

# HISTORIC DISTRICT COMMISSION

February 7, 2007

Caucus Hall

3:30 p.m.

**Members Present:** Polly Burnell, Nathan Butera, John Dowd, Marcene Marcoux, Carol Neal, and E. Clothier Tepper

**Members Absent:** none

**Staff:** Maxine Notaro

The meeting was called to order at 3:40 p.m.

## Agenda

### Special Public Meeting

#### Discussion with Doug Taylor, Building Commissioner on enforcement issues

Maxine announced at 3:40 that Doug Taylor opted to not attend the meeting. He felt his attendance was inappropriate since he was in the process of suing the Historic District Commission.

Michele Couture was disappointed because she wanted to speak on the subject.

John Dowd, Chair, felt that the group could still hear people's opinions; therefore, the public comments segment on enforcement issues was opened to the public.

Michele was the first to speak and she felt that the demolition at 531 Commercial Street was what prompted her to come here. She feels it's dreadful. She further thinks the fine of \$250/day is nothing. "It's lunch for the guys and the cost is nothing." What she thinks would make it work would be to have the fine equal to the assessed value of the building. John feels that this should come before the town meeting. "The warrant closes on March 5<sup>th</sup>," Michele cautioned, "and 531 is the rallying cry and is a line drawn in the sand." Michele said that she doesn't see anything in the regulations that addresses partial demolition. She continued on her diatribe stating that any time something isn't working..... you have to rethink it. The abutters weren't notified according to Michele. There really needs to be some special meat for regulations. This is what would get you respect!

Under guideline 14 it does mention "partial demolition" but perhaps a clearer definition of what is "partial" is needed. Carol is drafting an article right now regarding demolition. Michele still encouraging the assessed value of the building said that the assessed value of a building is easily determined from the Assessor's office.

Marcene Marcoux said that she is confused on the procedures of the special meeting. This is more like a public forum.

Amy Germaine said she thinks assessed value of property is a great idea for a fine.

Tom Boland appreciates the dilemma and said he'd like to give a little history since he helped draft the guidelines. One reason that the demolition issue is so fuzzy is that - at the time we were writing this law we preferred the review to be done by the Building Commissioner. Hindsight is always 20-20

and the \$250/day fine is imposed on us by the state but that doesn't deter a home rule petition. You have to determine what is allowed and not allowed. With the ZBA, demolition is malleable, and that's why it should be heard on a case by case basis. He advises that the demolition law to be more specific. Everything on the exterior should be retained. It would serve you a lot better to have a very clear definition of what you're going to retain. Everyone knows you can hire any expert to say anything you want - as in - tear it down, etc. In Boston's Beacon Hill area where he cut his architectural teeth, a property stood in violation until the house was sold and then the violation was put on as a lien. He would like to be on the Commission but can't right now. He'd be happy to help. Call him any time.

Marcene said that the case is problematic. They had misinformation and it's not a simple case but is a complex one. What can we do legally? The most we could do was \$250 a day. However I do know - Dick Anderson - came in and said, "This building is unsafe." Dick and Doug do not have the last word. You have to have an outside person ascertain their findings and the decision was made in good faith by Dick Anderson..... so I do think there will be a change - with a new Building Commissioner. She has been against many demolitions that have gone forward. There should be a computer base.

Polly Burnell said that she's managed to come up with a lot of information on the history of buildings. If you go to the library you can get a lot of information. Marcene Marcoux felt frustration without historical evidence.

Public Hearing 4:00 p.m.

**2006-86**

**Gary Locke on behalf of 162 Commercial Street Realty Trust, 162 Commercial Street for revised plans**

Gary said you said not to touch the front part of the building. Only thing that is different is that the tree is gone. We plan on putting it on a new foundation. One thing that was requested was that they wanted more light in the back. John said there were 3 or 4 different size windows in the new design. John wants same size retained for windows.

**Motion: Accept the drawings with the following conditions:**

- 1. 1. Door will be F7662 rather than the other (guideline 6A)**
- 2. 2. Windows in the back section retain the original square of 24 by 24 in the original section of the house (guideline 5B and 5C)**
- 3. 3. The balusters should be 2 X 2.**
- 4. 4. Front of building will be regular clapboards.**

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

**2007-10**

**Application by Neal Kimball on behalf of Provincetown Purchase Trust II, Elizabeth Brooke, Trustee** 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 the entry shed from the East (Right) rear corner, replacing it with an exterior wooden stairway. Replace all windows with Windsor Pinnacle 6/6 windows. Add a box bay window on the South (Front) elevation. Create an entryway and a small roof deck on the East (Right) elevation for egress from the third floor. Add handicap accessible walkway along the West (Left) elevation. Add partial shed dormer to the West (Left) elevation. Window placement size to vary slightly from the original. Replace damaged or deteriorated trim work and clapboard to be replaced in kind. Windsor Pinnacle series windows with aluminum clad exteriors and all exterior trim and finishing to match existing at the property located at **102A Bradford Street, Provincetown, MA.** Clo Tepper, a direct abutter, stepped down. Neal says the house is in desperate need of renovation. Exterior of the building has been painted but is in poor condition under the paint. On the 1<sup>st</sup> floor there are 9 over 9 windows.

Two letters were read into the file. The residents of 104 and 104A Bradford Street had a number of concerns and objections to the proposed renovations. Many of them received no notice of the hearing. Most were concerned about east side. The proposed renovation put it much closer to the property line.

Another letter was read from Seth Roman, an attorney for Elizabeth Brooke which confirmed that the renovation is basically allowed.

Polly Burnell said there is a lot that troubles her in this planned renovation. Unfortunately the east side isn't visible, but the west side can be seen. She feels that it's inappropriately cluttered.

John Dowd said that the 2 over 2 windows are probably Victorian. Although the addition of the bay window may be attractive, he doesn't think it's correct. It's changing it from something it is - to something it never was.

Polly doesn't feel she can approve the plan.

**Motion: Accept as presented with the following conditions:**

- 1. 1. bay window eliminated**
- 2. 2. the façade of the building is to retain the same windows**
- 3. 3. bring the stairway in closer to the building**
- 4. 4. west side - the windows will become 6 over 6. (guideline 16.11.6)**

**Motion: John Dowd      Seconded: Marcene Marcoux      Vote: 5-0-0.**

**2007-09**

**Application by Hal Winard on behalf of Abe Saada** 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 restore the front of the building to its original shape at grade level, install a new entry and display windows and to install replacement sash on the second floor at the property located at **347 Commercial Street, Provincetown, MA.**

Ron Hazel is a long term tenant and Hal Winard presented the plan. John felt the changes are great. What you want to lose is the big flat area. Maximize the space inside. Keep the panel and however wide you make the panels, make the windows.

**Motion: Accept the proposal with changes, i.e., windows extend higher and the door will match height-wise (guidelines 5C and 6C). Add cornice molding to the edges. The revised changes will be brought back to John Dowd for review.**

**Motion: John Dowd      Seconded: Carol Neal      Vote: 5-0-0.**

## **Administrative Reviews**

John Corcoran – **18 Franklin Street** to request replacement of windows, add a slider on the driveway side of the house and replace clapboard.

**Decision: Notice it out because of the slider. Needs full review.**

Michael Janoplis - **299 Commercial Street** to request removal of a 5' slider on the west side of the building and replace with a solid glass window with divider and to change out the front slider to a handicap accessible door with a stationary side light. All trim to match existing trim.

**Builder: Mr. Martinez - approval**

Mark Kinnane on behalf of Matthew Clark, **61 Commercial Street** for a request to replace back dormer windows, replace and extend a deck 4' 6", reframe under the deck and re-roof.

Mark K. said it is behind 59 Commercial Street and will not be visible when Deb Paine finishes the building next to them which was originally part of the Center for Coastal Studies. They are getting Harvey replacement windows.

**Decision: approval**

Steven Page on behalf of Leslie Strickler, **5-7 Washington Avenue**, to request replacing an existing fixed skylight with an operable skylight. No change in size or opening.

**Decision: approval**

Steven Page on behalf of Donald Higgs, **6 Mechanic Street** to request replacement of a 3' full view door with a 5' slider on the rear unit.

**Decision: Needs a full hearing..... Notice it out.**

George Dunlap, 11 Pleasant Street to request replacing an entry deck with a 10' x 12' first floor deck.

**Decision: Needs a full hearing - Notice it out. (will be heard on Feb. 21)**

**WOMR** wants to put in an antenna on the Schoolhouse – it's under guideline 15.0.27 to broadcast in the case of an emergency or exemption based on minimal visibility.

**254 Commercial Street** – shingle roof over roof.....

**Decision: approval**

Meg Stewart and Maureen Wilson, 12 Brewster Street (Main House) to request removal of vinyl siding and replace with shingles and to remove an existing picture window and replace with historically appropriate windows.

Approved administratively.

(cottage) Replace windows and add a door to rear needs to be noticed out because of the changes requested.

Rick Tupper – **3 Bradford Street** – welding shop. Windows will stay the same. Wants to put larger windows on the back. Tupper construction.

**Decision: approval**

**427 Commercial Street** – replacing north gable windows in kind.

**Decision: approval**

**Applicant for Alternate on HDC**

Joe Collins interviewed with the Commissioners for this position. Joe is looking for something to do in Provincetown. He has a sense of development and design, etc. His main focus is Americana. He's helping at the Monument and he's involved with PAAM. He's helping to put together an Americana exhibit. There is another candidate for this position and a definite decision will be made within a month or so. He was thanked for his interest and they will inform him in the near future.

Revised plans for **43 Commercial Street.**

**Decision: approval**

Add a roof over a deck - **72 Bradford Street**

**Decision: Needs a full hearing.**

**Adjournment at 6:00 p.m.**

Respectfully submitted,

*Evelyn Gaudiano*

E. Rogers Gaudiano

**Approved by** \_\_\_\_\_ on \_\_\_\_\_, 2007.