

HISTORIC DISTRICT COMMISSION

December 5, 2007

Judge Welsh Hearing Room

3:30 p.m.

Members Present: Polly Burnell, Joe Collins, John Dowd,
Marcene Marcoux, Carol Neal, and Clo Tepper.

Members Absent: Steve Bergquist (excused absence)

Staff: Russell Braun and Maxine Notaro

Work Session 3:30 p.m.

Administrative Reviews

Michael Czyoski, 296 Commercial Street, replace windows, replace siding and roofing. His plan is to renovate the top two floors – re-roof and re-side. He had a question about windows which was decided with a 2 over 1 determination.

The Commissioners approved the review.

Tom Thompson, 10 Commercial Street, Unit #11, requests installing windows into previously approved screened in porch enclosure under permit #2007-46.

A letter in support from the condo association was read into the file.

The Commissioners approved the plan.

Hal Winard, 281 Commercial Street, windows and door replacement.

The owner of MoJo's presented on his own behalf. He said that there have been a lot of changes so we put this on hold. He did a lot of due diligence on the plan that had been approved. He was going to change the whole building but now he has decided to renovate – he is going to try to make it look similar to what the HDC had previously approved. He has talked with Jane Evans, Health Agent, and she said that she is going to try to enforce screens – he has to get a sliding screen – so he's in the process of trying to figure this demand out – he went out to Harvey windows – so the windows are still a big question. This rendition would have sliding windows but they'd have to be made of plexiglass. It is now a completely different situation.

John Dowd said that it's O.K. – whatever you want to do.

The owner still has the plan for the original façade and he will keep the HDC updated regarding the progress.

The Public Hearing portion was called to order at 4:00 p.m.

Public Hearing 4:00 p.m.

2007-49

Application by Crown & Anchor LLC 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 replace the temporary acrylic board to the South wall of the covered patio with four permanent gliding windows and to construct and adjoining

wall behind the existing balustrades of the furthest section of the covered patio's railing. Option B: to remove a section of balustrades with a solid wall to match the surrounding walls at the property located at **243-247 Commercial Street, Provincetown, MA.**

Joe Collins is the alternate sitting on the case. Rick Murray said that he hopes this will be a simple case – basically making the windows of the restaurant more weather tight. He wants to leave the balustrade there and close the wall behind it. Rick originally wanted to put in sliding windows everywhere but it was too cost prohibitive.

John Dowd would like to have a drawing of the existing and the proposed. Rick said that he had everything needed in the packet. After very little discussion, the following motion was made.

Motion: Move to accept the plan as presented.

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

2007-50

Application by Peters Property Management on behalf of Provincetown Condominium 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 take down the angel wall above the garage and attach a picket cedar fence with height to code at the property located at **577 Commercial Street, Provincetown, MA.**

Laurie Ferrari presented the plan to the Commissioners. It is a place with a lot of garages – it has to be brought up to code. There was one letter of objection read into the minutes; it was from Robert Seager, a condo owner at 577 Commercial.

Clo Tepper, the alternate, who was sitting on the case said that our job is to judge what is historic and what is not – and this was not.

Motion: Move to accept the plan as presented.

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

The following case was taken out of order because Annie Howard was presenting it and she had to return for a Planning Board meeting at 7:00 p.m.

2007-55

Application by Deborah Paine, Inc. 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 expand the footprint by 2 feet and add a second floor to an existing garage at the property located at **428 Commercial Street, Unit #4, Provincetown, MA.**

Joe Collins sat on this case. Annie Howard presented the plan and said that she will preserve the details of the present garage as much as possible. Annie had done her homework and had many pictures of the entire neighborhood to put her different points across. Marcene M said that usually the scale is much larger than this and she had difficulty viewing it.

There were 3 letters of support the file. One was from Catherine Rausch who represented the owners of Poor Richard's Landing, and two other letters.

Neva Hansen who lives at 6 Lovett's Court rose to speak in opposition to the project. Her home is directly opposite the garage and the owner basically wants to convert it into another summer rental. She understands the doors are going to be replaced with overhead doors and in the renovation plan it has been changed to a strictly pitched roof. The dormers have been added to gain space on the 2nd

floor. As for the small cupola – the scale is too small and it seems like an ornament. Also, she has no record of being notified of the changes and some of her Lovett court neighbors have expressed concern.

John Seigfried – also of 6 Lovett’s Court – gave an historic overview of the garage in question – it was transferred to Lovett’s Court from Race Point.

The couple who live at 8 Lovett’s Court were also against the garage redo. John Agna owned the garage for a zillion years; the proposal is not a nice addition.

Next Peggy Pritchett who lives at 424 Commercial Street also rose to speak in opposition to this garage project. She said that the owners who are now proposing this bought it as a garage and last year when it had been put on the market, it was advertised as a guest cottage. Ms. Pritchett complained about the listing at that time and was told that the Building Inspector would look into it – nothing happened!

At this point the public hearing session was closed.

Marcene thanked everyone who spoke and wondered if it were true that – how it was advertised is not exactly as it is now. She also wondered if there is a discrepancy between the plans and the actual height. It seems as though it’s almost doubling its height.

Annie H. said that she would be happy to review the plans. Maxine said that we just need amended plans with the true dimensions.

Polly Burnell read the policy on cottages and how much they’re allowed to increase. She finds it out of scale for that neighborhood and she couldn’t approve it.

John Dowd said the exterior staircase on the garage would be ugly. Also the projecting balcony should be seen on the plan and is not shown. He would also agree with the reference to the cupola – so probably eliminate it.

Joe Collins – the change in scale – the shift in the use of the building – and the expressed opposition of the neighbors makes it difficult to support this. It doesn’t feel like a good decision to go forward with it.

Marcene M. felt that the changes should be more sensitive and reflect the concerns that the neighbors had.

Motion: Move to continue without prejudice and rehear the case on December 19th. Also a waiver of the December 19th timeline will happen in case Annie H. can’t develop another plan within the time frame.

Motion: John Dowd Seconded: Polly Burnell Vote: 5-0-0.

2007-51

Application by Mark P. Kinnane on behalf of Gail Williams 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 change one window on the gable end of the cottage to a 3’ x 6’-8” wooden door at the property located at **4 Dyer Street,**

Provincetown, MA.

Clo Tepper sat on this case. Mark Kinnane from Cape Associates said they had a proposal to put on a shed dormer. We were turned down because we didn't have two means of egress. Russ Braun said that a window doesn't qualify as a 2nd means of egress; a dwelling unit has to have two means of egress. Mark thinks it looks ugly and we don't want to do it but we have no choice. The original plans had been approved BUT - that was Doug Taylor's regime and now we have Russ Braun. Russ said that there's a possibility of appealing that finding to the state. Ideally Mark would almost hope that the project will be turned down so he could seek recourse from the state.

Motion: Move to continue the case until the next meeting (Dec. 19th) so that the HDC can look into it.

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

2007-52

Application by Greg Craig 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 extend a deck and add a widow's walk with a stair ladder at the property located at **3 Nickerson Street, Provincetown, MA.**

Both alternates sat on this case. Carol Neal recused herself since she is a neighbor.

The house is a floater from Long Point and there's an existing deck on the 2nd floor. Originally Maxine had this as an administrative review. Joe Collins said that it would be hard to object to it.

Motion: Move to accept the plan as presented.

Motion: John Dowd Seconded: Polly Burnell Vote: 5-0-0.

2007-53

Application by Michael Matrullo 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 construct a bathroom addition above the existing first floor bathroom and deck above the existing first floor bedroom and to construct a small dormer above an existing bedroom and add and replace windows at the property located at **12A Pleasant Street, Provincetown, MA.**

Joe Collins sat in on this case. Mark Kinnane from Cape Associates presented again. The discussion was very lengthy and filled with compromises. The final decision is contained in the following motion:

Motion: Move that the plan be accepted with the following conditions:

- 1. on the south elevation the 1st fl windows will be spaced apart and that they will be the same size as the other ones on that level.**
- 2. the windows on the 2nd fl can be the larger scale that you proposed and will be (mulled together).**
- 3. the west elevation will keep the same fixed window and that it be centered.**
- 4. the roof line must retain the current shape of the roofline.**

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

(Maxine will be given the revised plans for 12A Pleasant Street.)

2007-54

Application by Deborah Paine, Inc. on behalf of John Pitfield 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 replace two mismatched windows with one (matching other existing windows) aligned with original window pattern and replace one single swing-door with slider at the property located at **8 Conant Street, Unit #3, Provincetown, MA.**

Doug Taylor who represented Deb Paine and the owner, John Pitfield, presented the plan which proposed moving a window and adding a swing-door. Doug said that it's an eclectic mix of stuff and the building doesn't really represent the Town.

John Dowd thought that the building can't be compromised more than it already had been. Doug Taylor said that he'd love to align the windows but there is a stair on the north side of that building.

Motion: Move to accept as presented.

Motion: John Dowd Seconded: Polly Burnell Vote: 5-0-0.

Minutes of the November 7th meeting.

Motion: Approve the minutes of November 7th as revised.

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

NEXT MEETING WILL BE HELD ON DECEMBER 19TH.

Before the meeting adjourned, Doug Taylor had a question. He still owns 29 Alden Street and it's falling down and he needs to fix it up. He'd like to repair but not change anything – is this an administrative review if it's only replace in kind? Answer: Yes.....

Adjournment happened at 6:20 p.m.

Respectfully submitted

Evelyn Gaudiano

E. Rogers Gaudiano

Approved by _____ **on** _____, 2007.
John Dowd, Chair