



# HISTORIC DISTRICT COMMISSION

**November 2, 2011**

**Judge Welsh Hearing Room**

**3:30 p.m.**

**Members Present:** Polly Burnell, John Dowd,  
and David McGlothlin (left @5:10)

**Alternate Present:** Lynne Corbett

**Members Absent:** Marcene Marcoux and Carol Neal.

**Alternate Absent:** Stephen Borkowski

**Staff:** Russ Braun, David Gardner, & Maxine Notaro

The meeting was called to order at 3:30 p.m.

## **Work Session 3:30 p.m.**

### **●Public Statements**

There were none.

### **●Administrative Reviews**

**6 Webster Street** – fence was approved and doesn't need a bldg permit.

**359 Commercial Street** – approved.

**26 Tremont St.** – replace windows – 400 series – approved.

**536 Commercial Street** – replace railings – approved.

### **●Review and approve previous minutes**

Not addressed.

### **●Any other business that shall properly come before the board**

There wasn't any.

## **Public Hearing 3:33 p.m.**

**Case# FY12-06 (Review and approve revised plans)**

**Application by Robert Valois on behalf of Enco Realty Trust** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval for the demolition and reconstruction of an existing structure within the same footprint; raise the ridge 9' 0"; add dormers and replace windows and doors and add a new front porch at the property located at **32 Bradford Street, Provincetown, MA.**

The demolition had been allowed and the revised plan presented sans dormers.

**Motion: Move to accept the proposed plan as amended dated 10.10.11**

**Motion: Lynne Corbett      Seconded: David McGlothlin      Vote: 3-0-0**

Lennie Enos, the owner of 32 Bradford Street, said that he wished to address the HDC on their decision making. He, once again, cited Mary Spaghetti's shack which was demolished and the owner was then allowed to put up a two-story building in its place right next to a large main house. His point was that he can live with what the HDC's mandated but - how can something that's about 150 yards away be approved just because the board members have likes & dislikes?

Polly Burnell said that she had thought about this and she'll find the guideline which refers to the case.

The conversation went on for awhile with explanations from the HDC and comments from Mr. Enos.

In conclusion John Dowd said that – from what he hears – we only allow 1 story buildings to become 1½ story only.

**Russell Braun's Information:**

The Building Inspector said that the town has signed a contract to renovate the VMES and the old library. Polly asked if you're going to come before the Historical Commission because the Historical District Commission is charged with all the town buildings. David McGlothlin said that this oversight of Town buildings came as a shock since the Town Hall was done on mere Administrative Reviews. This was a bit of a discussion, too.

**Public Hearing 4:00 p.m.**

**Case# FY12-08**

**Application by Robert Valois on behalf of Howard Burchman** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown.

The applicant seeks approval for the following: Main House: to construct an 8' x 10' addition and deck on the West elevation above the existing first floor and re-shingle the Mansard roof and; Cottage renovation: to construct a second floor addition and 3' x 7' bay addition for stairs on the North elevation at the property located at **12 Center Street, Provincetown, MA.**

Robert Valois was in attendance representing the absent owner, Howard Burchman. He was told that since there would be only 3 members sitting on the case (DM would recuse himself as a rooming house owner) any decision rendered would have to be unanimous and final. Mr. Valois contacted Mr. Burchman who didn't want the case heard under those circumstances. Mr. Valois then left.

**Case# FY12-09**

**Application by Pat Meny** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval to construct a small addition to an existing foyer and deck renovations at the property located at **442 Commercial Street, Provincetown, MA.**

This case was a "no show."

**Case# FY12-10**

**Application by Mark Schiffman** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval to replace doors, trim and siding at the property located at **120 Bradford Street, Provincetown, MA.**

The owner said that he was here today about doors. They've already received permission for the windows. The doors are of a similar design and they will be exactly the same.

**Motion: Move to accept the replacement of the rotted doors with doors that match in wood.**

**Motion: John Dowd      Seconded: David McGlothlin      Vote: 4-0-0.**

**Case# FY12-11**

**Application by Ryan Weber on behalf of Paul DeRuyter** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval for the construction of a 6' x 16' Pergola/Trellis at the property located at **34 Commercial Street, Provincetown, MA.**

Ryan Weber presented the case for Mr. DeRuyter. He has constructed a pergola unaware that it needed approval and it's behind the house.

**Motion: Move to accept the pergola plan as built without permit.**

**Motion: John Dowd    Seconded: Polly Burnell    Vote: 4-0-0.**

**Case# FY12-12**

**Application by Rick Siclari** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval to construct a fence at the property located at **523 Commercial Street, Unit #2, Provincetown, MA.**

Mr. Siclari had additional hand-outs. He said that we appreciate the opportunity to bring this back to you. At the original hearing they weren't able to be here so he's here to clarify and to address what you see wrong with the design.

Then a "show and tell" pictorial was presented clarifying the whys and hows of the fence – why it was rebuilt and how it was rebuilt.

There were 6 letters of support and two or three neighbors in attendance who all spoke glowingly of the new fence.

The complaint was originally brought to the HDC's attention by the Building Commissioner. Polly said that "it's almost like a repair."

**Motion: Move to accept the fence as built.**

**Motion: John Dowd    Seconded: Polly Burnell    Vote: 4-0-0.**

**Case# FY12-13**

**Application by Beau Fillion on behalf of Nat Jellinek** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval to install a skylight at the property located at **76 Commercial Street, Unit #4, Provincetown, MA.**

The owner presented the case and said that it was not really visible from Commercial Street and since the roof needs replacing anyway – it's an opportunity to put in the skylight.

**Motion: Move to accept the plan as presented.**

**Motion: John Dowd    Seconded: David McGlothlin    Vote: 4-0-0.**

**Case# FY12-14**

**Application by Deborah Paine on behalf of Christina Crowe** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval for the following changes: South Elevation - replace a door with a window; North Elevation – remove a door and build out under the door overhang; East Elevation – add three skylights, replace windows in the existing dormer and extend the dormer roofline to accommodate a vertical dormer wall, remove a set of three casements and replace three casements with smaller windows and replace asphalt shingles on the East gable roof at the property located at **97 Commercial Street, Provincetown, MA.**

Deborah Paine presented the plan. She said that this is the property just to the west of Sal's Restaurant. It has been remodeled once and the two apartments or condos on top are being combined into one unit.

John Dowd said that he'd like to see one change – the window should be more centered toward the peak of the building (just in terms of design). Ms. Paine said that the window placement refers to the inside traffic placement. She asked JD to sketch something in to guide her.

**Motion: Move to accept as presented and – if possible - with the 2<sup>nd</sup> story window replaced with a larger version of itself and more centered.**

**Motion: John Dowd    Seconded: Lynne Corbett    Vote: 4-0-0.**

#### **Case# FY12-15**

**Application by Trevor Meyer of Cape Associates on behalf of the Fine Arts Work Center** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 15 of the Town of Provincetown. The applicant seeks approval to remove and replace the walkway entry decks and stairs on the south elevation and; to re-shingle the south side at the property located at **4 Brewster Street, Provincetown, MA.**

Polly Burnell stepped down from hearing this case.

Commissioners sitting on case were David McGlothlin, Lynne Corbett, and John Dowd.

Mike Travano, the architect, and the director of FAWC were in attendance. Trevor Meyer presented the plan to the HDC.

Susan Hoffman from 166 Bradford Street (an abutter) said that she will hate the noise of construction and – most importantly – there is a very tall tree right on her property line that bends over her house and hits her bedroom window.

The FAWC representatives said that they will take care of Susan's tree concerns.

**Motion: Move to accept the plan as presented.**

**Motion: John Dowd    Seconded: Lynne Corbett    Vote: 3-0-0.**

The meeting was about to adjourn at 5:00 p.m. when Chris Snow, a local attorney, told the HDC that he had been waiting since 4:00 p.m. for the hearing on 12 Center Street. He said that he and his other lawyer had been sitting there at a tremendous cost to his client.

Atty Snow is representing a property owner who is an abutter and who has had no input. His name is James DeTrio (?), he's from Pennsylvania, owns 14B Center and would be the person most impacted.

Chris then cited the bylaw (15-9-7) which declares that any case not heard within 60 days of application (September 15<sup>th</sup>) would become automatically approved.

The HDC then tried to contact Robert Valois and instead spoke to Gary Reinhardt who attempted to get permission for adding time constraints to the postponement. That didn't happen so the HDC had no choice and made the following motion:

**Motion: Move to deny FY12-08 without prejudice.**

**Motion: John Dowd    Seconded: Polly Burnell    Vote: 3-0-0.**

**NEXT MEETING  
WEDNESDAY  
NOVEMBER 16, 2011**

Thus far the anticipated absences for the above meeting are David, Polly, & Marcene.

**Adjournment happened at 5:35 p.m.**

Respectfully submitted,

*Evelyn Gaudiano*

E. Rogers Gaudiano

**Approved by** \_\_\_\_\_ **on** \_\_\_\_\_, 2011.  
John Dowd, Chairman