

HISTORIC DISTRICT COMMISSION
PUBLIC MEETING
Town Hall
Provincetown MA
WEDNESDAY MAY 17, 2017

Members Present: Thomas Biggert (TB), Chairman; Marcene Marcoux (MM), Vice Chair; Laurie Delmolino (LD); Martin Risteen (MR).

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

1. Work Session

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

11 Tremont Street

AH sited owners request to put in a 3' picket fence, claiming it would be in-kind and want to know if their application would qualify as Administrative or Full Review. MR suggested Administrative if the fence is in kind and the spacing indicated as such. TB made a motion to consider as Administrative Review and MM seconded the motion, but no vote was taken as AH said it would appear on the next Agenda.

John's Hot Dogs, Window Replacement

TB said he noted a potential violation in the establishment on the corner of Commercial and Lopes appears to be using Azec trim. AH said an inquiry has been put into Capizzi Home Improvements who did the work and noted that they have done similar work with the windows approved for Hardie Plank at 177 Commercial St., Bayside Betsey's, where the application specified wood.

19 Bangs Street

MM said there is a fence at the property where none existed prior.

Provincetown Post Office

MM said there is an issue in that a wood railing is being placed on a metal railing which is odd-looking AH said she believes this is temporary as a truck hit the railing but noted that the Post Office cannot be touched as it is Federal property.

b) Discussion of the proposal by Regina Binder for Guidebook and a request for funds from the Town Manager to get started.

TB advised tabling the matter until the HDC business meeting in June; said it is important to push ahead with the Guidebook to build community awareness.

c) Discussion with owners of 34A Pearl St.

Jeff Mulligan, co-owner presented; said they've been in touch with contractors per original application to jack up parts of the property, referenced submitted plans that call for a partial demolition based on contractor recommendations; gave historical background of property, said proposal is to completely demolish the long el and rebuild per the design presented last December; remove the small 1950s addition to the east of the south section and preserve as best as possible the 1800s section; foundation to be fully code compliant.

TB said a letter from an engineer confirming the contractors' claims is usually required. MM said a lot of the old section is proposed for demolition and requires better scrutiny; said demolitions approved in the Historic District are very strict and that everything has to come back as to what is established. TB suggested a site visit to determine if an engineer's letter is needed. Mr. Mulligan said he lives out of Town but can make arrangements to be on hand. Monday was set as a tentative date.

TB made a motion to continue the decision to the meeting of June 7, 2017. MM seconded the motion and it passed, 3-0-0; TB, MM, MR.

d) 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 June 7, 2017 agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

TB made a motion that the following be considered for Administrative Review:

i) 457 Commercial St.; ii) 1 Holway, #1; iii) 9 Winthrop St.; iv) 88 Commercial St.
v) 11 Tremont St.; vii) 7 Cudworth St.; viii) 663 Commercial St.; ix) 5-7 Point St.;
x) 140 Bradford St.; xii) 11 Bradford St.; xiv) 478 Commercial St., #1; xv) 25 Bangs St., #2.

MM seconded the motion and it passed, 3-0-0; TB, MM, MR.

LD arrived to the meeting at 3:52pm.

- i. 457 Commercial Street – *(continued from the meeting of May 3rd)* – To remove and replace a fence.

TB said the slope-down begins right at the side of the house instead of 10' back. AH said only the west side was in question per this application. MM asked if the privacy fence was proposed as the same height and if the privacy to the picket section was to mimic what is there. MR indicated the transition. TB noted that in changing the type of fence it must follow the bylaw. AH said she would convey to the applicant that if the replacement is precisely replicated as is, then the new fence can be grandfathered in, otherwise it would require a Full and not an Administrative Review, at the next meeting.

TB made a motion to continue to the meeting of June 7th. LD seconded the motion and it passed, 4-0-0; TB, LD, MM, MR.

- ii. 1 Holway, #1 – To replace wooden slats on a pergola.

MM sought confirmation that the replacement would be wood for wood. TB noted the application indicated cedar.

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

- iii. 9 Winthrop St. – To re-shingle the east elevation of a structure.
TB made a motion to approve as presented. MM seconded the motion and it passed, 4-0-0; TB, MM, LD, MR.
- iv. 88 Commercial St. – To partially re-roof and replace (4) windows in kind.
LD noted simulated, tru divided lite, 6/6.
TB made a motion to approve as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MM, MR.
- v. 11 Tremont St. – To replace a fence in kind.
TB remarked that the applicant is changing the style on one section and adding another.
TB made a motion to consider as Full Review at the meeting of June 7th. MM seconded the motion and it passed, 4-0-0; TB, MM, LD, MR.
- vi. 6 Gosnold St. – To replace window shutters, handrails and clapboards.
Pavel Feydereau (sp), presented with a model sample of the shutter. MM noted the clapboard replacement was presented as Boral and Azec for the railing; said the house is highly visible and historic.
TB made a motion to consider the shutters only for Administrative Review. MM seconded the motion and it passed, 4-0-0; TB, MM, LD, MR.
TB made a motion to approve the shutters only as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MM, MR.
- vii. 7 Cudworth St. – To replace a window in kind.
TB noted one awning window, application as straight-forward.
TB made a motion to approve as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, MM, MR.
- viii. 663 Commercial St. – To install window inserts in all double-hung windows and to replace a triple casement window in kind.
Hal Winard presented; said 2/1 and 2/2 can all be rendered as 2/2 if that is the HDC's preference.
TB made a motion to approve as presented with the condition that all the replacements be 2/2s. LD seconded the motion and it passed, 4-0-0; TB, LD, MM, MR.
- ix) 5-7 Point St. – To replace a door in kind.
TB noted the location as the side of the house and the same style door, non-wood, a composite. AH said there is no substantial renovation so she assumes the code is honored as per the original install.
TB made a motion to approve as presented with the condition that the door be replaced in kind; i.e., wood for wood, or fiberglass for fiberglass. LD seconded the motion and it passed, 4-0-0; TB, LD, MM, MR.
- x) 140 Bradford Street – To replace windows.

TB made a motion to accept with the condition that windows are tru divided-lite, 6/6. LD seconded the motion and it passed, 4-0-0; TB, LD, MM, MR.

MR revisited 88 Commercial St., requesting that the Board review the specs; in noting double-glazing.

TB made a motion to reconsider 88 Commercial St. MM seconded the motion and it passed, 4-0-0; TB, MM, LD, MR.

TB made a motion that the windows at 88 Commercial St. be tru divided-lite. MM seconded the motion and it passed, 4-0-0; TB, MM, LD, MR.

xi) 600 Commercial St. – To install a fence.

TB made a motion to consider for Full Review to be heard at the meeting of June 7th. LD seconded the motion and it passed, 4-0-0; TB, LD, MM, MR.

xii) 11 Bradford Street – To replace clapboards and shingles.

Kevin Bazarian presented; said original plans were to remove aluminum siding and leave clapboards, but clapboards were found to be in very bad shape; requesting to replace with red cedar on the sides but white cedar for the rear; aluminum 9-lite door to be replaced with a 9-lite wood door.

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

xiii) 259-263 Commercial St. – To replace all windows, remove a bathroom in the rear of the structure and build a privacy wall.

TB made a motion to consider for Full Review to be heard at the meeting of June 7th. MM seconded the motion and it passed, 4-0-0; TB, MM, LD, MR.

xiv) 478 Commercial St., #1 – To install hand railings on front stairs.

TB said it might be argued that it's a Full Review but railings are also a safety issue. MR asked per the size which AH confirmed were fine by the guard, said railings would be 34-38.

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

xv) 25 Bangs St., #2 – To replace railings and posts on a pre-existing deck.

MM said the applicant has stated that there is no visibility from a public way, but that there is, in fact, visibility from Bangs St. which was a common way, said her problem is more with the proposed composite.

Chuck Hart of Lewis & Weldon contracting presented; said they were using a hardwood on the decking; noted extensive rotting and said posts were to be a composite that has a slight matted finish, not a shiny surface like Azec. Mr. Hart protested in favor of his preferred material and that they are trying to get the place in order by July 4th.

TB said they could approve wood or plan a site visit and continue the hearing in three weeks.

TB made a motion to accept with the condition that the rail and post be wood. MM seconded the motion and it passed, 4-0-0; TB, MM, LD, MR.

e) Review and approval of Minutes:

TB recommended postponing the reading of minutes to the end of meeting.

TB opened the Public Hearing at 4:08pm.

2. Public Hearings:

a) HDC 17-215 (continued from the meeting of May 3rd)

Application by **Architectural Design, Inc.**, on behalf of **Michelle and Colleen O'Connor**, requesting to replace a front porch and balcony, a front door and sidelight and front pediment, add a shed dormer and a balcony, including a new door and windows on the south elevation, replace emergency egress decks and stairs and add a deck, door and windows on the north elevation, add windows and skylights on the east and west elevations and replace a chimney on the structure on the property located at **452 Commercial Street**.

Peter Haig presented; referenced the two major issues from the previous hearing, said that since then they have considered gable and dormer examples from around Town, which Mr. Haig presented on enlarged photographs. Mr. Haig turned to drawings to make the case for design approval as submitted including keeping a shed roof between dormers and a small deck for a pair of chairs.

Public Comments

Ted Jones of 463 Commercial St. spoke from the public, referenced hand-outs he'd prepared and stated his disappointment that new plans were not available; said that just because there are examples of bad designs around Town does not mean they should be approved for new applications and that the building as proposed is wrong for the lot; read from a prepared statement making the case for retaining aspects of the original, Greek Revival structure and lamented the need to return twice to the HDC for further deliberations.

Sasha Richter spoke from the public; said he lives next door and trusted the HDC to honor the very historic nature of the building.

TB read a letter from (3) units of Copper Fox Condominiums who collectively opposed the current plans as inaccurately depicting the proposed scale.

Chris Pula of 473 Commercial St. said he agreed with the letter-writers and would rather not see the roof raised; preferred money be spent on proper maintenance.

HDC Deliberations

Mr. Haig said he took great exception being referred to as condominium developers and that it involves a great burden to bring these buildings back; that raising the roof ridge 2' will hardly be noticed and will make the building function properly.

TB said that the more pristine the house, the stricter the HDC would be in its deliberations; that the balcony and connected gable would doubtful fly.

MR said the front of the façade is within the HDC's purview and that the Board would look to retain as much of that elevation as possible, suggested more innovation could be employed at the rear. LD related that the HDC is not concerned with an owner's motivations, but that historic integrity is a mandate.

MM concurred with LD, noted high visibility of an historic building, but that perhaps more leeway might be granted on the east or rear side, asked if Mr. Haig would be returning with options for the next hearing in June.

TB said two dormers would be acceptable but not the connector and MM requested the new drawings be submitted on the Friday prior to the next meeting.

TB made a motion to accept the time waiver. LD seconded the motion and it passed, 4-0-0; TB, LD, MM, MR.

TB made a motion to continue the decision to the meeting of June 7, 2017. MM seconded the motion and it passed, 4-0-0; TB, MM, LD, MR.

- b) **HDC 17-217** (*previously continued to the meeting of June 21st*)
Application by **KA Bazarian Construction**, on behalf of **Maria Cirino**, requesting to demolish and rebuild an existing garage in the same footprint on the property located at **3 Cudworth Street**.
No discussion, no vote taken.

MR left the meeting at 5:08pm.

- c) **HDC 17-219** (*continued from the meeting of May 3rd*)
Application by **KA Bazarian Construction**, on behalf of **Beverly Serabian**, requesting to modify the height of a previously-approved addition to the structure on the property located at **18 West Vine Street**.
Kevin Bazarian presented; referenced the previous request to lower the ridge line, passed around three options to that end for deliberations; noted concrete wall in the rear that prohibited lowering the garage height, only what is above it.
TB read a letter from an abutter at C1, Gale Force Condominiums, opposing the elevated roof line as impacting their view.
TB read a letter from the owner, Dr. Serabian, explaining an oversight in the original plans that demanded modifications which are compatible with tree heights on her property.
LD reflected on the property as a 1982 garage which is not historic and doesn't necessarily understand why there is a new set of plans. TB agreed and said that even though a mistake has been made, the HDC would have approved the original 11' height.
MM disagreed, noted the HDC's concerns with mass in comparison to other buildings and asked if eliminating the knee wall would be an option. Mr. Bazarian said they could make an acceptable amendment along that line; asked if he would be able to return to the HDC if the owner disagrees, to which LD said yes.
TB made a motion to continue the decision to the end of the meeting. LD seconded the motion and it passed, 3-0-0; TB, LD, MM.

- d) **HDC 17-196**
Application by **Nathaniel Fridman**, requesting to replace a window with an exit door on a structure and remodel an existing stone patio with a wooden deck and pergola at the property located at **8 Court Street, UC**.
Nathaniel Fridman and Michalangelo Fergali (sp), Mr. Fridman's partner, presented. Mr. Fridman said he's owned the property since 2006 with his mother and is seeking a 2nd egress door for privacy and access to the backyard; door to

be Fibrex, or vinyl, but is fine with wood if needed, although it's in the back and not at all visible.

TB made a motion to accept as presented. MM seconded the motion and it passed, 3-0-0; TB, MM, LD.

Mr. Fridman asked about replacing a bay window at the front of the house which would come before the HDC in a future application. TB said the replacement would have to undergo a Full Review.

e) HDC 17-250

Application by **Richard Porreca** requesting to install two skylights on a south-facing dormer and a new rubber roof with an access door on the structure on the property located at **3 Carver Court**.

Mr. Porreca presented; said roof to be replaced is rubber and over the dining room and kitchen; two skylights on the south side to join one previously installed by Cape Associates; dormer to bring in more light and decking, which has three bids currently out.

MM read a letter in support from Bill Casey (sp) at 3 Court Street. TB read a letter in support from neighbor Julie B. MM read a letter in support from Travis Costa at 6 Carver Street.

TB noted minimal visibility of skylights from Commercial St. MM said she liked the package as submitted, finding it comprehensive.

TB made a motion to accept as presented with the condition that the deck railing be wood. LD seconded the motion and it passed, 3-0-0; TB, LD, MM.

b) HDC 17-219; 18 West Vine Street *continued*

Mr. Bazarian said he spoke with his client, Dr. Serabian, who would agree to lower the wall although expressed disappointment that the original plan had the height 5' greater.

TB made a motion to accept option #3 to lower 1' from the knee wall. MM seconded the motion and it passed, 3-0-0; TB, MM, LD.

3. Any other business that shall properly come before the Commission

Fence at 25 Winthrop Street

Brad Mallow presented; said he and his husband have inherited a lot of issues regarding the property including a fence with a wall of ivy that fell apart; said the plan was not to place a new post so close to the street, apologized for the delay in application submission as he was unaware of the specific deadlines; said fence would be replaced in kind in four sections at 32' in total length.

TB made a motion to accept as presented. LD seconded the motion and it passed, 3-0-0; TB, LD, MM.

AH verified that the application is filed under an Administrative Review.

355 Commercial Street

TB referenced a request at Angel's Landing to reconsider the wood doors and allow fiberglass. AH said the property is two columns of cottages, some with

wood and others with fiberglass doors. MM noted a highly visible, significant location.

TB made a motion not to reconsider the decision of wood doors at 355 Commercial Street. LD seconded the motion and it passed, 3-0-0; TB, LD, MM.

242 Bradford Street

AH said she would e-mail copies of J. Veara;s letters to the HDC.

Charter Commission

TB commented on an interesting meeting he attended with the Charter Commission in noting that the CC is tasked with re-writing the Charter, which is supposed to be re-written every ten years but has not been renewed in 27 years, and that they are seeking input from other Boards for the report; said he would invite the CC to meet with the HDC on talking points if all were in agreement. LD said she felt a lot of non-f/t residents who spend a great deal of time in Town could have a lot of valuable contributions to make per the revised Charter.

TB made a motion to adjourn the meeting at 6:00pm. LD seconded the motion and it passed, 3-0-0; TB, LD, MM.

Respectfully Submitted,
Jody O'Neil