



Historic District Commission

Minutes

The Provincetown Historic District Commission Public Meeting of Wednesday, July 7, 2021; Work Session at 3:30 PM, followed by Public Hearing at 4:00 PM in the Judge Welsh Room at Town Hall, 260 Commercial Street, Provincetown, MA 02657.

Pursuant to Chapter 20 of the Acts of 2021, this meeting/hearing will be conducted **in person** and as a courtesy via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law.

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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 present: John Dowd (JD) Vice Chair, PGB Rep.; Hersh Schwartz (HS), Clerk, Chamber of Commerce Rep.; Michela Murphy (MM), Alternate; Anthony Iannacci (AI), Alternate.

Members by remote: Christopher Mathieson (CM), PAAM Rep.

Excused absence: Laurie Delmolino (LD) Chair, Historical Commission Rep.

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

JD called for quorum by roll call at 3:32pm.

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

3:30 PM Work Session

1. 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 July 21, 2021 Public Hearing agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

- i) [29 Tremont St.](#) (continued from the meeting of June 16th) – To replace windows in kind.
No one presented.

AH said she was in error on this property proposal in the previous packet and that the windows in question are the two vinyl clad units on the cottage. MM said she preferred wood; AH responded that others on the cottage are the same.

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

- ii) [448 Commercial St., U2](#) – To replace 16 windows in kind.
No one presented.

AH noted the property as The Copper Fox; windows Renewal by Anderson, unsure if units are of varying sizes, said quite a few units were replaced during the renovation. JD asked AH if she felt they were acceptable replacements; she replied they were adequate.

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

- iii) [119 Commercial St.](#) – To replace 9 windows in kind.
No one presented.

AH said the wordage is incorrect in the application; that all the trim had been done in Azek; no mention of wood trim was on the application, but wood is understood as the traditionally approved material. MM and JD said they live nearby and have not noticed. HS and MM agreed that there have been a number applications seeking forgiveness for wrongful construction – not a good trend. JD noted that the property has been sold and the new owner is planning for a complete historical renovation.

JD made a motion to accept the recently applied PVC window trim in this particular case at this time. MM seconded the motion and it passed, 4-0-0; MM, HS, CM, JD.

- iv) [18 Prince St.](#) – To replace a front stoop in kind.
No one presented.

HS stated her issue as not enough information. MM said a better photograph was needed, to which CM agreed and requested an elevation. AH said an elevation might not be necessary but a picture of the specified area would have been helpful. MM requested a rep from Cape Associates, observing that the issue of missing information has come up before.

JD made a motion to accept as presented, requesting a photograph to be submitted for the record. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, JD.

- v) [18 Alden St.](#) – To replace 3 windows in kind.

No one presented.

AH noted a multi-year window replacement project and said these are the last three on the north side; smaller window not being replaced. MM related per the app that the trim would be replaced in kind and painted to match. CM related that the wording in the app said close to same size but that there is minimal visibility. AH said that as this is an older home, all the window units may not have been purchased at once.

JD made a motion to accept as presented with the proviso that the trim be painted pine to match existing trim as in previous agreement. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, JD.

- vi) [145 Commercial St., UB2](#) – To replace a stairway in kind.

Laurie Ferreri from Peters Property presented for the property known as Fisherman's Cove behind the barber shop.

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

- vii) [312 Commercial St.](#) – To replace a rotted beam and fascia replacement in kind.

Hal Winard presented for the Governor Bradford building; noted recent structural inspection found two beams in tough shape and which might be, he said, kind of dangerous.

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

- viii) [315A-319 Commercial St.](#) – To replace windows.

Matthew Logan and Lester J. Murphy, Jr., Attorney, presented. Mr. Logan cited five food service windows on the front, 10 sliders, and 3 awning windows at the back are all to be done in kind, all on the ground floor only. Mr. Murphy noted time was of the essence in completing the project at the Surf Club.

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

- ix) [227R Commercial St.](#) – To demolish and rebuild a structure to include 31 hotel units, 4 condominium units and a restaurant/bar.

AI asked if there will be reps from the architectural firm at the Full Review and requested that the history of all past approvals be made available at that meeting.

JD made a motion to consider as Full Review. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, JD.

- x) [77 Commercial St., U1](#) – To replace wood trim with Azek.

JD made a motion to consider as Full Review. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, JD.

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

CM asked AH per the final inspection of the door/window switch-out at [452 Commercial St.](#) to which AH said they were still doing a fair amount of work and have not called for finals.

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

4:00 P.M. Public Hearing: VOTES MAY BE TAKEN

4. **Full Hearings:**

MCM asked if **HDC 21-126** may be taken out of order based on the anticipated length of the preceding applications.

- a) **HDC 21-14** (*request to continue to the meeting of August 4th*)
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**.
JD made a motion to accept the time-waiver. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, JD.
- b) **HDC 21-111** (*continued from the meeting of June 16th*)
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**.
Alan Cabral presented; noted changes to include elimination of all lower rails and hand rails; 10" tapered columns employed; incorporation of a metal hip roof.
AI referenced the prior request for a porch proposal that would showcase the showy façade; said the new plans are an improvement, but could be tweaked a bit and not impinge on the historical side elements of the building. Mr. Cabral said he would speak to the owners per bringing in the sides by a foot. HS said she thought there had been some discussion to make the door more visible. JD remarked on the proportionality of the columns to the windows, to which Mr. Cabral said he agreed that four columns are favorable over three. JD said he felt the fascia running around the top of the columns was a bit under-designed. Mr. Cabral said there will be beefier trim than is represented in the rendering. AI said a drawing of these plans would be needed. JD surmised that the HDC is fine with the porch as long as it is brought in per discussion and a photo produced showing corner boards detached from the porch, detailing of the molding and 8" skirt board applied.
JD made a motion to continue the hearing to the meeting of July 21, 2021. HS seconded the motion and it passed, 3-0-0; HS, AI, JD.

At Ryan Pimentel's request, HDC agreed to take **HDC 21-157** out of order on the agenda.

- c) **HDC 21-112** (*continued from the meeting of June 16th*)
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**.
No one presented. CM said he is aware that the applicant is seeking a new hire for general contractor. AH said she would get in touch with the owners to sign a time waiver.
JD made a motion to continue the hearing to the next meeting. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, JD.
- d) **HDC 21-118** (*continued from the meeting of June 16th*)
Application by **G. Bruce Head, III** requesting to replace a fence on the property located at **4 Atwood Avenue**.
No one presented.
JD made a motion to postpone the hearing to the meeting of July 21, 2021. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, JD.

e) [HDC 21-126](#)

Application by **Jessica LaMontagne** requesting to replace deck railings using pressure-treated 2x4's on the property located at **111 Commercial Street**.

Michael LaMontagne and Sheila LaMontagne presented. Mr. La Montagne said they felt the change in rails would be more historical in terms of the restoration of the Pier.

AH explained that the Building Department does not control the 8' front section and all that is parallel to the Bay, but a decrease in the space would be advisable for a child's head to remain safe.

JD made a motion to accept as presented with the condition that the x-railing mesh pattern is indicated in the design plans. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, JD.

f) [HDC 21-128](#) (continued from the meeting of June 16th)

Application by **Jonathan Guevara** requesting to replace 3 windows on a storefront with a single picture/display window on the property located at **220 Commercial Street, U1**.

Jonathan Guevara presented for the property that is French Feelings and MAP.

HS said she was not in favor of the proposal. Mr. Guevara said the window changes will make the business occupants more retail-friendly. MM noted the majority of commercial windows along this strip of properties are single-pane. AI said he didn't understand why the applicant would choose to swap the charm of the building for something resembling a strip mall; said he adamantly agrees with HS. CM said he is not opposed to the plan, but would like to see an elevation to confirm the design concept. JD observed that the window schema relates more than a usual commercial space in that the building was once a house, perhaps separated into two buildings in the 1950s or 60s and that the obstruction to retail is more attuned to the garden patches or landscaping in front of the entrances.

TS asked if CM would not be able to vote tonight without a rendering, to which CM said he would not hold up the vote if he was the deciding factor.

JD made a motion to postpone to the meeting of July 21, 2021 with an appropriate façade drawing. MM seconded the motion. [Note: no vote taken.]

AI objected to the motion in stating that a measure such as this one is just kicking the can down the road and wasting time and resources for the sake of a rendering.

JD withdrew the previous motion and made a renewed motion to deny the application. [Note: no vote taken.]

Mr. Guevara asked if a single pane could be employed but with thin separators to give the impression of three windows, as existing. AI said he would not be in favor of a false divide. JD gave Mr. Guevara the option to accept approval for in kind only or to withdraw. Mr. Guevara chose the latter.

JD made a motion to accept withdrawal of the application without prejudice. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, JD.

g) [HDC 21-137](#)

Application by **Thomas Biggert** requesting to replace the storm-damaged picket fence along the east side with a double rail fence to match the one along the south (water) side of the property located at **473 Commercial Street**.

Thom Biggert presented; said the fence got blown over last winter and the replacement for the picket is to one that matches the double rail fence along the back of the property and opens up the view from the street; reported having the blessings of neighbors.

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

h) [HDC 21-138](#) (request to postpone to the meeting of July 21st)

Application by **Ted Smith**, on behalf of **Howard Burchman**, requesting to convert an existing guesthouse to 3 residential units, including reconfiguring an existing roof and various windows and doors, expanding a one-story appendage on the north elevation, adding a bay window on the south elevation, adding a second floor, and constructing a deck on top of an existing first-floor roof on the structure located at **12 Center Street**.

AH reported a request to continue the hearing to the meeting of August 4, 2021.

JD made a motion to accept postponement of the hearing to the meeting of August 4, 2021. MM seconded the motion and it passed, 5-0-0; MM, HS, CM, AI, JD.

i) **HDC 21-139** (continued from the meeting of June 16th)

Application by **Thomas Gregory Walker** requesting to replace wooden railings and deck material on several decks on the property located at **557 Commercial Street, U2**.

James Materese, husband of Thomas Gregory Walker, presented.

AH noted temporary supports in the photos. Mr. Materese said that when they saw evidence of breakage they knew they had to make immediate remediation; sought to copy the railings of the white house next to the Red Inn. AI said he felt the rail detail that is at the seawall should be mimicked for all the rails on the property. Mr. Matarrese said all rail replacements are proposed for cable based on the level of deterioration; said neighbors are all in support.

JD said he tended not to appreciate cable rails on historic buildings as it can be jarring, but in this case – with a wall of sliders and a big, picture window – nothing unifies the building and he could be fine with the cable in this particular instance. AI agreed with JD, as did HS. MM abstained as, she stated, cable railings are not accepted in the HDC bylaws.

JD made a motion to accept as presented. HS seconded the motion and it passed, 4-0-1: HS, CM, AI, JD, in favor; MM, abstained.

HDC elected to take **HDC 21-154** out of order.

MM left the meeting at 5:12pm.

j) **HDC 21-144**

Application by **Joe McCarty**, on behalf of **GS PTown, LLC**, requesting to demolish and rebuild a structure in a larger footprint by expanding it 7' on the west elevation on the property located at **193 Bradford Street**.

No one replied when called on to present.

JD made a motion to postpone the hearing to the meeting of July 21, 2021. CM seconded the motion and it passed, 4-0-0; CM, HS, AI, JD.

k) **HDC 21-154**

Application by **Paul Colburn**, on behalf of **427 Commercial Street, LLC**, requesting to add a window on the structure located at **427 Commercial Street**.

Peter and Lynn Stewart, owners, presented. Mr. Stewart said he built the house in 1976 and that there has been very little change to the exterior of the building; proposed new window units as Anderson Perma-shield casements to match others on the property.

HS announced the building as non-contributing. JD and AI said they were fine with it.

JD made a motion to accept as presented. HS seconded the motion and it passed, 4-0-0; HS, CM, AI, JD.

l) **HDC 21-155**

Application by **Sarah Benjamin**, on behalf of **Ross J. Venables et ux.**, requesting to replace windows on the structure located at **19 West Vine Street**.

Sarah Benjamin presented by remote; said the replacement is for 6/6 with 2/1 and black exterior paint; trim to be replaced in kind; house built in 2005, which JD identified as new construction in the Historic District.

JD made a motion to accept as presented. HS seconded the motion and it passed, 4-0-0; HS, CM, AI, JD.

m) [HDC 21-157](#)

Application by **Charles Giachinta** requesting to add 15 skylights on the structure located at **16 Winslow Street, U5.**

Ryan Pimentel presented.

CM said he had spoken to Ryan Pimentel prior to the meeting and learned that only two of the skylights are visible from a public way. Mr. Pimentel said slide #14 and slide #17 are the skylights in question. AI asked how many dormers on the upper floor were receiving skylights to which Mr. Pimentel said would be a total of four. AI said he felt the application is an overwhelming plan to the existing area. MM said she had been by the property and the visibility is minimal. Mr. Pimentel said he could forego the dormer sky lights. JD said he looked at the satellite view and had been to the premises and that to alter the roof and dormers with skylights would be detrimental to the building as a 1920s bungalow style that is pretty intact as well as in the Historic District; whereas skylights on the rear would be fine, based on the degree of visibility. AI stated his opinion that skylights are not appropriate to this building. HS said she could approve of skylights or a large window on the rear.

JD made a motion to deny skylights on the front three sections of the house but to allow for a skylight or set of four on the rear or west side of the house. CM seconded the motion and it passed, 4-1-0: CM, HS, MM, JD, in favor; AI, opposed.

5. Any Other Business:

PMPM HDC Rep. Update

AH read a July 1, 2021 letter written to David Abramson, Chair of the Select Board, by K. David Weidner, Ph. D, Executive Director of the Cape Cod Pilgrim Memorial Association, requesting a follow-up to the appointment of a Pilgrim Monument and Provincetown Museum representative to the HDC which was postponed at the May 24, 2021 Select Board meeting wherein two vetted candidates, Anthony Iannacci and himself, were made available for interview and approval at that time. Correspondence from Town Clerk, Emmet Catanese, to Dr. Weidner noted the Town Moderator's time frame for facilitating the appointment had expired on June 28, 2021 following a 30-day waiting period, and that the designation would now revert to the authority of the HDC for vote and approval.

JD made a motion to place a vote for the appointment of an HDC representative to the PMPM at the July 21, 2021 meeting. HS seconded the motion and it passed, 4-0-0; HS, CM, AI, JD.

206 Bradford Street

AH referenced a conference call with she, HS, and the attorney and owner of 206 Bradford with the presiding judge regarding the horizontal board fence dispute; expressed that the judge had already made up his mind to adjudicate on behalf of the owner as she had already paid \$30,000 for the fence and all of her neighbors liked it. The next hearing on the case was then scheduled for 3pm on Friday, July 2, 2021 upon which a postponement was sought by AH and approved for July 16th at 10:30am in person in Barnstable County; AH and HS to be on hand for a Rule 16 hearing at Barnstable Superior Court. AH highlighted the fence height violation

and chronology of hearing details through the meeting minutes as structured in a document by recording secretary, Jody O'Neil.

6. Review and approval of Minutes:

HS made a motion to approve the HDC meeting minutes of April 21, 2021. CM seconded the motion and it passed, 4-0-0; HS, CM, AI, JD.

HS made a motion to approve the HDC meeting minutes of May 19, 2021. CM seconded the motion and it passed, 4-0-0; HS, CM, AI, JD.

7. Deliberations on Pending Decisions: VOTES MAY BE TAKEN

HS made a motion to approve the July 7, 2021 decision of **HDC 21-126, 111 Commercial Street**, written and read into the record by HS. AI seconded the motion and it passed, 4-0-0; HS, AI, CM, JD.

HS made a motion to approve the July 7, 2021 decision of **HDC 21-137, 473 Commercial Street**, written and read into the record by HS. JD seconded the motion and it passed, 4-0-0; HS, CM, AI, JD.

JD made a motion to approve the July 7, 2021 decision of **HDC 21-137, 19 West Vine Street**, written by HS and read into the record by JD. HS seconded the motion and it passed, 4-0-0; HS, CM, AI, JD.

JD made a motion to approve the July 7, 2021 decision of **HDC 21-157, 16 Winslow Street, U5**, written by HS and read into the record by JD. CM seconded the motion and it passed, 4-0-0; CM, HS, AI, JD.

AI made a motion to approve the July 7, 2021 decision of **HDC 21-139, 557 Commercial Street**, written by HS and read into the record by AI. JD seconded the motion and it passed, 4-0-0; AI, HS, CM, JD.

AI made a motion to approve the July 7, 2021 decision of **HDC 21-154, 427 Commercial Street**, written by HS and read into the record by AI. JD seconded the motion and it passed, 4-0-0; AI, HS, CM, JD.

Per HS, the following decisions were filed with the Town Clerk's office on June 21, 2021:

HDC 21-105, 361B Commercial St.; **HDC 21-122**, 12 Cudworth St.; **HDC 21-84**, 607 Commercial St.; **HDC 21-109**, 16 Bradford St.; **HDC 21-140**, 259 Bradford St.; **HDC 21-125**, 87 Bradford St.; **HDC 21-143**, 538 Commercial St., U11; **HDC 21-130**, 7 Brewster St.

HS said she hoped to get more HDC members to join her in writing approved decisions at hearings.

JD made a motion to adjourn the meeting at 5:41pm. HS seconded the motion and it passed, 4-0-0; HS, CM, AI, JD.

Respectfully Submitted,
Jody O'Neil