 199 Bradford St and 122 Commercial St. and related that she had viewed the tape of the meeting she missed on Nov. 7th; said such a dormer as proposed is typically not allowed, referenced 34 Bradford St. at the corner of Conant St. as an example of an alternative design; said the original windows were of high quality and in good shape for the most part and that they would need to be replaced in kind, with wood.

East façade: LD said it would be better to try and achieve some balance with the window above, noted the rear facade as less important. MM said it looked overly complicated and needed to be historically accurate. TB agreed, said a more historically appropriate window would be a 2-over-1 and said he felt the third floor deck should be removed.

West façade: Consensus is that the plan should be simplified. TB again cited what he felt was a superfluous deck. JD said he felt the balcony over the bay is inappropriate historically, and suggested the stairway to be placed at the back of the building. Ms. McCarthy replied that this move would place her in violation regarding the set-backs, to which JD thought could then be better placed on the inside; said he didn't have any problem with the basement windows, due to plantings and the idea that they are not character-defining.

South façade. TB said this elevation needed to be simplified; that the two windows on the second floor are more pleasing than the four openings as shown. LD asked what was visible from the public way.

Ms. McCarthy requested permission to take down the chimney. TB said the interior could be removed, but the exterior would have to be replaced as is. Ms. McCarthy said she'd submit plans this week.

AH said there is a time constraint as July 21, 2018 was the first due-date for a decision.

TB made a motion to accept a time-waiver to Feb. 6, 2019. MCM seconded the motion and it passed, 5-0-0; TB, MCM, MM, LD, JD.

TB made a motion to continue the decision to the meeting of Feb. 6, 2019. LD seconded the motion and it passed, 5-0-0; TB, LD, MM, JD, MCM.

TB announced a five minute break at 5:25pm.

b) **HDC 19-007** *(continued from the meeting of September 5th)*

Application by **Peter Makrauer**, of **LDA Architecture & Interiors**, on behalf of **Thomas Tannariello**, requesting to add a second story residential unit, including extending the brick façade upward, to add an interior elevator, preserve a south portico and add a roof deck on the structure located at **170 Commercial Street**.

TB made a motion to accept the time-waiver. MCM seconded the motion and it passed, 5-0-0; TB, MCM, MM, LD, JD.

TB made a motion to accept the time-waiver to Dec. 19, 2018. MCM seconded the motion and it passed, 5-0-0; TB, MCM, MM, LD, JD.

c) **HDC 19-047** *(continued fro the meeting of Oct. 17th)*

Application by **Ted Smith, Architect, LLC**, on behalf of **Joshua Ronnebaum**, requesting to lift a structure pursuant to FEMA guidelines, install new windows, including skylights, and sliding doors, rebuild a front porch, add a dormer on the east elevation and infill a corner area on the north elevation of the structure located at **122 Commercial Street**. **Lester J. Murphy, Jr**, attorney, **Kaye McFadden**, contractor, **Ted Smith**, architect, **Joshua Ronnenbaum** presented.

TB read into the record the engineer's report from Coastal Engineering, mandating elevation of the building to 11' per FEMA 9th edition regs.

Ted Smith went through the changes in the new plans dated Oct. 23rd, said Joshua preferred the square over the round columns on the first floor, which are now at four inches; moved door to right hand side from the center and the stairs leading up to it; on second floor, said owners would like to maintain a door in the center and windows on the side; on east elevation, dormer close to the street, request to keep two existing skylights and move them onto the dormer, which would not be visible from a public way.

Lester Murphy asked if in light of MM's Monday meeting updates, these changes would then render the building a non-contributing structure, which the owners wish to maintain and also asked who makes the determination.

LD said the board needed to be cautious as it makes determinations.

Mr. Murphy noted a 3.3' rise in building height per FEMA, but they propose a 9' plus 1' for a 10' raise, which would reduce the raise by a foot; noted the location of the structure as across from the Coast Guard could make it susceptible to potential flooding; asked if a zoning violation would be triggered.

MM responded by noting that this property would be exempt as a contributing structure meeting the FEMA requirements and said that a question of status could go to the Mass Historical but that a determination could take a month. TB said Town Planner, Jeffery Robeiro, could also be consulted on the issue of contributing designation, initially.

Mr. Murphy spoke about raising buildings in order to preserve them in spite of the costs and historical imperatives involved. MM said there are other ways to preserve the buildings that may not involve elevation increases and that these need to be explored for flood mitigation.

No public comments or letters.

HDC Deliberations

JD said he felt the changes are bringing the building more in line with the historical guidelines; proposed to keep the door where it has been placed, but to modify the design as a single door without the elaborate sidelights and add detailing for a correct Greek Revival manner; said he appreciated the removal of the fake Victorian turn columns as a return to the correct vocabulary of the structure; suggested double doors on the second floor is giving undue hierarchy and taking away the dominance of the first floor door; advised a single door and enlarged windows.

Mr. Ronnenbaum said he was amenable to that but didn't want to lose light.

LD agreed with JD's recommendation. MM agreed, as well; said her one issue is the question of the elevation now that it is not required, asked to consider other measures under the FEMA guidelines to safeguard against flooding. LD cautioned against the look of massing that results after a raise is incorporated.

Mr. Smith referenced that they are 2' below the flood elevation before the raise and Mr. Murphy asked about set-back variance potential as it's not a very wide lot.

TB said he felt a 2' raise is quite reasonable, said he'd prefer a door and a window on the south elevation back porch to mimic a photo he held forth, which LD said she felt was classic; said per the east elevation, the doghouse dormer to the rear is a character-defining feature, requested a simplification regarding the two-way stairs.

Ms. McFadden noted it is a three family house converted to a two-family house.

LD said she was concerned with the amount of dormers on the east side. JD said the dormer will make the house look much more roof-heavy, asked if the owner can live without the front dormer, provide a shed dormer in the back. Mr. Ronnenbaum said it would significantly change how the house functions in that they'd like to facilitate stays by lots of family and friends; said he'd have to bring his husband into the conversation before agreeing to any major changes. LD suggested visualizing a reduction, said dormers are not permitted to run to the ridge.

MCM said she'd like to see the railing removed. Mr. Ronnenbaum said they want to make sure the building can be maintained for the next 160 years in good condition in taking the long view. MCM spoke about applicants who vie for a raise even when it isn't necessary and Mr. Murphy asked if they could be blamed for wanting to protect their homes.

TB suggested the second floor elevations and the front dormer are the target areas.

JD elected to make a motion which the commission debated if, as such, it was appropriate based on the status of the submitted plans. JD

then made a motion to accept as presented with the condition that the French doors be changed to a single door as shown in a variation; east elevation be approved as presented with the right front dormer cut back one foot from each side and front door trim replicate what is presented on the photograph in hand.

MCM said she would want to see the plans before casting a vote. MM concurred.

JD withdrew his motions as it was determined it would not pass.

TB made a motion to accept the time-waiver. MCM seconded the motion and it passed, 5-0-0; TB, MCM, MM, LD, JD.

TB made a motion to continue the decision to the meeting of Nov. 28, 2018. LD seconded the motion and it passed, 5-0-0; TB, LD, MM, JD, MCM.

d) **HDC 19-059** *(continued from the meeting of October 17th)*

Application by **509 Commercial St., LLC**, requesting to demolish an existing building and build a new structure using plans previously approved in **HDC 18-107** at the property located at **509 Commercial Street**.

Lester J. Murphy, Jr., attorney, presented were requesting to withdraw the request to demolish in order to rebuild as per plans submitted.

MM spoke against the request noting that the recent clarity regarding FEMA's determinations for historic properties in the flood zone meant that this structure did not need to be moved back 15' or raised 9' and that it was, in fact, exempt as a contributing structure.

Mr. Murphy said the owners were intending to proceed with the set back and the raise as previously approved by the HDC.

TB suggested it might be a good thing to grant the withdrawal request, but MM cautioned against approving the withdrawal request and MCM questioned why the applicant would seek to continue with the raise if it had now been determined by the Cape Cod Commission and FEMA that it need not be elevated and which the applicant has previously stated, repeatedly, that it never wanted to do in the first place.

Mr. Murphy stated that the new information required time to interpret how it would affect the property and that all he was seeking today was approval to withdraw the demolition request; added that any new application going forward would not serve to invalidate a previous one which had been approved.

MM advised delaying any action today until more information was available.

AH confirmed that the building does not have to be elevated as it would retain its contributing status as the application was started during the 8th edition which is based on the base-flood not the design-flood elevation; said flood insurance would be affected by the new work done.

Philip Cozzi spoke out as an abutter citing the property as a hazard and a disgrace which is not closed to the weather and a front yard full of weeds, where no action has been made to clean it up and make it safe.

Krisitn Heine, designer, and co-abutter with Mr. Cozzi, read a statement wherein she highly recommend HDC appoint an outside engineer to make an honest assessment on the features of the property,

that she found it outrageous that a previous determination that the current structure could not be moved back in its current state to accommodate a 15' recess and 9' elevation raise was now found to be suitable as such; took issue with the applicant's initial claim that it was the faulty foundation alone that had triggered FEMA and also cited FEMA rule p-467-2 regarding historic structures substantially damaged or when improvements are proposed; concluded with two recommendations: 1., Make the structures more flood resistant with a minor raise and 2., Allow FEMA to exclude historic structures from the definition of substantial improvement.

MM made a motion to continue to the meeting of November 28, 2018. TB seconded the motion and it passed, 5-0-0; MM, TB, LD, JD, MCM.

AH said that a time-waiver may be in order and that the FEMA rule Ms. Heine referenced, 476-2, would prompt a Town vote if the HDC wished to pursue that end.

TB made a motion to accept the time-waiver. LD seconded the motion and it passed, 5-0-0; TB, LD, MM, JD, MCM.

e) **HDC 19-068**

Application by **Deborah Paine, Inc.** on behalf of Kenneth Fulk, requesting to re-side and replace a door on an east elevation, widen a door and replace first floor walls on a north elevation, replace sills as needed, repair and replace wood windows and rebuild two chimneys on the structure located at **466 Commercial Street**.

TB recused himself from the decision.

Deborah Paine presented; noted standard Provincetown doors, addressed the end of the building at the back, requesting removing and replacing three exterior walls due to rotting and mushed sills; said second floor is supported by temporary footings; mentioned they would probably be returning for approval on more foundation repair or replacement work.

No public comments or letters.

MM made a motion to approve as presented. JD seconded the motion and it passed, 4-0-0; MM, JD, LD, MCM.

f) **HDC 19-073**

Application by A. J. Santos on behalf of **West End Racing Club**, requesting to add a dormer on the east elevation of the structure at **83 Commercial Street**.

A. J. Santos presented; said name of organization had changed to the West End Racing Children's Community Sailing and are a 501(c)3 that serves about 157 children in program at \$100 per head; said they needed the interior stairs.

No public comments or letters.

MCM said she has spent a great deal of time at the Club and would enthusiastically approve as presented. LD said it was a small dormer by HDC standards, but requested that it come down off the ridge line which Mr. Santos said would be fine. MM said she has no problem as presented but would accept LD's proposal. JD agreed.

TB mad a motion to approve with the condition that the dormer stop before the ridge line by 9". MM seconded the motion and it passed, 5-0-0; TB, MM, LD, JD, MCM.

MM left the meeting at 7:00pm.

g) HDC 19-076

Application by **Deborah Paine**, on behalf of **Terrence Meck**, requesting to raise a structure 18"; add dormers on the northeast and southwest elevations; add two new wood decks with stairs on the southeast and, along with a pergola structure, on the northwest elevation; relocate a door, adding a door hood and stairs, and a mechanical access door on the northeast elevation; replace, add and relocate existing wood windows; replace an existing asphalt shingle roof; reconstruct a chimney and replace a white picket fence on the property located at **72A Commercial Street**.

Deborah Paine and **Jeffrey Povero**, of Povero & Co., presented.

Mr. Povero discussed the application in three sections; raising the house due to flood damage; removing all the systems under the house that experience continual flooding; raise will be shaved in brick, interspersed in lattice panels for water flow to minimize water damage; utilizing antique brick; said the structure will now require more steps to get into the building, which AH said required 30"; said windows and doors were to be replaced and that the doors are not original but fiberglass from perhaps Home Depot, that they were unsure what had historically been in place; windows are single pane wood to be replaced with a product called Ultimate that have thinner profiles of the muntins and better simulate historical elements; house has baseboard heaters which they hope to strengthen for heating purposes; said one major change on the ground floor is a window raise to add a counter; said they were adding a continuous dormer set back 4' from the front gable and a small dormer in the northeast set back – both of equal roof pitch and equal size windows on the dormer side; said they were shed dormers as they were going for the simplest thing possible; noted new window on the rear that would be 4-light with panes of the same proportions as the others, that the door on Erickson is to be moved two feet and that the door hood is for protection from the elements.

Ms. Paine said the dormer on the east side is part of the stairway system and a nice way to preserve the old building.

No public comments.

TB read a form letter in support of the application, submitted by five separate abutters, including John Winterle of 77 Commercial; Patrick Wilson and Stephen Walker of 79 Commercial; Robert McCarnant of 72 Commercial; Cynthia Martin of 77A Commercial; and Joseph Todaro of 70 Commercial St.

MCM said she would approve as presented including the raise based on the property's close proximity to the water and it's angle into the sand line; said she appreciated the size of the dormers as proposed but that her only issue might be the barn door on the dormer not being historically accurate, yet could go along with the board if approved.

JD said he would approve as presented. LD said she felt it was very sensitively done; remarked that the top of the dormer should be shy of the dormer by the bylaws and TB concurred, but noted the small size of the structure.

AH sought clarification on the window brand, which Mr. Povero said was actually a wood cladding exterior. LD said the HDC had been approving a wood-clad double glazed for original window replacements that hold up to water, might be triple-primed. Ms. Paine added that she thought none of the windows are original in the house.

TB made a motion to approve with the condition that the exterior windows be wood. MCM seconded the motion and it passed, 4-0-0; TB, MCM, LD, JD.

h) HDC 19-077

Application by Tom Thompson, on behalf of **Martin Kessler**, requesting to increase wall height, rebuild a shed roof on a rear ell and replace two doors and three awning windows on the structure located at **42 Commercial Street**.

Tom Thompson presented; said changes are simple in a request to increase minimally and with a better slope for water deflection; referred to photographs, said the height goes from approximately 9' grade to 11' grade and that the doors would be Simpson wood doors.

No public comments or letters.

TB said it was very straightforward and MCM and JD said they were very happy with the plan.

TB made a motion to approve as presented; MCM seconded the motion and it passed, 4-0-0; TB, MCM, LD, JD.

i) HDC 19-079

Application by **David McMahon**, on behalf of **Marianne Colacray**, requesting to replace a small portion of a structure with a new, slightly larger addition and add a new foundation at the property located at **12 Franklin Street, #1**.

Marianne Colacray, owner, and **David McMahon** presented.

Mr. McMahon said they are requesting to slightly raise the structure, which is about 20' in length and to which they want to add 4', and that there would be no dormers in the re-vamp; said Ms. Colacray is taking care of her parents which required handicap access; referenced a location of new windows; on west elevation, stairway to be angled about 9" for egress to conform to the applicant's property line.

JD said he felt it was more important that buildings at 90 degree angles be squared rather than angled-off and the commission agreed.

No public comments.

Ms. Colacray said they have 13 letters in support which had been turned in to the staff last Friday or Saturday.

MCM said she'd be happy with the squared-off egress stairs. TB suggested the French doors on the east elevation, and – JD added, also on the west elevation – be exchanged for a door and window.

TB made a motion to approve as presented with the condition that on the east and west elevations the French double doors be replaced with a single door and a window and the new ell be squared off to align with the existing structure. MCM seconded the motion and it passed, 4-0-0; TB, MCM, LD, JD.

AH and the HDC discussed the time-frame for scheduling reviews going forward and

JON requested the commission's corrections for the Oct. 3rd and Oct. 17th minutes.

TB made a motion to adjourn the meeting at 7:49pm. MCM seconded the motion and it passed, 4-0-0; TB, MCM, LD, JD.

Respectfully Submitted,
Jody O'Neil