

**HISTORIC DISTRICT COMMISSION**  
PUBLIC MEETING  
Town Hall  
Provincetown MA  
WEDNESDAY, APRIL 17, 2019

Members Present: Thomas Biggert (TB), Chairman, Pilgrim Monument Rep.; Laurie Delmolino (LD), Historical Commission Rep.; Hersh Schwartz (HS), Chamber of Commerce Rep.; Martin Risteen (MR), Alternate.

Excused Absence: John Dowd, PGB Rep.; Michela Carew-Murphy, Alternate.

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

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

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

AH recommended moving potential violations to a later part of the meeting as there are a large number of determinations to get through, to which TB concurred and noted that the hyperlinks were not functioning on the newly re-vamped Town website making it unable to preview the Agenda items in advance of meeting.

**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 May 1, 2019 Public Hearing agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.**

i) 179 Commercial St., #4 – *To replace 3 windows in kind.*

No one presented.

TB noted Anderson 400 series windows.

TB made a motion to consider the application as Administrative Review. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

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

xiv) 6 Wareham Rd. – *To replace sidewall shingles and exterior window casing on the southwest elevation.*

Kathy Olsen presented; said trim would be done in wood.

TB made a motion to treat as Administrative Review. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

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

Ms. Olsen inquired after her permit. AH replied it would be processed per order of approval, probably tomorrow and she would be called.

ii) 129 Bradford St. – *To replace a rubber roof and re-frame a deck.*

No one presented.

TB noted the roof was cited as leaking, deck framing is out of code, pine trim and

framing, like-for-like, pressure-treated.

TB made a motion to treat as Administrative Review. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

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

iii) 633 Commercial St. – *To re-side and replace a window sill.*

No one presented.

TB made a motion to treat as Administrative Review. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

TB made a motion to approve as presented with the condition that the trim be wood. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

iv) 6 Pearl St., #A – *To replace 5 windows and 2 doors in kind.*

No one presented.

TB noted Anderson Series 400 windows and 2-over-2 replacements.

TB made a motion to treat as Administrative Review. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

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

v) 577 Commercial St., U3E – *To replace sliders and a rubber roof and shingle inside a balcony.*

Laurie Ferrari of Peters Property Management presented; said work on the property produced a lot of discoveries.

TB made a motion to treat as Administrative Review. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

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

vi) 208 Bradford St., UE11 – *To replace 2 sliders, a rubber roof, decking and stairs in kind.*

Laurie Ferrari presented; said the captured balusters were the same and the stairs would be wood but the railing composite. LD commented that they were just re-using it.

TB made a motion to treat as Administrative Review. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

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

vii) 309 Commercial St. – *To replace a door.*

No one presented.

AH remarked that the applicant was not looking to replace with a new door.

TB made a motion to treat as Administrative Review. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

TB made a motion to approve as presented with the condition that the door be

the replacement door only. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

- viii) 179 Commercial St., #5 – *To replace a railing with an intex railing system and install a new Azek deck.*

No one presented, but Laurie Ferrari spoke per the application to say it was the same size deck and that the railing was new, to be composite; said she managed the property and didn't think it could be seen from the street as it is above Jimmy's Hide-A-Way.

TB noted the location as the top-floor deck, asked if the applicant might be willing to rehabilitate the railing.

TB made a motion to treat as Administrative Review. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

TB made a motion to approve as presented with the condition that the railing be wood. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

- ix) 17 Conant St., U2 – *To replace a skylight.*

Holly Tarelton from Art of Construction, Inc., presented; said skylight replacement would be the same size.

TB made a motion to treat as Administrative Review. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

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

- x) 481 Commercial St. – *To replace a door.*

TB read the specs on the proposal to which LD said was a Full Review.

A.J. Santos presented; said the replacement was a 1-lite door.

TB made a motion to treat as Administrative Review. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

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

- xi) 277 Bradford St. – *To replace 7 windows and re-side.*

TB read through the application specs, noting true divided lite, grade A cedar white shingle replacements, pine trim and Anderson A windows.

Ron Sloak on behalf of Russell Perry presented; said he didn't know the age of the house.

TB made a motion to treat as Administrative Review. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

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

- xii) 11 Brewster St. – *To eliminate 2 windows and a roof overhang.*

No one presented.

TB made a motion to treat as Full Review to be placed on the May 14<sup>th</sup> agenda. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

xiii) 437 Commercial St. – *To replace roofing shingles, siding and trim, and 2 windows.*  
No one presented.

TB noted the application featured red cedar roof front and back, white cedar replaced with same where indicated. LD asked what is “engineered pine trim,” which TB said appeared not to be wood.

TB made a motion to treat as Administrative Review. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

TB made a motion to approve as presented with the condition that the pine trim be wood. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

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

xv) 170 Commercial St. – *To replace a window with a door on the west elevation.*

xvi) 435 Commercial St. – *To remove exterior stairs and incorporate into a west elevation bump-out, construct a small walk-out deck between 2 dormers and replace windows and sliders.*

LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

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

193 Bradford Street

Nate McKean presented, said he was seeking to replace the windows, siding and roof, and noted the deck as in pretty rough shape; distributed new photos. TB referenced the HDC’s past approval of removing the handicapped ramp and captured balusters in new design.

MR asked if the HDC was permitted to vote on the request in this way. AH explained the applicant’s plan for the work to be done and said the approval can rest with the HDC at this time at its discretion.

TB made a motion to reconsider the approval of the application at 193 Bradford St. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

TB made a motion to approve the landing change at 193 Bradford St. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

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

None.

TB opened up the Pubic Hearing at 4:07 pm.

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

TB made a motion to take **HDC 19-216** first and out of order at the applicant’s request. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

b) **HDC 19-216**

Application by **Andrew Singer, Esq.**, on behalf of **Cape Cod Five Cents Savings Bank**, requesting to renovate the exterior of a structure, including re-locating the entrance and adding an exterior canopy, replacing windows, doors, exterior trim and

roofing and siding shingles at the property located at **137 Bradford Street**. **Andrew Singer** and **Vincent Sorrentino**, Architect, presented, along with other members of the Bank team.

Mr. Singer said some of the site-plan changes would be going to the Planning Board next week and the design plans today will address all aspects of the re-vamp.

Mr. Sorrentino presented from renderings on an easel; said a new canopy is proposed and the existing openings to be replaced with white aluminum store-fronts; front horizontal siding to be replaced with shingle siding; water table to be added on all sides of the building; Hardie Plank siding and plans to allow more light in the rear for the bank lobby; added walkways with a cable-style hand-rail all around with balusters; adding a cupola for front entrance of the building; new square columns at front to be painted white; wall sconces and all lighting to be dark-sky compliant.

No public comments or letters.

#### HDC deliberations.

LD said she is seeing design plans for the first time; cited very few constraints on modern buildings and found the materials are consistent with historic concerns; felt the cupola was a little over-stated. HS said she didn't mind the cupola as it might make a match for what is across the street, didn't have problems with anything and welcomed the applicant to Town. MR welcomed the applicant to Town, suggested white cedar shingles all around and Hardie Plank on just the back – facing Napi's, no visibility; said he felt the cupola isn't necessary and the railings be wood with captured balusters. TB said he agreed with pretty much everything that's been said; noted low visibility; found clapboards on the front of the building an interesting choice; questioned the size of the cupola. AH said she thought the one at the Gulf Station across the street is about 5x5.

AH prompted the HDC to give voice to the materials they will approve in the plan. Mr. Sorrentino stated the plan for PVC on the exteriors.

TB made a motion to approve as presented with the following conditions: that Hardie Plank be used on the rear only; the cupola is omitted; clapboards be used on the sides; all trim and dormers to be wood; railing be wood with captured balusters. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

HS said four copies of all approved applicants would be used going forward. AH confirmed signed plans for 137 Bradford Street are 2.0 and 2.1, dated Feb. 26, 2019.

a) **HDC 19-215**

Application by **William Marshall** requesting to replace a dilapidated fence at the property located at **1 Atlantic Avenue**.

**William Marshall** presented; said he preferred the new style fence, particularly for the height factor as they have a new puppy and it will also give a bit more rigidity to withstand neighbor's bumps.

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

c) **HDC 19-203**

Application by **Ken Shapiro** requesting to replace stair treads and a landing with bluestone or brownstone on the property located at **244 Commercial Street**.

**Ken Shapiro, Gary Ellis**, architect, and **Vesco**, installer, presented.

Mr. Ellis said they also wanted to replace the wall caps; reported everything is brick, which makes it hard to see on the steps for safety sake and the bluestones

would be better in terms of maintenance; said the risers would still be brick. Vasco said the bluestones would be in slabs and the landing would be a pattern in front of the door itself.

No public comments or letters.

MR noted it is a commercial space. TB said that bluestone isn't really seen in Town. Mr. Shapiro handed out photos of bluestone employed around Town. HS said she would prefer to see the whole thing stay brick, which LD noted is an historic material and also expressed concern that others may think they, too, can eliminate the brick in their own steps. TB said he felt he couldn't talk himself into it as it's just not appropriate.

Vesco displayed pictures of brownstone, but the HDC stuck by its desire for brick or wood. Mr. Ellis said they submitted a new railing design about a month ago yet remarked it wasn't in the plans before the HDC. Mr. Shapiro distributed the new railing design, which MR and HS said they appreciated greatly.

Joe, Vesco's business partner, spoke in favor of the bluestone material and appealed to the HDC for its approval. TB said he might be on board with the bluestone based on the railing, but LD and MR said they could not. Mr. Ellis asked if they could cap just the walls – similar to the approved look at Joe's Coffee. MR said in terms of safety he would be inclined to defer to the Building Commissioner. Mr. Ellis referenced a building in Chatham that had achieved the desired effect. LD said she felt the brownstone and bluestone combination might be a bit clashy.

After more consideration, the HDC united on compromise within the design plan.

TB made a motion to approve with the condition the railing system be wood. MR seconded the motion and it passed, 4-0-0; TB, MR, LD, HS.

d) **HDC 19-208**

Application by **Peters Property Management**, on behalf of **Beks Condominium**, requesting to replace fencing on the property located at **167 Commercial Street**. **Laurie Ferrari** presented; said they are seeking a matching look by replacing the brick.

MR asked if this change would trigger FEMA, which AH said she is trying to determine. TB asked if there was a skim-coat over the original brick.

Rob Santos and Ken Hale, neighbors next door, said they are fine with however the HDC weighs in, but they are concerned about the need for their drive-way use to get the work done as it is an active drive-way and they would need coordination with applicant, even as they recognize this concern is not in the HDC's purview. Ms. Ferrari said she absolutely would work with the neighbors in their concern; added that rotting shutters and trim are also of concern as they are falling and threatening damage to their cars.

MR asked Ms. Ferrari if this job might trigger other work regarding the foundation which would then alter the FEMA designation, suggested the need for an engineering report. Ms. Ferrari said an engineer looked at the property and drew up a plan. AH said the property is in the SHFA 'A' Zone.

TB made a motion to approve with the condition the 20' in question be brick or brick veneer. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

TB recommended a mason, to which AH said that brick masons are not the same as stone masons. TB said he would talk to the mason in question about speaking at the next HDC meeting, referenced a property near Commissioner Mathieson's as an example.

e) **HDC 19-209**

Application by **Peters Property Management**, on behalf of the **114 Commercial Condominium**, requesting to replace a failing foundation, replace and reinforce footings on the structure located at **114 Commercial Street**.

**Laurie Ferrari** presented; said the request is to replace the wrought-iron with aluminum, referred to a picture in the application.

AH said the buildings were constructed in the early 1980s.

No public comments or letters.

LD suggested nothing was being lost by replacing the fleur-de-lie and that once the aluminum is painted it could be hard to tell if the material used was aluminum. HS said she was okay with it, based on the age of the building. TB said that if they had the opportunity they would not have approved the original.

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

f) **HDC 19-212**

Application by **Todd Westrick**, on behalf of **Alissa Lesier & Trish Walsh**, requesting to replace fencing and a gate and to enlarge 2 gate posts on the main gate at the property located at **11 Tremont Street**.

**Todd Westrick** presented; said there are two styles of fence among three fences and all visible from Cottage Street; aim is to improve consistency and unify the yard.

No public comments or letters.

LD said Mr. Westrick had done great work already at the property. Mr. Westrick added that they've placed six new trees on the grounds, but to LD's dismay not an elm.

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

a) **Update on potential violations reported to the Building Commissioner, continued:**

261 Bradford Street

AH said the owners have historically had a fence and showed a photo of a new fence that went up over the weekend. TB noted the new fence is a violation, asked the HDC if it might be inclined to let it slide. LD countered that the replacement is inappropriate.

Captured Balusters

TB remarked on the inconsistency with captured balusters on buildings around Town, such as 405 Commercial Street and 130 Bradford Street, the Gulf Station. AH said she would check the conditions for these two decisions and if captured balusters were noted, then violations would be issued.

31 Bradford Street, Liz's Cafe

TB asked if the added entrance to the basement should have come before the HDC. AH said it would have come before the HDC if Zoning had been approached first by request. TB questioned if the owner's Certificate of Occupancy would be affected if they have her come in to address their concerns. AH suggested it would not. LD said the owner could submit the plans for review as a formality.

TB made a motion to determine the situation at Liz's Café, 31 Bradford Street, to be a Full Review at the meeting of June 5, 2019. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

**5. Deliberations on Pending Decisions: VOTES MAY BE TAKEN.**

Decisions read by TB:

**HDC 18-039**, 104 Bradford Street. TB made a motion to approve the decision of October 18, 2017. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

**HDC 19-164**, 183-185 Commercial Street. TB made a motion to approve the decision of

April 3, 2019. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

**HDC 18-057**, 53 Commercial Street, front. TB made a motion to approve the decision of October 18, 2017. MR seconded the motion and it passed, 4-0-0; TB, MR, LD, HS.

HDC questioned the wording per the overhang over the front door in the decision that was written by former Commissioner Marcoux.

**HDC 19-215**, 1 Atlantic Avenue. TB made a motion to approve the decision of April 17, 2019. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

**HDC 19-209**, 167 Commercial Street. TB made a motion to approve the decision of April 17, 2019. HS seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

Decisions read by HS:

**HDC 19-189**, 193 Commercial Street, #A6. TB made a motion to approve the decision of March 6, 2019. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

LD asked of the historical and cultural significance of the property as stated in the decision.

**HDC 19-160**, 6 Pleasant Street. TB made a motion to approve the decision of March 6, 2019. LD seconded the motion and it passed, 4-0-0; TB, LD, HS, MR.

HS announced **HDC 18-152**, 101 Commercial Street was withdrawn without prejudice.

Decision read by LD:

**HDC 19-203**, 244 Commercial Street. TB made a motion to approve the decision of April 17, 2019. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

Discussion was had on the parameters of particulars concerning written decisions. TB said more information is better than less information and that wood trim is the item to watch for.

Decisions to be written as follows: MR for **HDC 19-216**; HS for **HDC 19-208** , **HDC 19-212**.

**NOTE: AUDIO CUT OUT ON THE MEETING AT THIS POINT FOR APPROX. 30 SECONDS.**

TB motioned to adjourn the meeting at 6:15pm. HS seconded the motion and it passed, 4-0-0; TB, HS, LD, MR.

Respectfully Submitted,  
Jody O'Neil