



# Minutes

The Provincetown Historic District Commission remote public meeting of  
Wednesday, June 2, 2021 at 3:30PM.

## THIS IS A REMOTE PARTICIPATION MEETING

In keeping with Governor Baker's Executive Order of March 12, 2020; "Order Suspending Certain Provisions of the Open Meeting Law" – All Participation for Town Residents will be by Remote Access. If the audio becomes unavailable, the meeting will be paused until it can be restored, or the meeting will end. The public is encouraged to download the **Microsoft Teams** meeting app.

Joining the Meeting: [Click here to join the meeting](#)

**Microsoft Teams: Join on your computer or mobile app**

**Phone: Or call in (audio only) [\(833\) 579-7589](tel:8335797589) Phone Conference ID: 385 172 53 #**

### To Participate during public comment:

- Teams: Raise hand to be called on to speak; or
- Phone: Speak name clearly to be called on to speak.

### Please do not speak again until acknowledged by Chair or meeting moderator.

- Keep your phone muted at all times when not talking (\*6 to mute & unmute your phone);
- Do not use speakerphone, Bluetooth devices (speakers or headphones); and
- Mute all background noises, including PTV, television or computer and use only phone audio.

Members by remote: Laurie Delmolino (LD), Chairman, Historical Commission Rep.; Hersh Schwartz (HS), Clerk, Chamber of Commerce Rep.; Christopher Mathieson (CM), PAAM Rep.; Michela Murphy (MCM), Alternate; Anthony Iannacci (AI), Alternate.

Excused absence: John Dowd (JD), Vice Chair, PGB Rep.

Staff present: Anne Howard (AH), Building Commissioner; Thaddeus Soulé (TS), Town Planner.

TS gave opening remarks at 3:31pm and called for LD to give quorum by roll call. LD issued roll-call and called the meeting to order.

Agenda item may be taken out of order and votes may be taken on any of the agenda items below.

**1. Work Session:**

**2. 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 16, 2021 Public Hearing agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.**

LD made a motion that iii) [12 Young's Ct., U8A](#); iv) [25 Tremont St., UC2](#) and v) [151A Commercial St.](#) be considered as Administrative Review. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, LD.

LD made a motion to consider the following for Full Review: i) [111 Commercial St.](#); ii) [25 Montello St.](#); vi) [220 Commercial St., U1](#); vii) [7 Brewster St.](#); viii) [12 Center St.](#) ix) [557 Commercial St., U2](#); x) [259 Bradford St.](#); xi) [538 Commercial St., U11](#). MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, LD.

iii) [12 Young's Ct., U8A](#) – To replace a rear fence in kind.

Gloria Casar and Pat Gordon presented.

LD made a motion to approve as presented. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, LD.

iv) [25 Tremont St., UC2](#) – To replace 6 windows in kind.

LD made a motion to withdraw without prejudice at the applicant's request. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, LD.

v) [151A Commercial St.](#) – To replace a door in kind.

Peter Page presented with photographs; said replacement is wood for wood.

LD made a motion to approve as presented. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, LD.

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

552B Commercial Street fence

CM remarked on the applicant's letter that was sent in following the recent hearing on the case and noted an application needs to be submitted on the proposed fence for a case that, he said, has gone on long enough. HS reiterated that the north side facing Bradford St. is at issue with varying heights and non-picket design in addition to the west side. MM agreed that the situation has gone on for an extraordinary amount of time. AH said she will reach out to the applicant for a new application following the HDC guidelines as well as a violation letter to be sent out by end of week. HS related that the north side is varying heights and well above the fence bylaws. CM said that a small section on the north side featured a privacy fence, but that this has been elevated with fill and pilings on top and that this section has been extended, along with a privacy fence along Bradford St., 90% of which has a picket and also that the fence has been extended on the east side, which, he said, brought complaints from the neighbors; suggested a solution is needed. LD asked AH to advise the owners of the need for an application highlighting all changes to the structure; advised scheduling their case toward the end of the meeting if that

helps with their work schedules. AH sought clarity on the issuance of a violation, after which it was decided that no fine or action would be taken if application is made by July 6, 2021.

LD made a motion to resubmit a violation concerning the fence at 522B Commercial St. with a new application to be submitted by July 6, 2021. CM seconded the motion and it passed, 5-0-0; CM, HS, MM, AI, LD.

#### Designation of Compliance

CM suggested that added photographs be submitted to the board following the completion of work performed on approved applications with conditions. LD said she felt adding this measure onto AH's or another staff member's plate might be asking a lot; referenced a violation for the porch at 122 Commercial St., which AH said she cannot issue at this point in time based on the owner's claims that the work is not yet complete; work on the property tied to a building permit. TS said a Certificate of Occupancy will not be issued until the work is completed and inspected.

LD asked AH if the HDC might be able to review a property prior to a Certificate of Occupancy being issued, to which AH concurred, offering that more eyes on a site the better.

#### Preservations Grant funding

MM mentioned that she has spoken to Stephanie of the Cape Cod Preservation Commission per designating Provincetown as a certified local government to bring in more potential for funding; referenced conversations with former HDC member, Martin Risteen. LD appreciated the measure and directed a conversation on the topic for the next meeting. HS said the Town has received a Preservation grant of 25k previously, but would have to apply each year to request funding. AH asked MM to send more info on her contacts and specifics for the agenda.

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

Jessica LaMontagne called in for 111 Commercial Street which LD said will be a Full Review for July 7, 2021.

Hal Winard asked per 538 Commercial St. U11, which LD said will be a Full Review for June 16, 2021.

#### **5. 4 PM Public Hearings: VOTES MAY BE TAKEN**

##### a) HDC 21-14 (continued from the meeting of May 19<sup>th</sup>)

Application by Nancy Lockwood requesting to enclose a porch and add a second story with a roof deck on the structure located at **1 Holway Avenue, U1A**.

Nancy Lockwood presented; said she is seeking to build up on the base of the structure as approved by the ZBA; came down 11', to 19'; front changed per new drawings.

AH read a letter in objection dated May 18, 2021, written by Maria O'Bryne and Lee Raze-Dennis (sp), and referenced a letter, also in opposition, from 27 Watson's Court. Ms. Lockwood said she had uploaded three letters in support to the portal earlier today: three neighbors had signed a letter in approval: an abutter at 31 Watson Court and two from across the street at 27 Holway; said she has permission to build up per her condo contract.

MM said the proposed build is too high and out of the scope of what the HDC would approve. HS agreed and was disturbed to learn from the letter that a portion of the build would be on land not owned by the applicant, to which LD said is not in the HDC purview.

LD noted what she took as a complete demolition of an existing cottage which is at issue. AI remarked on an auxiliary building to the rear that is proposed to outsize the home that sits on the street-side. CM noted a ¼-sized gambrel-sided Cape onto which is proposed adding a full Cape, dormers and roof top; recommended the owner choose one of these elective changes for approval, but that the current plans contain too many layers.

LD related that roof decks are never approved by the HDC; suggested the cottage raise might be elevated with a little deck to extend at that elevation; recommended Ms. Lockwood review the house at 16 Bradford. MM interjected to say she would never approve a roof deck. Ms. Lockwood elected to continue the hearing at LD's recommendation.

LD made a motion to continue the decision to the meeting of July 7, 2021. CM seconded the motion and it passed, 5-0-0; CM, HS, MM, AI, LD. LD pointed out to Ms. Lockwood that what constitutes the front of the building is the dominant façade.

b) [HDC 21-84](#) (continued from the meeting of May 19<sup>th</sup>)

Application by **Christine Bezio**, on behalf of **Jeffrey Lick** and **Stephen McCarthy**, requesting to replace existing second and third floor decks, handrails, posts, and balusters on the structure located at **607 Commercial Street, Unit 3**.

Bill Woodward, Project Manager of Cape Associates, presented.

HS recalled that the applicant was informed at the previous meeting that there insufficient information and noted there is nothing new in the packet; said she has reviewed the Azek decking sample at Town Hall and has no problem with the material, but cannot vote on the application without more details. AH said she is not aware of more elevations.

Mr. Woodward said he did not forward any elevations, but referenced a photograph to indicate that they are not using any posts or top rails, with the only change being the decking changed to timber; posts to remain as pressure-treated wood; intermediate rails removed for cable; nothing else to change on the building; not replacing the top rail.

CM said he was frustrated in that the request for elevations at the previous meeting was not met, would vote no, as would MM and HS. Mr. Woodward stated his contention that what has been submitted clearly shows how the elevations will appear and that he was trying to save his client a lot of money. AI concurred with the other Board members that there is a lack of clarity in the scope of the design. LD talked through the plans on hand. Mr. Woodward said he would do his best to get elevations in by June 10<sup>th</sup>, apologized for not having provided the requested new plans.

LD made a motion to continue the hearing to the meeting of June 16, 2021. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, LD.

c) [HDC 21-105](#) (continued from the meeting of May 19<sup>th</sup>)

Application by **Yuriy Litvinov**, on behalf of **Marissa Mathews**, requesting to replace 4 windows with a slider with stationary panels, construct 2 decks on the lower and upper level and add a patio door on the lower level of the structure located at **361B Commercial Street, U3**.

LD recused herself; HS assumed the chair.

Mr. Litvinov presented with new proposed elevations featuring the HDC's requests, including balusters rather than a cable system; one door on the 2<sup>nd</sup> level; owners do not wish to add windows; addressed a black mold issue.

HS, CM and AI said they did not get the new drawings. MM said she felt the applicant took all of the HDC's suggestions and is happy to approve; directed AI to the links.

HS made a motion to continue the decision to the meeting of June 16, 2021. CM seconded the motion and it passed, 3-0-1: CM, AI, HS in favor; MM, abstained.

Mr. Litvinov asked if a two-door slider could be added to the second floor. HS said this request would prompt a whole new set of drawings. AI said a sliding door would return

the HDC to its initial reservations about the design plan with a too transparent water-side; would not encourage the owners to put in a slider on the back doors. CM said the plan could be amenable if windows were added to the parking lot side to balance the structure. HS said she liked the idea of windows on the parking lot side but is not in favor of the sliders.

d) [HDC 21-107](#)

Application by **Pavel Fiodarau**, on behalf of **Jackie LaLonde**, requesting approval for an existing 4' high stockade fence with 2' lattice on the top on the property located at **5 Dyer Street**.

Robin Reed, Attorney, presented; went through the design plans, said fence is constructed of white cedar, stockade, between 5 ½ and 6' high, attached on north end and runs along south end lot, sits back more than 20' from the plane of the front; owner plans to plant an evergreen hedge 6'-8' high; said the fence mimics the fence on the north side – which is located less than 2' from the north façade plane; referenced nearby property fences. No public comments or letters.

Jackie LaLonde offered that in the previous application the fence was illustrated and 10-12 neighbors have stood in support of the application; apologized to AI for not being notified for the site review.

AI said he had been to the property earlier in the day and counted five different types of fencing; that while he appreciated the plans for landscaping, it is a bit of a mess. CM remarked on his site visit wherein he was charmed by Ms. LaLonde but would have to agree with AI in favor of one consistent style. HS said she didn't have an issue with the height and liked the uniformity, as did MM. LD said she agreed with all the other Commissioners. HS said she would opt for the fence portion with the gate as it would perhaps blend in better. CM agreed and added that Ms. LaLonde is charming. Ms. LaLonde said she could remove the lattice work and mimic the height. HS said she'd prefer the fence at 5 ½' all the way across, to which CM agreed. AI said he'd prefer to see the fence with gate section extended. HS disagreed as she found that portion of the fence a bit too rustic and backyard-y.

Ms. LaLonde offered to remove the lattice, add the pointy sticks to the existing base and then mimic the slight slope so it all looks uniform.

LD advised leaving the left side fence as is with the right side to be reduced in height about a foot, to be the same height as the gate, little toppers to mimic the gate. HDC agreed.

LD made a motion to replace the two right-side panels with fencing to match the same exact height and length of the gate. HS seconded the motion and it passed, 5-0-0; HS, CM, MM, AI, LD.

e) [HDC 21-109](#) (*request to continue to the meeting of June 16<sup>th</sup>*)

Application by **Sean Curran** requesting to renovate a structure, including replacing windows and doors and an entrance stairway and landing, expanding an existing shed dormer, removing a roofline at the rear to create a roof deck with wood railings, and installing a decorative trellis structure and a new fence on the property located at **16 Bradford Street**.

LD made a motion to continue the hearing to the meeting of June 16, 2021. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, LD.

f) [HDC 21-111](#) (*request to postpone to the meeting of June 16<sup>th</sup>*)

Application by **David High** requesting to construct a porch 8' in depth on the front of the Greek Revival structure located at **36 Commercial Street**.

LD made a motion to continue the hearing to the meeting of June 16, 2021. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, LD.

g) [HDC 21-112](#) (*postponed from the meeting of May 19<sup>th</sup>*)

Application by **Michael Castillo**, on behalf of **635 Commercial Street Realty Trust**, requesting to replace windows with sliders on the structure located at **635 Commercial Street**.

LD recused herself; HS assumed the Chair.

Mike Castillo presented; said they have scaled down the design plan and will only seek approval for slider on first floor level with steps coming down, second floor slider eliminated; porch to be altered and stairs added with rails to match existing.

CM said his issue is how the historic perspective and unique history will be effected regarding the two connected houses, cited rudimentary elevation with not enough detail or information to formulate a decision or add proper commentary. HS noted new drawings requested at last meeting. Mr. Castillo replied that there had been no mention of new drawings at the last meeting; said nothing is changing in the height and that the trim will be the same and match what is there, noted cable railing now at the back around the patio and some in the front, as well.

AI said there is something beautiful about the twin buildings and he would not be in agreement with approving sliders. MM agreed with AI. CM said he partially agrees with AI and MM, but that he doesn't wish to shut down the applicant on the specific plans without more information, again noted historical significance; recommended the applicant come back with something that is more flushed out.

HS took a poll on favorability of the slider to which AI and MM said no; CM said he couldn't give a definitive negation as this point. HS said she would tend to agree with AI.

HS made a motion to continue the hearing to the meeting of June 16, 2021. CM seconded the motion and it passed, 4-0-0; CM, MM, AI, HS.

LD called for a five minute break.

h) [HDC 21-117](#)

Application by **Ocazo Construction** requesting to replace railings on an exterior stairway and a deck/landing on the property located at **19 Center Street**.

No one presented. No vote taken.

*[NOTE: Case was approved as Administrative Review at the May 19, 2021 meeting with conditions.]*

i) [HDC 21-122](#)

Application by **Kevin Bazarian**, on behalf of **Robert Connin et al.**, requesting to remove a window on the west elevation and replace it with a French patio door on the structure located at **12 Cudworth Street**.

Kevin Bazarian presented; said he last renovated the house five years ago; east and front sides of the house sit close to the street; owners seek new patio access.

HS voiced her concerns about how far over the new door would extend. Mr. Bazarian said he didn't have the exact dimension of the wall as it's a small bedroom at about 18'. LD called for elevations, as did CM, who asked if this building was part of the school house, to which Mr. Bazarian said it was and that he/they purchased it from the previous owner who had planned to add a second floor which they scaled down; assumed if there was an add-on it would have to be about 100 years ago. AI said he would encourage another Provincetown door rather than a set of sliders at the indicated location. MM said she agreed with CM.

LD agreed with AI in the sense that the door is there to access the patio and does not necessitate a French door; recommended elevations for the French doors and also for keeping the window and adding a P-Town door. Mr. Bazarian asked if the client rejects the P-Town door in lieu of sliders does that mean it will fail approval. LD said that while they would



still need to provide elevations, a door would likely be approved to access the patio, but unlikely it would pass as a French style. CM urged a thoughtful door designed within an historical context. Mr. Bazarian said he would provide options by June 10<sup>th</sup>.

LD made a motion to continue the hearing to the meeting of June 16, 2021. HS seconded the motion and it passed, 5-0-0; HS, CM, MM, AI, LD.

AH said she would get in touch with the applicant at 635 Commercial to inform him that the drawings needed to be submitted by June 10, 2021.

i) [HDC 21-123](#)

Application by **Hal Winard**, on behalf of **Arnold's Realty Trust**, requesting to replace a plywood panel fence with red cedar lattice panel fence on the property located at **329 Commercial Street**.

Hal Winard presented; said existing is unsightly and falling apart; liked nice and airy look of lattice-work.

AH added that the lattice on the southern exposure would stand up better than a solid board fence which could rack and break down more quickly with strong wind. LD asked if there was a security or storage issue, to which Mr. Winard said he was not sure what they were planning for the interior space.

CM said a 4' picket would be appropriate where the view is quite prominent from the water and would be aerated and hold up better while being in the HDC guidelines. HS said she didn't find the lattice appropriate and would prefer a 4' picket done in kind. AI said he was inclined to concur with HS that the section be sealed off from view as there might be a lot of stuff to conceal. Mr. Winard said the area would be kept clean, not for old bike storage; each panel quoted as 4'x6'. MM said she is fine as presented.

CM made a pitch for the picket as more appropriate due to the degree of visibility and asked if the HDC could approve a picket for a 5' height, which goes against guidelines.

LD made a motion to approve a 5' tall open picket wood fence with points on top. CM seconded the motion and it passed, 5-0-0; CM, HS, MM, AI, LD.

j) [HDC 21-124](#)

Application by **Jeffrey Mulliken** requesting to construct a wooden shower enclosure on an existing deck on the property located at **34A Pearl Street, U1**.

Jeffrey Mulliken presented; said the shower enclosure would be 4' square x 6'10" high shower enclosure; to sit on top of the existing deck so it needn't be pulled apart for construction; mahogany posts to weather grey and blend in with existing cedar shingles; noted berme rises to an elevation of 35' at the top then drops down to 30' at Harry Kemp.

HS said she had no problem with the plans, as did CM, MM and AI.

LD made a motion to approve as presented. CM seconded the motion and it passed, 5-0-0; CM, HS, MM, AI, LD.

k) [HDC 21-125](#)

Application by **Daniel Gallagher**, on behalf of **87 Bradford St., LLC**, requesting to restore a front porch and to add a deck and an access door to in-fill the rear of an existing structure on the property located at **87 Bradford Street**.

Daniel Gallagher presented; said the unit in question is the middle one with deck access from existing exterior stair; street-side English lattice to be restored, painted dark.

HS said she is hoping the front can be built as planned per Town approval, found it a great improvement; had no problem with the back. CM agreed with HS, noted a charm to the porch. Mr. Gallagher indicated that there were originally two side-lights on a skinny door,

made bigger with three skinny lights. MM said she was fine with it. AI asked of any chance for extra clean-up at the property. Mr. Gallagher said he would inquire of the owner, Eve.

LD asked if there was siding or brick below the siding holding up the porch. Mr. Gallagher said he took it as in-fill. TS said brick adjacent to a fire hydrant would probably not have passed the Fire Department, even back then. LD suggested a simple picket and little step-rail as original to the house, would like to see deck rails, to which CM agreed. HS said she could go either way. AI remarked on layered changes over the years, agreed with extended porch but with a more historically accurate railing; cautioned a clunky alteration.

TS suggested the HDC provide more parameters in the future on what is considered the historical context of a structure so the Board and Town staff can better advise applicants. LD concurred. MM agreed with LD and AI, found deck appropriate but not the enclosed part. CM countered that he would prefer the railing as presented rather than returning to the original in finding it is more suitable for the current site.

LD made a motion to continue the hearing to the meeting of June 16, 2021 with a revised elevation of the front porch featuring more traditional or historic elements. CM seconded the motion and it passed, 5-0-0; CM, HS, MM, AI, LD.

## **6. Update on potential violations reported to the Building Commissioner.**

AH cited the Surf Club at Lopes Square, openings in the two apartments have been shingled over and windows eliminated on the second floor – initially stop-gap measures.

## **7. Review and approval of Minutes:**

HS made a motion to approve the meeting minutes of April 7, 2021 and May 25, 2021. LD seconded the motion and it passed, 3-0-0; HS, MM, LD.

## **8. Deliberations on Pending Decision: VOTES MAY BE TAKEN**

HS made a motion to approve the April 7, 2021 decision of **HDC 21-107, 5 Dyer Street**, written and read into the record by HS. MM seconded the motion and it passed, 4-0-0; HS, MM, CM, LD.

HS made a motion to approve the April 7, 2021 decision of **HDC 21-123, 329 Commercial Street**, written and read into the record by HS. LD seconded the motion and it passed, 4-0-0; HS, CM, MM, LD.

LD made a motion to approve the April 7, 2021 decision of **HDC 21-124, 34A Pearl Street, U1**, written and read into the record by HS. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, LD.

Per HS, the following approved decisions were filed with the Town Clerk's office on May 14, 2021:

**HDC 21-81, 405-407 Commercial St., U2**

**HDC 21-90, 147 Commercial St., UL12**

**HDC 21-91, 198 Commercial St.**

**HDC 21-93, 3 Kendall Lane, UB-3**

**HDC 21-94, 415-417 Commercial St.**

**HDC 21-96, 12A Atlantic Ave., U1**

**HDC 21-102, 535-537 Commercial St., U3**



LD made a motion to adjourn the meeting at 6:57pm. MM seconded the motion and it passed, 4-0-0; MM, HS, CM, LD.

Respectfully Submitted,  
Jody O'Neil