

**TOWN OF PROVINCETOWN**  
**HISTORIC DISTRICT COMMISSION**

**REGULAR MEETING MINUTES OF**  
**May 20, 2015 3:30pm**

**MEETING HELD IN THE JUDGE WELSH HEARING ROOM**

**Members Present:** Martin Risteen, Lisa Pacheco Robb, Mark Westman, Laurie Delmolino and Thomas Biggert

**Members Absent:** David McGlothlin and Marcene Marcoux

**Staff Present:** Gloria McPherson, Town Planner

**Meeting called to order by Mr. Thomas Biggert at 3:32pm**

**1. Administrative Reviews**

- a) 4 Bradford Street – replace two windows in kind and replace a door – continued to June 3
- b) 501 Commercial Street – replace door - approved
- c) 476A Commercial Street – amend previously approved decision to remove a window and change trim detail – continued to June 3

**2. Preliminary discussion with the School Committee regarding proposed work at the Elementary School, 12 Winslow Street**

-Tony Brackett from the School Building Committee, along with the project architects appeared before the commission to discuss the proposed work on the high school building at 12 Winslow Street. They explained the scope of work to include a new heating system and to replace the original glass block fenestration system on the gym that was constructed in 1962. The group went over a site plan and talked about where construction will take place and where equipment will be located. A discussion of the placement of HVAC equipment on the low roof over the library and the HDC would like to see a lower profile with the ducts placed on the side of the building. The conversation then turned to the glass block wall and the designers explained that they would like to replace the glass blocks with a glass curtainwall system because glass block isn't compliant with the impact code and the commission liked option A2 that was presented.

**\*Agenda items 3-6 were put off until the end of the meeting to get the public hearing under way.**

- 3. Determination by the Historic District Commission regarding a potential violation at 48 ½ Bradford Street and designation of the Building Commissioner to pursue enforcement pursuant to Article 15, Local Historic District, Section 15-10, Enforcement and Penalties. Votes may be taken.**
- 4. Review of prior application and approval for 169 Bradford Street; Determination by the Historic District Commission regarding a potential violation at 169 Bradford Street and designation of the Building Commissioner to pursue enforcement pursuant to Article 15, Local Historic District, Section 15-10, Enforcement and Penalties. Votes may be taken.**
- 5. Discussion with the Town Planner regarding Solar Panel Policy**
- 6. Review and approve Minutes of the May 6, 2015 hearing**

*Motion made by Thomas Biggert to approve the minutes of May 6, 2015 as written and was seconded by Lisa Pacheco Robb. The motion passed unanimously 4-0-1 (Laurie Delmolino Abstaining).*

- 7. Any other business that shall properly come before the Commission**

The public hearing portion of the meeting was opened by Mr. Thomas Biggert at 4:27 pm.

- 8. Public Comments/Board Comments**

## 9. Public Hearings

### i. **Case #FY15-86**

**Application by Pavel Fiodarau on behalf of John Corcoran** requesting approval to replace two patio doors in kind and add sidelights, replace set of casement windows with sliding glass door, replace half circle window, replace two windows with full lite doors, and replace wooden railing system with cable railing system at the property located at **105 Commercial Street**.

Pavel Fiodarau appeared before the commission to present the proposal.

No public comments and no letters in the file.

Ms. Pacheco Robb would rather see square windows above the slider to replace the half circle window instead of the proposed polygon, but felt the new window was an improvement none the less.

Ms. Delmolino agreed with Ms. Pacheco Robb and suggested transom windows.

Ms. Pacheco Robb suggested that the top sides of the proposed polygon window be parallel to the roof plane and the commission generally agreed.

The commission felt the proposed changes were appropriate.

***Motion made by Thomas Biggert to approve case FY15-86 with the conditions that the proposed top of the polygon window be parallel to the existing roof plane and was seconded by Mark Westman. The motion passed unanimously 5-0-0.***

### ii. **Case #FY15-87**

**Application by Paul Kelly of Manitou Architects on behalf of Peter Klint and Philip Wilson** requesting approval to construct a garden shed at the property located at **34 Bradford Street**.

Paul Kelly, project architect, appeared before the commission to present the proposal.

No public comments and no letters in the file.

Ms. Delmolino thought the design looked historic.

Mr. Risteen felt the proposal was appropriate.

Mr. Biggert would prefer a single door adjacent to the window on the front of the shed.

***Motion made by Mark Westman to approve case FY15-87 as presented and was seconded by Laurie Delmolino. The motion passed unanimously 5-0-0.***

### iii. **Case #FY15-88**

**Application by Derik Burgess of Cape Associates Inc on behalf of Ye Olde Whaler Condo Association** requesting approval to deviate from a previously approved design regarding the finished height of a reconstructed roof deck at the property located at **538 Commercial Street**.

Derik Burgess appeared before the commission to present the proposal and explained why the deck ended up being higher than originally proposed.

No public comments and 3 letters of support were read into the record.

Ms. Pacheco Robb mentioned that there was an opportunity after the mistake was realized and before the deck was constructed to stop, come back and rectify the situation with approvals from the commission.

The commission wondered whether the roofing material should be changed so that it is more waterproof with a structure on top.

***Motion made by Thomas Biggert to continue case FY15-88 to the June 3<sup>rd</sup> hearing and was seconded by Laurie Delmolino. The motion passed unanimously 5-0-0.***

iv. **Case #FY15-89**

**Application by Nathaniel McKean on behalf of Michael Frattarelli** requesting approval to construct a roof deck and spiral staircase on the rear portion of the structure, install 6 skylights, reconstruct a demolished chimney, and install 3 casement windows and replace a door on the east elevation at the property located at **11 Conant Street**.

Nathaniel McKean, project contractor and Michael Fratterelli, home owner, appeared before the commission to present the proposal.

No public comments and 4 letters of support were read into the record.

Ms. Delmolino stated that the area of work is highly visible from some locations.

Ms. Pacheco Robb thought the area of work was fairly concealed and stated that the neighbors were ok with the proposed work. She questioned how they are going to construct the roof deck, especially given the problems with the previous case, and she noticed that the plans and elevations do not match.

Mr. Biggert felt there were too many skylights in the proposal and stated that the commission wants to minimize the number of openings in the roof.

Mr. Westman confirmed they are replacing an existing skylight with a larger skylight.

The commission negotiated with the applicant about the number of skylights and decided to allow 3 in total, including the replaced skylight and the enlarged skylight.

***Motion made by Thomas Biggert to continue case FY15-89 to the June 3<sup>rd</sup> hearing and was seconded by Lisa Pacheco Robb. The motion passed unanimously 5-0-0.***

v. **Case #FY15-90**

**Application by John DeSouza on behalf of William Docker and Tom Stearns** requesting approval to construct a second floor addition on the southern portion of the structure at the property located at **12 Mechanic Street**.

John deSouza, the owner's representative, Bill Docker and Tom Stearns, home owners, appeared before the commission to present the proposal.

Mr. deSouza referenced HDC guidelines and related the project to other buildings in the area with limited visibility.

No public comments, 8 form letters in support and 1 letter of opposition were read into the record.

The commission discussed increasing the pitch of the roof but Mr. deSouza argued that it would be hard to do because of the height requirements needed for a shower.

Mr. Westman moved to accept as revised but didn't have the votes to move the vote forward.

The commission discussed applicants providing better detailing to pull the roof down to the window.

Ms. Pacheco Robb requested vertical dimensioning showing floor plate height to ceiling; corner and frieze boards with a 4 inch soffit; wondered if an increase in pitch is even possible and would like to see a double hung window or 2 square windows.

*Motion made by Mark Westman to continue case FY15-90 to the June 3<sup>rd</sup> hearing and was seconded by Lisa Pacheco Robb. The motion passed unanimously 5-0-0.*

vi. **Case #FY15-91**

**Application by Tom Thomson on behalf of Zygmunt & Ann Planer** requesting approval to construct a covered porch on the northeast side of the structure at the property located at **197 Bradford Street**.

John deSouza appeared before the commission to present the proposal.

No public comment and no letters were in the file.

Ms. Delmolino confirmed that the existing roof is flat but the proposed has a slight pitch.

*Motion made by Thomas Biggert to approve case FY15-91 as presented and was seconded by Mark Westman. The motion passed unanimously 5-0-0.*

vii. **Case #FY15-92**

**Application by Renewable Energy Systems LLC on behalf of Eric Shapiro** requesting approval to install sixteen 4'x8' solar heating panels on the southwest portion of the roof to heat pool water at the property located at **280 Bradford Street**.

Erica Boyle of Renewable Energy Systems LLC appeared before the commission to present the proposal and explained that the pipes can be painted to match the color of the structure.

No public comments and 1 letter of support were read into the record.

The commission found the proposal to be appropriate.

*Motion made by Thomas Biggert to approve case FY15-92 with the condition that the pipe be painted to match the color of the existing structure and was seconded by Laurie Delmolino. The motion passed unanimously 5-0-0.*

**Mr. Biggert ended the public hearing and returned to the work session.**

**3. Determination by the Historic District Commission regarding a potential violation at 48 ½ Bradford Street and designation of the Building Commissioner to pursue enforcement pursuant to Article 15, Local Historic District, Section 15-10, Enforcement and Penalties. Votes may be taken.**

The commission reviewed the original proposal and the commission believes the work that was done to be beyond the scope of the approval.

Mr. Biggert surmised there may have been structural problems when they started to add the dormer.

The commission decided that the infraction wasn't egregious.

Ms. Pacheco Robb added that since the drawings were well dimensioned there should be no problem bringing the structure back to its original state.

The commission asked Ms. McPherson to invite Kaye McFadden, project contractor, to the next meeting to discuss the remediation effort.

**4. Review of prior application and approval for 169 Bradford Street; Determination by the Historic District Commission regarding a potential violation at 169 Bradford Street and designation of the Building Commissioner to pursue enforcement pursuant to Article 15, Local Historic District, Section 15-10, Enforcement and Penalties. Votes may be taken.**

Ms. Pacheco Robb explained that based on her observations of the structure at 169 Bradford that 3 out of the 4 wall had been removed on the second floor and that all 4 walls had been removed on the first floor.

Mr. Biggert read the definition of demolition from the HDC bylaw and the commission generally agreed that at least 25% of the structure had been removed.

Mr. Biggert believes the removal of the exterior walls and most of the old structure of the building constitutes a demolition under section 15-11-2.5A of the Towns Historic District Bylaw, as more than 25% of the structure has been removed and Ms. Delmolino seconded.

***Motion made by Thomas Biggert to designate the Building Commissioner to pursue enforcement and was seconded by Lisa Pacheco Robb. The motion passed unanimously 5-0-0.***

**5. Discussion with the Town Planner regarding Solar Panel Policy**

The commission had a general discussion with Gloria McPherson, Town Planner, about enacting policies for the implantation of solar panels in the Historic District.

**6. Review and approve Minutes of the May 6, 2015 hearing**

***Motion made by Thomas Biggert to approve the minutes of May 6, 2015 as written and was seconded by Lisa Pacheco Robb. The motion passed unanimously 4-0-1 (Laurie Delmolino Abstaining).***

***At 7:35, a motion to adjourn was made by Thomas Biggert and seconded by Laurie Delmolino. Motion passed unanimously 5-0-0.***

Respectfully submitted,

Thomas Biggert  
Chair