

Historic District Commission Minutes  
Wednesday, June 16, 2010  
Grace Gouveia Building, Room 10  
26 Alden Street, Provincetown, MA 02657

Historic District Commission Members Present: John Dowd, Marcene Marcoux, David McGlothlin, Polly Burnell and Lynne Corbett.

Excused Absent: Carol Neal and Nathan Butera.

Staff Present: Maxine Notaro, Permit Coordinator.

John Dowd called the meeting to order at 3:30 PM.

Agenda

**Work Session 3:30 p.m.**

Administrative Reviews

David Bowd, 157 Commercial Street; the request was to install two skylights and change two doors. Board members approved the installation of the two skylights but doors to either be solid doors or half-light with panel below.

***FY10-31(Continued from June 02, 2010)***

**Application by Paul McAdam of McMahan Architects, Inc. on behalf of Mike Cerruti** 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 for the restoration and renovation of an existing Greek revival house and existing additions in the Traditional style. Construct two peak dormers and two shed dormers and root top decks; install new windows and doors and replace windows and doors. Construct a small one-story addition of mostly glass with a roof-top deck on the North West side. Create a full basement under the entire structure with a walk out access to Briggs Lane and; for the extension of an existing garden shed on the rear property at the property located at **10 Pleasant Street, Provincetown, MA.**

Polly Burnell and Marcene Marcoux both recused from this case due to their absence at the previous meeting when discussion took place.

The board members agreed to open up the public portion of the hearing; as new abutter concerns were addressed.

Kevin Soyt raised several concerns. 1. Construction of the basement with respect to elevation from grade and that the structure will not be any higher. 2. That the fence be shown. There is significant excavation to get light yet there is no notice of that. 3. Expansion of the shed; there is no shed. They have lived across the street from the property 15 years and there has never been a shed.

Kay McFadden said the elevation is dictated by the building code. The contractor and homeowner were assured by the engineer that the building could be held in place to install a foundation. There will be a retaining wall of some kind that will be of gradual transition.

The Southeast elevation was redrafted.

Motion: To accept the revised plans as drawn.

Moved: John Dowd. Seconded: David McGlothlin. Voted: 3-0-2 (Marcene Marcoux and Polly Burnell).

**FY10-39 (Revised plans for signatures) (Will submit for 7/7/10)**

**Application by Robert Valois on behalf of Clipper Ventures Realty Trust** at the property located at **335 Commercial Street, Provincetown, MA.**

**Public Hearing 4:00 p.m.**

**Pending Cases**

***FY10-30 (Continued from May 5, 2010 meeting)***

**Application by Deborah Paine Inc. on behalf of Russell Friedman and Wayne Briggs** 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 demolish and rebuild the main house utilizing the existing footprint with small conforming expansions with a screen porch and; to relocate the existing studio with new concrete footings at the property located at **8 Fishburn Court, Provincetown, MA.**

**Request by Deborah Paine to continue the meeting to July 7, 2010.**

Marcene Marcoux said she was not present for the original hearing; however, she would be listening to the tape; as the meeting was videotaped.

David McGlothlin took exception to this as the meeting was videotaped but not in an official capacity. The individuals videotaping that portion of the meeting happened to be the abutters who were in opposition to the case.

Marcene Marcoux said it's her understanding that the abutters sought permission from the Town Manager to tape the meeting; therefore, that makes it legal. She is citing the Mullen Rule.

David McGlothlin said he disagreed and further stated it sets a great precedent for other individuals who want to tape the meetings and want other board members to listen to the tape to sit in on cases.

Deborah Paine said she had no problem with whatever the board decided just as long as there is continuity.

The Board members requested that Maxine Notaro seek the legal opinion from Town Counsel as to whether or not listening to an outside videotape recording is appropriate.

**Motion: To continue the hearing to July 7, 2010.**

**Moved: John Dowd. Seconded: Polly Burnell. Voted: Unanimously.**

### **24 Franklin Street Fence Complaints**

The police department received complaints regarding visibility of the newly installed fence.

John Dowd reminded the owners that the HDC Fence Policy is 4' picket with privacy to be set back 10' from the front of the house. A corner lot house requires a 4' picket fence on both sides of the public way.

The fence will be redesigned to meet the height requirements of the Historic Commission guidelines.

The commission members also discussed with the owners the French doors that were installed. They are not appropriate to this house. The door will be changed to meet the guidelines as well.

Atlantic Bay Real Estate – discuss and review new house plans for 20A Commercial Street, currently a vacant lot  
Sue Burkell of Atlantic Bay Real Estate said the homeowner would like to construct a single-family dwelling on the lot. Peter McDonald, Architect submitted a model of what the dwelling would look like. The preference would be a sod roof.

John Dowd said he loved the design and it fits the location, however, it detracts from the Historic Lands End Inn property.

Peter McDonald said that is the reason for the limited height of the structure and the flat roof.

Michael McIntyre, owner said he had discussed this with the previous/former Historical Commission members and mentioned the concept would be to that of the Murchinson property.

Russ Braun asked if they could model one of the contexts and suggested as a presentation technique for the public it would be helpful. Something on the idea of a photo shop setting with landscaping, etc. It's a very attractive design and it tucks in quite nicely.

Marcene Marcoux said she liked the design and likes where it fits in with the Murchinson design of the property in the development process.

John Dowd said it would be better to minimize the height so as to not obscure the view from Lands End Inn.

Peter McDonald said there may be changes to the proposal to add an off street garage. The board members agreed they would not look favorably on this idea.

Michael McIntyre asked what other roof options would the board like to see in the event the grass does not work.

John Dowd said he should consult with the architect about that.

Marcene Marcoux said they might want to take a look at what the Murchinson property did with their flat roofs.

Russ Braun said the flat roofs at the Murchinson property have a metal roof design.

No further discussion.

#### **4 Atwood Avenue**

Ron Slovack, contractor submitted revised plans. The Zoning Board of Appeals requested the scale be reduced, therefore, new plans showing the reduction required approval by the Historic District Commission.

**Motion: To approve the plans as modified.**

**Moved: Polly Burnell. Seconded: Lynne Corbett. Voted: 5-0-0.**

#### **New Cases**

##### **FY10-40**

**Application by Baldwin Realty Trust, Vernon L. Brown, Trustee** for a Certificate to be issued in accordance with the Provincetown Historic District Commission established under the General By-Laws, Chapter 11, Demolition Delay Bylaws 11-1-5. The applicant seeks approval to demolish a pre-existing non-conforming cottage and construct a new conforming cottage at the property located at **4 Race Road, Provincetown, MA.**

The board said this is one of Provincetown's last cottages in a charming area of town, which is changing old middle class Provincetown.

**Motion: To approve the demolition as requested.**

**Moved: Polly Burnell. Seconded: David McGlothlin. Voted: 3-0-2. (John Dowd and Marcene Marcoux).**

##### **FY10-41**

**Application by Fred Ambrose of Ambrose Homes, Inc. on behalf of Ralph Santora** 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 two dormers with 6/6 windows on both the east and west elevations and, to install a 6/6 window on the second floor east elevation and to extend the existing porch 5 feet to align with the first step with railings to match existing at the property located at **284B Commercial Street, Unit U6, Provincetown, MA.**

Fred Ambrose said the location of the property is in the Alley Way and has no front view.

Katelyn Davis, abutter spoke in favor of the application. The proposed gables with face her house but there is no interrelation with the two so she is comfortable with this.

David McGlothlin questioned why the dormer was so big on one side and not on the other.

Fred Ambrose said the zoning board of appeals needs cannot encompass more than 50% of the floor area. If the dormers were of same size then it would be over this 50% rule and not allowed.

Polly Burnell said this property is a quirky building and the way it is designed will fit in and look good.

**Motion: To accept as presented.**

**Moved: John Dowd.**

**Seconded: Polly Burnell.**

**Voted: 5-0-0.**

**Art House, 214 Commercial Street Ticket Booth**

Russ Braun said the ticket booth was in error of zoning but has been allowed to remain in its present location until after Labor Day.

The Board received a letter from Marie Thiebeault, abutter to 12 Cottage Street expressing her dismay with the construction that was approved. The original plans submitted and reviewed were changed and the abutters had no notification of the changes.

The Historic District Commission said it is the responsibility of the abutters to follow through with a case and not the responsibility of the HDC to re-notice the abutters every time a change occurs.

Marcene Marcoux will draft a letter to Mrs. Thiebeault notifying her of abutter requirements when changes to a plan/case are made and what the due process is.

Adjournment: 5:10 PM.

**Motion: John Dowd.**

**Moved: Polly Burnell.**

**Seconded: David McGlothlin. Voted: 5-0-0.**

Respectfully submitted,

Maxine Notaro

Permit Coordinator/Recording Secretary