

HISTORIC DISTRICT COMMISSION
PUBLIC MEETING
Town Hall
Provincetown MA

WEDNESDAY, DECEMBER 5, 2018

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

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

TB called the meeting to order at 3:34pm.

1. Work Session: VOTES MAY BE TAKEN

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

AH said there was nothing new to report.

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 Dec. 19, 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 Review:

- vii) 6 Cottage St., #2; ix) 26 Bradford St.; x) 157 Commercial St.;
- xi) 72B Commercial St.

MCM seconded the motion and it passed, TB, MCM, MM, JD, HS.

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

- i) 519 Commercial St.; ii) 23 Commercial St.; iii) 6 Montello St.;
- iv) 108 Commercial St.; v) 371 Commercial St., #11; vi) 328 Commercial St.;
- viii) 193 Commercial St.

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

- i) 519 Commercial St – To replace two windows in kind on the south elevation.

.No one presented. St. Mary's Church.

JD asked if the windows were vinyl; TB said they were matching Anderson replacements on the 2nd floor addition, water-side.

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

- ii) 23 Commercial St. – To replace windows, doors, siding, trim and roofing shingles on a pool shed.

No one presented.

TB noted Anderson 400 series replacements with wood trim. AH noted the visibility was minimal. MM said she wanted clarification if the trim was wood, which was determined to be the case.

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

- iii) 6 Montello St. – To replace siding, roofing shingles and rotten balusters. No one presented.

MM asked if the work has already been done and if the railing was the replacement or the original. JD asked if the balusters were captured and TB said it appeared they were.

TB made a motion to approve as presented with the condition of captured balusters. LD seconded the motion and it passed, 5-0-0; TB, LD, MM, JD, HS.

JD recommended the HDC stipulate captured balusters on all future approvals.

- iv) 108 Commercial St. – To replace six windows in kind.

No one presented.

TB noted simulated divided lite with spacer bar and said he didn't know if other windows had been replaced or not and suggested this might be an opportunity to request all wood. LD mentioned the Anderson 400 series is always clad. HS noted that better pictures are always advised.

TB made a motion to postpone the decision to the meeting of December 19, 2018 in lieu of a site visit to determine the fenestration. MM seconded the motion and it passed, 5-0-0; TB, MM, LD, JD, HS.

- v) 371 Commercial St., #11 – To replace an entry door in kind.

No one presented. Pepe's restaurant.

TB noted a therma-tru entry door, which could be fiberglass or wood. HS noted the poor quality of the photos and recommended applicants do a better job filling out the back of the application. MCM suggested an example booklet for applicants might be useful.

JD said there was minimal visibility. AH said the building had three door replacements last year.

HS said she was having a hard time approving something without clear pictures.

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

- vi) 328 Commercial St. - To replace two windows in kind.

No one presented.

The commission commented on the poor quality of submitted photos. JD noted minimal visibility. TB made a motion to approve as presented. JD seconded the motion and it passed, 5-0-0; TB, JD, MM, LD, HS.

viii) 193 Bradford St. – To re-side.

No one presented.

MM remarked on the high quality of the photographs submitted as extensive and clear. TB noted white cedar but not a mention of trim.

TB made a motion to approve with the condition that the trim be wood.

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

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

345A Commercial Street

Robert Nee presented; cited casement windows that open up to walkway and are dangerous to passersby need to be replaced with double-hung windows; also, moving entry door to a safer place; said east side is not visible from the street and that it is the building on this side that is the one in question, not the one with the diamond-shaped windows.

AH said the application was given back to the applicant at the last meeting for determination following a site visit.

MM asked if there were Chapter 91 issues. Mr. Nee replied that this issue had been previously addressed and that there is no public way, that Chapter 91 affects the west side of Land's End Hardware and that there is no public access to the beach between The Squealing Pig and Land's End Hardware.

TB noted minimal visibility and the commission agreed to consider as Administrative Review.

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

5 Conwell Street

Bob Silva presented.

MCM said she would be in favor of demolition in noting the lack of historical significance and prohibitive costs of the alternatives. JD concurred.

Mr. Silva said he thought the structure was built in 1968. TB took a poll and found that the commission was unanimous in granting demolition.

TB made a motion to approve the applicant's application to demolish a structure at 5 Conwell St. JD seconded the motion and it passed, 5-0-0; TB, JD, MM, LD, HS.

Mr. Silva was instructed to see Permit Coordinator, Ellen Battaglini, for instructions on creating an application. LD said to bear in mind that the height of the new building has to be lower than the height of the main building.

6 Montello St.

AH said she received a building permit on the 20th and questioned if work had been done prior.

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

Cases on the Agenda

MM referenced the motion made and approved by the HDC at the last meeting to remove the list of outstanding decisions from the HDC meeting agenda going forward. AH said she spoke with Assistant Town Manager, David Gardner, and was informed that the list would remain on the agenda. MM said she didn't see any other regulatory board that lists all the cases they haven't worked on; to which AH said, in terms of Planning and Zoning that their outstanding cases are on their agendas in Work Session. MM reiterated that the HDC outstanding decisions list should not be on the HDC agenda, that the commission reviews 303 cases a year and that this list should be kept with the Chair or Vice-Chair. AH recommended that the issue be brought up directly with Mr. Gardner and TB said he would follow up accordingly.

6 Cottage St.

Todd Westrick asked the status on the application of 6 Cottage St., to which TB replied, had been approved for consideration as a Full Review.

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

a) **HDC 18-279** *(continued to the meeting of February 6, 2019)*
199 Bradford Street.

b) **HDC 19-007** *(request to withdraw without prejudice)*
170 Commercial Street.

TB read into the record the official letter for a request to withdraw, signed by Tom Tannariello on Dec. 3, 2018.

AH confirmed that the decision was initially postponed to the meeting of Dec. 19, 2018 but the request to withdraw came in after the agenda had been generated.

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

c) **HDC 19-084** *(continued from the meeting of November 28th)*
Application by **Todd Perry** requesting to add a dormer with three windows on the west elevation and a new second floor deck on the south elevation with a door and a bay window, add an egress stair with a landing on the north elevation and add 3 skylights and 4 small windows on the east elevation on the structure located at **361 Commercial Street, #C-U4.**

Todd Perry presented; said that as the building was determined to be non-contributing he was going with his original plans. AH said the building is still in the Historic District and over 50 years old and gave a brief history of the buildings included in the original property.

MM said regardless, the revised structure can not be a two-story structure and Mr. Perry said his design qualifies the structure as a 1 ½ - story. TB suggested the HDC would probably approve the dormer on the west side.

Mr. Perry said he'd be willing to reduce the skylights, but that he needs adequate light in the space.

AH said the redesign qualifies as a 1½-story structure with a dormer that does not cover more than 50% of the floor area.

MCM said she would prefer that the stairs be on the water-side and to not have a front deck but allow a deck on the water side with wood railings. Mr. Perry said he needed two means of egress, which AH said was correct but that one set of stairs has to be on the interior.

JD lamented that much of the building's original design resembling a fishing shack is being eradicated and spoke against an exterior stair and questioned how much the HDC allows the interior design to dictate the exterior which is its purview.

LD asked of the number of skylights, which TB said one or two would be the recommendation.

LD said the dormer cannot dominate the roof-line and would need to be much smaller and Mr. Perry said he needed the size to accommodate a window on the gable end. TB said he felt the HDC could allow the proposed dormer in this case as long it is taken in.

MM read the bylaw on accessory buildings and cottages wherein it is stated that sometimes an increase to 1½ stories is allowed depending on a number of factors including historical integrity and neighborhood compatibility; said she would agree with JD and that the plans needed to be simpler, which HS concurred adding that she would approve a dormer on the west side, depending on the final look proposed. MCM said she agreed with HS.

TB asked if Mr. Perry had enough information to return with new plans, and he asked if a vote could be taken before agreeing to return on Dec. 19th.

TB made a motion to continue the decision to the meeting of Dec. 19, 2018. LD seconded the motion and it passed, 5-0-0; TB, LD, MM, JD, HS.

AH reminded the HDC that an applicant who is denied does not need to wait two years to re-apply.

d) HDC 19-087

Application by **Hal Winard**, on behalf of **Dimitri Kavoura**, requesting to replace a front door and plate-glass window on the structure located at **200 Commercial St.**

Hal Winard presented; said front of building is a mess, plate glass and underside door, glass panels are falling apart and design is for something more conventional to fit the town's commercial district.

No public comments. AH said she was missing the file, asked if the revamp involve repairing the roof, which Mr. Winard said that if so would just involve patching and clarified for HS the door would be full-lite glass. AH announced there were no letters from the public in the file.

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

e) **HDC 19-092**

Application by **La Montagne Realty Trust** requesting to remove and install new windows and doors, to re-shingle the roof and re-side the west wall, to rebuild exterior stairs in a new configuration and install a new roof over the stairs, creating a second floor porch, and to replace deck railing with a galvanized mesh panel framed in wood on the structure located at **111 Commercial Street**.

Jessica LaMontagne and **Abigail O'Hara**, sisters, presented. Ms. LaMontagne said approved work was done last summer on the cottage including replacing most of the old wooden doors with like-windows and two doors; requesting to finish work on the west side, move the kitchen and living area downstairs, and make a one-bedroom with an inside bathroom upstairs on water-facing gable end; replace vinyl window with a double French door; said very steep and dangerous stairs would be replaced with a u-shaped design and deck to help keep them a little drier.

Steven Score (sp), spoke; said he and his wife had reviewed the plans and have no issue with the re-design.

JD said he found the design an improvement, particularly concerning the proposed stairs, replacement of horizontal windows with more traditional options; asked why the roof over the new stairs is jogged down a bit. Ms. LaMontagne said she and her husband thought the new roof, if on a par, would make it all look too long. JD drew a quick design wherein the peak could be adjusted as an alternative to help retain the original roof line. Ms. LaMontagne said she felt the issue with that option is the gable end would be lobbed off instead of being left open.

MM said she'd have preferred not changing the door. Ms. O'Hara said the original doors are staying where they are, but there are additions.

MCM asked of the mesh design. LD said it would have a very old town-look; suggested bringing down the roof over the porch about 6" to better keep the former look, but agreed it might not be possible.

TB made a motion to approve with the condition that the first floor gable-end door matches the front door. JD seconded the motion and it passed, 5-0-0; TB, JD, MM, LD, HS.

TB announced that Christopher Mathieson would be joining the board as the Provincetown Art Association and Museum Rep; thanked departing board member, MM, for her years of service.

f) **HDC 19-093**

Application by **Michael Britt** requesting to install a 6' vertical wood stockade-style fence on the property located at **18 Cottage Street**.

No one presented.

TB said it pretty straight-forward, sitting back from the face of the building.

No public comments or letters.

MM read the fence policy bylaw wherein it states that 6' privacy fences may be approved at side and rear yards only; side yards may start a minimum of 10' from the front façade of the house, however, if the lot is on a corner, a privacy fence should be considered at the rear only or, in special cases, other areas to be approved on a case-by-case basis.

MM said she felt the request in this case was to create a privacy fence around the entire property; said there never was a stockade fence on the property, at least over the course of the last 75 years,

TB made a motion to continue the decision to the meeting of Dec. 19th with the recommendation of a 4' wood picket fence to run along Bradford St., east to west and north on the map, and with plans to be submitted. LD seconded the motion and it passed, 5-0-0; TB, LD, MM, JD, HS.

MM added that she wanted to see options for more of an open fence. AH referenced the dimensions of the perimeter and TB advised a site visit.

g) HDC 19-094

Application by **Don DiRocco**, on behalf of **Brent Suddeth**, requesting to re-locate a window on the north elevation, to install and relocate a window on the west elevation, to construct an exterior stair and to install a new wood railing on an existing deck on the structure located at **14 Standish Street, U1**.

Leif Hamnquist presented; said the wood railing would have captured balusters.

No public comments or letters.

LD noted minimal changes; said it was all good.

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

h) HDC 19-095

Application by **William N. Rogers, II** on behalf of **Builder Boys 286.5 Bradford, LLC**, requesting to construct three new dwelling units with decks, gable-style roofs and painted trim and to create a shell or stone parking area on the property located at **286½ Bradford Street**.

Gary Locke of William N. Rogers, and **Brad Mayeux**, co-owner, presented. Mr. Locke said the three buildings will be 24 x 26, which is the footprint; one building three units and the two single-family dwellings constructed from wood using traditional materials.

Ted DeColo, abutter at 284 Bradford St. spoke against the proposal, citing the dormer as continuous to the bottom line and a concern that the design not follow the HDC guidelines. Mr. Locke replied that the taller building will be roughly 36' and contain an affordable housing component.

AH confirmed to Jonathan Sinaiko that the 36' height is permissible by the inclusionary bylaw, which grants allowances up to 5' and on 3-story buildings.

TB said the building is two stories and does not feature dormers.

LD spoke for new construction striking a harmonious balance in the Historic District which, she said, this plan seems to provide; said her only question was the odd-looking dormer on the attic of the third floor, north-west elevation. JD agreed it was an odd design.

Mr. Mayeux said they'd be willing to make an adjustment and Mr. Locke said they'd like to keep and extend the gable and remove the dormer with the wall stopping at the lower roof.

MCM said she felt the dormers were too big and overwhelming, which HS and MM concurred.

JD said he was fine with the design as it was more sensitive as new construction than others that are ongoing; preferred the windows be kept the same size, noted the standard is a square sash size of 24 over 24, or 30 over 24. Mr. Locke he would comply with this request.

JD added that the headboard over the door in these kinds of Greek Revival designs are usually not equal in size, but more massive, heavier at the top and that dormer detailing is secondary to the main house. Mr. Locke said he'd bring the dormer down by a foot.

HS made a motion to approve with the condition that on the A-1-A elevation, the gable dormer remain but the shed dormer be removed; on elevation 3-A-1, windows be all the same size throughout the house; expand the head fascia over the door and reduce the returns on the dormer on elevation 2-A-1; and reduce the dormer pitch below the ridge line on all dormers. TB seconded the motion and it passed, 5-0-0; HS, TB, MM, LD, JD. Mr. Locke said he would submit new plans.

i) **HDC 19-097**

Application by **Oliver Jamin Changeart** requesting to extend an existing deck on the south elevation using Azek, or other composite material, with a stainless steel railing on the property located at **259-263 Commercial Street**.

Oliver Jamin Changeart presented, representing the condo association; said he was here to supply previously missing information relating to size-ratios and elevations; said deck would be in two parts for a total of roughly 900 sq. ft.; railing request had two options, preferring stainless steel.

No letters or public comments.

MM, MCM and HS said they preferred wood railings. LD said stainless steel cable with wood posts have been allowed in the past and that she was fine either way. MCM and MM noted the high visibility from the water side. TB said he preferred the balusters, but could defer to the applicant.

JD noted the structure is industrial cinderblock, not traditional, and suggested going even more industrial, utilizing metal posts with metal cable to keep it all in the same language.

LD said the bylaws allow for increased fenestration along the Bay side which serves to contemporize structures and the cable system tends to match that better than traditional materials.

TB made a motion to approve a metal cable system with steel posts and top rail and a set-back 3' from the edge. JD seconded the motion and it passed: 3-2-0; TB, JD, LD in favor; MM, HS, opposed.

Mr. Changeart was directed to submit specs on the approved design and to employ round rails of 1 ½" in size.

Incoming HDC board member and PAAM-appointee, Christopher Mathieson, joined the deliberations.

TB announced a short break. MM left the meeting at 6:12pm.

j) **HDC 19-099**

Application by **Dol-Fin Development, LLC**, requesting to replace rotten trim and a lattice fence, to remove added panels on the front door and to

replace front doors with all clad doors on the structure located at **518 Commercial Street** .

Lyn Plummer presented; said the property is a bit run-down, replacing plastic lattice with wood lattice; reason for requesting all-clad is because, she said, there are \$15,000 worth of wood doors on another property that now need to be replaced; said replacements are true divided lites and that the snow against the glass panes has also been an issue.

AH replied that that can be due to the wood grain and installation; said products from the early 90s proved inferior.

TB asked Ms. Plummer if she would consider keeping both existing front doors as the louvered door is a long-standing characteristic and if the replacement doors shouldn't better reflect the exterior doors.

LD spoke in favor of retaining storm doors for longevity.

TB made a motion to approve as presented with the condition that the doors be wood. LD seconded the motion and it passed, 4-0-1: TB, LD, HS, MCM, in favor; JD, abstaining.

TB said the HDC would be planning a materials seminar, possibly in January, and that he would be in discussion with Town Planner, Jeffrey Robiero.

k) HDC 19-100

Application by **Tom Thompson**, on behalf of **Donna Flax**, requesting to renovate an existing sunroom, including changing the roof from a shed to a gable end, replace windows and doors and install new railings on the structure located at **5 Fishburn Court** .

Tom Thompson and **Donna Flax**, presented. Mr. Thompson said the structure would not be changed in size at all; Fishburn Ct. is a private way with minimal visibility.

Wayne and Russell, direct abutters at 8 Fishburn Ct. presented mock-ups for preferred fencing, cited the area below the porch is used for storage and a couple of panels of fencing would help their view; said otherwise they think the rehab looks great.

TB read a letter in support from Matthew Capaldo and Frank Billingsley of 3 Fishburn Ct.

TB suggested the HDC didn't have the authority to approve or disapprove the neighbor's fencing request and, when asked, Ms. Flax insisted that he preferred to discuss the matter privately. The abutters stated the reason they had come before the HDC today is because Ms. Flax had not answered their e-mails. JD said the matter was none of their business. HS noted the structure as non-contributing.

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

TB announced the upcoming FEMA meeting which is open to the public, scheduled at Town Hall on Tuesday, December 11, 2018 at 3:30pm.

MCM left the meeting at 6:38pm.

5. Deliberations on Pending Decisions: VOTES MAY BE TAKEN

Decision by HS, read by HS:

HDC 19-058; 259 Bradford St. TB made a motion to approve the decision of October 17, 2018. JD seconded the motion and it passed, 4-0-0; TB, JD, LD, JD.

Decisions by JD, read by JD:

- a) **HDC 18-284**; 560 Commercial St. TB made a motion to approve the decision of July 18, 2018. LD seconded the motion and it passed, 4-0-0; TB, LD, JD, HS.
- b) **HDC 18-289**; 348 Commercial St. TB made a motion to approve the decision of July 18, 2018. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, JD.

LD asked if there could be a vote put forth to have a sub-committee to read decisions. AH said not every detail within a given decision needed to be read into the record at a Public Meeting. TB said a meeting would be scheduled before the end of the year to have decisions read into the record, approved or not and filed with Town Clerk.

TB made a motion to adjourn the meeting at 6:58pm. JD seconded the motion and it passed, 4-0-0; TB, JD, LD, HS.

Respectfully Submitted, Jody O'Neil