

Historic District Commission
Meeting of
March 3, 2004, 3:00 PM
Town Hall, Provincetown, MA 02657

Members Present: Tom Boland (Chairman), John Dowd (Vice-Chairman), Paul Church, Meg Stewart, Polly Burnell, Roger Keene (Alternate), and Carol Neal (Alternate)

Town Hall Representatives: Maxine Notaro, Permit Coordinator.

Chairman Tom Boland called meeting to order at 4:00 PM and announced that Polly Burnell will have to step down from hearing and voting on Case 2004-019 (460 Commercial Street) and Case 2004-019 (253A Commercial Street), as she is a direct abutter. Alternate Roger Keene will vote instead.

New Business

A prospective applicant, **John Ward, 132 Commercial Street** asked the Commission members for advice and if he would have to appear before them at a later date. He wanted to install a gas fireplace and vent it up through the roof. He stated that the roof vent would not be visible from the street. Because of some doubt, he will have to appear at a Public Hearing on March 31, 2004.

Case #2004-016

Application by John Reis dba Golden Hammer Construction for a Certificate of Compliance 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 2'9" knee wall addition on the rear L of the building with the reconfiguration of windows at the property located at **3 Atlantic Avenue, Provincetown, MA.**

Arthur Hagopian, one of the property owners, appeared before the Commission and explained what he would like done on his house. Tom Boland stated that the rear ridgeline was "bumped" up from the previous plan. The changes recommended are reflected on a new, revised plan.

The Guidelines for this Case are: 5a, 6a, 6b, and 8.

It was moved to approve the plan as amended.

Motion by: Meg Stewart

Seconded by: Polly Burnell

Vote: 5-0-0

Case #2004-017

Application by Paul Jackson on behalf of Clyde Mellert for a Certificate of Compliance 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 construct a dormer for a second means of egress and replace decks and railings to code at the property located at **391-395 Commercial Street, Provincetown, MA.**

There was a general discussion regarding the second means of egress. Meg Stewart stated that the package submitted was not clear and more photos and information should have been supplied.

John Dowd suggested that the posts on the railings should be evenly spaced and the rounded caps are not necessary on this style of building.

The Guidelines for this Case are: 5a, 8a1, 9c, 11

It was moved to approve the applicant with revisions: Width of egress stair should be 40"; rails on east façade across top; small window in dormer to be trimmed to match front façade; dormer to be shingled; the ornamental caps should not be rounded and make evenly spaced railings; dormer to extend only to east wall; wood panel door with single light at top.

Motion by: John Dowd

Seconded by: Paul Church

Vote: 5-0-0

John Dowd will track this Case.

Case #2004-018

Application by Robert Valois on behalf of David Martin for a Certificate of Compliance 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 an existing door and window with a 4' French door on the first floor; replace a second floor window with a 3' French door; add two small windows on the South façade; replace a window on the North façade with bay windows and add a second floor deck on the South facade at the property located at **47 Commercial Street, Provincetown, MA.**

Robert Valois went through his drawings in the packet provided and explained the items.

John Dowd felt that the changes Mr. Valois wanted to make on the waterside were not necessary as the building has charm now. He stated that changes would be "gilding the lily."

Tom Boland said that the south elevation conforms and was acceptable to the Commission but the members had problems with the north façade.

It was moved to accept the changes with proposed alterations in the design: Scaling down the bay window; sidelight windows; brackets below structural returns; and hipped roof. The south elevation was approved as presented.

Motion by: John Dowd

Seconded by: Polly Burnell

Vote: 5-0-0

Case #2004-019

Application by Provincetown Art Association and Museum for a Certificate of Compliance 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 restoration of the Historic structure at **460 Commercial Street, Provincetown, MA** and for the replacement of the modern gallery additions on the West side (Bang Street) as previously reviewed by the Historic Commission on August 20, 2003.

Representing the Art Association and Museum was Ms Chris McCarthy, Executive Director of the Provincetown Art Association and Museum and Mr. Steven Roberts, Attorney. Ms McCarthy read a brief history of the Provincetown Art Association and Museum and described its current storage capacity and the need for a new and larger space. She also described the materials which would be used and to bring the interior up to standard to display and store art. She also described the future intent of the Museum to have exhibits of artwork borrowed from other museums.

Tom Boland asked for public comments on this Case.

On the pro side, Ms Mike Wright stated that the new building would be a remarkable structure for traffic flow for viewing, storage of artwork, etc.

On the con side, the first speaker was Ms Ann Lord, a member of the Art Association. She supports the proposal in general but feels it has become over ambitious. She wants the plans of the 1939 Hawthorne Gallery to be used instead of the modern design. The 1939 design would be more compatible to the neighborhood. She also felt that the present design plan is bulky and would create parking problems. She gave a copy of the Hawthorne Gallery plan to the Commission.

Mr. Sniper felt that the new building is oversized and over ambitious and that it would create financial problems for the Art Association. The outside of the structure has no relationship with the neighborhood. He also feels that the Art Association should be for Provincetown only and not expanded to exhibit art from other sources. His main concern was that the building should be kept in historical significance.

George Bryant, a long-time resident of area, submitted a petition signed by abutters who were against the new building.

He talked about the historic houses in the neighborhood and the Cook family houses. He showed pictures of the historic buildings and felt that the proposed building would destroy the character of the historic district.

Steve Brackett, whose wife created the petition submitted by Mr. Bryant, felt that the proposed building does not fit in with the area.

Steve Milkewicz, a member of the previous Historical Commission, had voted against the proposed building when it was presented in August of 2003. He then changed his vote for the building because he was told of the threat of the Art Association to move to Truro. He hoped that the Historical District Commission would vote against the proposed building.

Ann Lord asked if the abutters were notified and what were abutter guidelines. Tom Boland explained that only direct abutters were notified.

Conrad Malcolm spoke about Charles Hawthorne and his ties with art in Provincetown. He talked about the Hawthorne Gallery and would like the building redesigned to acknowledge historic figures in Provincetown art such as Hawthorne.

Tom Boland opened the discussion to the Commission members.

Roger Keene agrees with the speakers against the Museum building. He feels that the museum is important and that it can be accomplished with a more appropriate design to the neighborhood and Provincetown. He also stated that many people would not support the Museum as in the past.

Paul Church feels that the building that is there now looks shoddy, old and run down and any design is an improvement.

John Dowd had no comments or questions of the applicants.

Carol Neal asked the Commission members to consider the community overall.

Meg Stewart finds fault with the design but will vote to approve it because of technicalities and that the Historic District Commission should not review the previous Commission's works.

Tom Boland read a time line of how this project was reviewed and what occurred in the past regarding the previous Historic Commission as well as the Massachusetts Historic Commission, Provincetown Zoning Board, etc. He was incensed the way this Case was handled by the previous Commission and the Town. He also felt that the Case should never have come before the new Commission and that it should not be a hardship review and the members should review the current proposal. Mr. Boland also explained the Historic District Commission's By-laws and Guidelines and also felt that the design is problematic. He was more in favor of voting for the plan rather than against.

Roger Keene felt that the Case is not getting a fair view.

Mr. Boland mentioned that the Town Counsel stated that there was no conflict on interest with three of the Commission members being members of the Art Association. The only conflict of interest would be Polly Burnell who had stepped down.

Steve Roberts, Attorney, spoke about any conflict of interest and Mr. Boland told of the ruling of the Town Counsel.

It was moved to approve that which was approved by the previous Historic Commission.

Motion by: Meg Stewart

Seconded by: Paul Church

Vote: 3-1-1

Roger Keene voted against and John Dowd abstained.

Roger Keene left the meeting at 6:30 pm without any notice.

Case #2004-20

Application by Neal Kimball on behalf of Lester Heller for a Certificate of Compliance 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 existing shed art gallery and construct a larger multi-use structure in the same location at the property located at **253A Commercial Street, Provincetown, MA.**

John Dowd chaired this Case.

Neal Kimball explained what the intent of the new design was and stated that it was to increase the size of the art gallery and gain storage area. He explained the plans. The new building plans were submitted to Zoning and were approved by them.

John Dowd felt that the plan seems to have too many things “going on” and suggested simplifying parts of the building design. He and Tom Boland made suggestions for design changes. Neal Kimball will re-draw the plans incorporating the changes and return to the Commission at the next meeting.

The shed will be demolished and would not need any special approval as it is listed on the Provincetown Historical Data Sheet as a non-contributing structure.

It was moved to deny this Case without prejudice and Neal Kimball will return with changes and be first on the agenda at the meeting of March 17, 2004.

Motion by: Paul Church

Seconded by: Meg Stewart

Vote: 4-0-0

Case #2004-021

Application by Neal Kimball on behalf of Adam Schoenhard for a Certificate of Compliance 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 add dormers, a second floor deck, and raise and reconfigure the center and rear portions of the existing structure at the property located at **48 Commercial Street, Provincetown, MA.**

Adam Schoenhard stated that the building was a 4-unit structure and explained the requested changes. He is applying for a change of scale with the Zoning Board on March 4, 2004.

Tom Boland suggested some changes in the design listing them on the Certificate of Compliance. He said that what can be seen from the street should be kept and changes can be made to parts of the building not visible.

It was moved to deny this Case without prejudice and the applicant will return with changes at the next meeting of March 17, 2004 and be second on the agenda.

Motion by: Polly Burnell

Seconded by: John Down

Vote: 4-1-0

Meg Stewart voted against.

Other Business

Mike Myers, Case 2003-084, requested to add a pergola instead of a roof at 10 Masonic Place. It was moved to approve and to add the pergola shown in the drawing of March 3, 2004.

Motion by: Tom Boland

Seconded by: Paul Church

Vote: 4-0-0

Maxine Notaro, Permit Coordinator, stated that the **Martin House** wanted to replace a door. Tom Boland said that they must submit a photo of the existing door.

Ms Notaro also brought in a plan for **96 Commercial Street**. They want to restore the building to the original configuration by removing stairs, porch and two doors. The Commission wants to see catalog pages of windows and doors and then they can sign off on the changes.

John Dowd brought up the point that changes were being made to **139 Commercial Street** without them ever appearing before the Commission.

Maxine Notaro and Tom Boland will work on preparing violations for:

12 Atlantic Street
139 Commercial Street
101 Bradford Street

Tom Boland scheduled a work session to discuss procedural items. The meeting will be on March 10, 2004 at 4:00 pm.

A motion was made to adjourn the meeting at 8:25 PM.

Moved by: Tom Boland

Seconded by: Paul Church

Vote: 4-0-0

Respectfully submitted,
Joel Glasser
Recording Secretary

Approved by: _____ on _____
Tom Boland (Chairman) Date