

**The Provincetown Historic District Commission
Wednesday, January 04, 2006, Town Hall, 260**

Meeting Minutes

Members present: Clo Tepper, Carol Neal, Polly Burnell, Marcene Marcoux.

Members absent: Eric Dray, John Dowd, Nathan Butera.

Staff present: Maxine Notaro, Doug Taylor

Work Session 3:45 pm

49A Commercial St. – Rob Galligan appeared with revised plans that illustrate the previous conditions in the board’s case decision. There is one letter in the file from Massachusetts Historic, which came about from DEP reviewing it as a waterfront property. The owner is requesting two changes from the conditions set forth in the earlier decision.

Carol Neal wants time to review the file with Maxine Notaro to determine if it can be handled by administrative review. Carol Neal and Polly Burnell will review the case with staff on 1/5/06 to determine the process required for this review.

104 Bradford – Mike Cysoski – Wants to replace two windows at Gabriel’s condos. One faces the street and faces the Bas Relief. Both windows would be a replacement in kind and conform to the other windows in the building. The board approved the replacements.

Clo Tepper recused himself from this discussion.

Public Hearing

Public hearing was called to order by Carol Neal at 4pm.

2006-01

Application by Mike Beddard of Home Depot on behalf of Marcy D’Agostine 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 install seventeen (17) Anderson wood 6/6 replacement windows at the property located at **558B Commercial Street, Provincetown, MA.**

The case did not appear before the board. No action was taken.

2006-02

Application by David Kilborn 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 addition of shed dormers to the east and west elevations, extension of the rear ell up and out and an addition of deck/widow’s walk to the rear (north) and new fenestration on the sides and the rear of the building at the property located at **20 Bradford Street, Provincetown, MA.**

Members sitting on the case: Clo Tepper, Carol Neal, Polly Burnell, Marcene Marcoux.

Discussion:

John DeSouza presented the plans and the board reviewed each elevation.

South – change front door with like kind, with 4” of additional width to meet code. Windows will be replaced with Andersen 2x4’ replacement (A). All shingles will be replaced. Architectural features will remain the same or be replicated.

East – ell will be visible and small cantilevered deck, 9x10 with a corner unfilled for approximately 40SF of coverage, not extending beyond the façade. Members discussed allowing a dormer on what is otherwise a pristine elevation. The dormer is recessed away from the wall.

Rear East – Deck size is limited to decrease the visibility and make the railing/deck more discreet.

West – dormer size dominates the roofline. It is the least visible of the two sides.

Public comment: None in favor or opposed.

There are comments in the file from board chair John Dowd, who was absent from the meeting. He is opposed to the dormer on the east side because it such a pristine elevation.

Motion: Marcene Marcoux

Second: Polly Burnell

To grant a certificate of compliance for the plans as presented pursuant to guidelines.

Dormer 8.a

Deck 9.d

Door 6.b same style as the original.

Windows 5.b, 5.c

Yea: Marcene Marcoux, Polly Burnell

Nay: Clo Tepper, Carol Neal

Abstain: 0

The tie vote stimulated the following conversation.

Clo Tepper and Carol Neal want to deny the east side dormer in order to preserve the unique (blank eastern facade) historic character of the building, pursuant to guidelines

2.a & 2.b.

The applicant feels that the guidelines allow for dormers and can not be interpreted otherwise. He referred to 9 Pleasant as a comparative case. Polly Burnell would prefer not to see a dormer on the east side, but does not feel the guidelines prevent the alteration.

Motion: Marcene Marcoux

Second: Polly Burnell

To grant a certificate of compliance for the plans as presented with the following conditions/revisions, pursuant to guidelines;

1] No shed dormer on the east elevation pursuant to 2.a and 2.b,

2] The west elevation dormer is allowed under 8.a.

2] Deck is allowed under 9.d.

3] Door will be of the same style as the original and is allowed under 6.b.

4] Windows are allowed under 5.b, 5.c. and all approved replacement windows must use non-tinted, clear glass and ½ screens, unless otherwise provided in the decision. Full screens or windows with Low-E, or other tinted glass are not permitted.

Yea: Clo Tepper, Carol Neal, Polly Burnell, Marcene Marcoux.

Nay: 0

Abstain: 0

2006-03

Application by Paul Richardson 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 proposed revisions to File #2005-39 to install new brick faced foundations for the existing main building and cottage. Renovate the existing main building in place with no increase in height or size; renovate the existing cottage in place, restore gambrel form to cottage roof; reduce the footprint of the kitchen ell area and reduce the non-conforming setbacks; in-fill between buildings to reduce difficult to maintain areas between buildings; install new structural members and framing along with replacement and/or relocation at the property located at **44-48 Pearl Street, Provincetown, MA.**

Members sitting on the case: Polly Burnell, Marcene Marcoux, Clo Tepper, Carol Neal.

Discussion:

Front elevation – southeast – the applicant wishes to retain the two door/two studio style on the front. In the bottom right corner, the window has been moved toward the center of the building. Two new windows are included for the upper level. All exterior surfaces will be re-shingled.

Cottage – restoring the gambrel and reducing the footprint of the ell to reduce the non-conformance of the building.

Polly Burnell remarked that she had seen a historic photograph showing the gambrel roof which the applicant plans to restore. The applicant added that he had found ample evidence within the framework of the cottage to support the existence of a gambrel roof.

The connection between the buildings – the ell would remain three feet behind the front plane of the barn and the cottage. Expanding it would eliminate current issues with maintenance due to limited access between the buildings. The cultural importance of the building was discussed. The building is significant as it was the studio of Edwin Dickenson and was later the Cape Cod School of Art operated by Henry Henshe.

Window configurations were discussed concerning changes in window placement over the decades. Mr. Richardson provided photographic evidence of the previous historic fenestration when Edwin Dickenson used the studio, which Paul Richardson plans to restore.

The board reviewed the decision made on this property under a previous proposal/owner from early in 2005. According to the applicant the windows are not salvageable. Replacement windows will be in accord with the guidelines.

Rear – northeast – changes are minimal except for French doors and roof deck on a façade which has minimal visibility. The cottage sits back 10 feet from the rear plane of the barn.

Public comment: None in favor or against.

There are three letters in the file: All in favor of the application.

Motion: Clo Tepper **Second:** Polly Burnell

To grant a certificate of compliance for the plans as presented, pursuant to guidelines:

1] Windows are allowed under 5.a, 5.b, 5.c. and all approved replacement windows must use non-tinted, clear glass and ½ screens, unless otherwise provided in the decision. Full screens or windows with Low-E, or other tinted glass are not permitted.

2] Roof deck is allowed under 9.a,

3] Roof changes are allowed under 8.a, and skylights are allowed under 8.c . All skylights must be of a low profile design.

4] French doors on the rear elevation of the cottage are approved based on the setback and reduced visibility.

Yea: Polly Burnell, Marcene Marcoux, Clo Tepper, Carol Neal.

Nay: 0 **Abstain:** 0

2006-04

Application by Regina Binder on behalf of Alex Mazzocca and Glen Martin 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 approximately a 1300 square foot addition to a freestanding 2-story cottage at the property located at **15 Brewster Street, Provincetown, MA.**

Members sitting on the case: Polly Burnell, Marcene Marcoux, Clo Tepper, Carol Neal.

Discussion:

Regina binder presented the application for revisions to the property. There is a small existing garage. The plan is to construct a new building keeping some of the north wall of the existing structure. The northwest corner of the new building would be the existing garage – or at least one wall of it.

The board has questions for staff about the building and the proposal. The garage was built in the 1930's-40's according to Polly Burnell's research.

The board members found the plans vague and lacking appropriate level of detail.

Carol Neal initiated a discussion about replacing a small garage 250 SF out building with a 1200SF building. She feels it is an issue because of the mass of the new construction, referring to guideline 15.

Regina Binder explained the setback of 60' and the scale of the proposed structure compared to the other structure on the property and adjacent properties, all lend to this being appropriate for this site.

Carol Neal and Clo Tepper both agree that replacing small secondary structures with 2 story dwellings is a concern.

The board is in the process of adopting a policy regarding secondary structures. It is considered a contributing building according to Polly Burnell; to wit, the building is well over 50 years old. The applicant disagreed.

Doug Taylor introduced the idea of relocating the garage on the lot and building the new residence as a separate structure. He also asked whether keeping part of one wall makes sense, since little original structure would remain.

The board agreed to the applicant's requested continuance.

Public comment: None in favor or against.

2006-05

Application by Thomas Shirk and Thomas Bantle 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 bump out and reconfigure an existing 2nd story porch and widow's walk; add ½ story to the garage to create a carriage house; addition of dormers, chimney and window bay to south façade; roof deck to the east and oriel window to the north and fenestration changes at the property located at **7 Johnson Street, Provincetown, MA.**

The applicant requested a continuance until 1/25/06

2006-06

Application by Gary Prianti 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 addition of a spiral staircase to the rear elevation to accommodate safety egress at the property located at **441 Commercial Street, Provincetown, MA.**

Members sitting on the case: Polly Burnell, Marcene Marcoux, Clo Tepper, Carol Neal.

Discussion:

John DeSouza and Tom Thompson presented the plans. The spiral staircase would sit outside the view of the windows along the edge of the building.

Doug Taylor supports the additional egress for this third story. The distance from the beach and a nearby tree reduces the visibility.

The propane tanks will be relocated to a location advised by the gas company.

Public comment:

Dorothy Bussa, resident on the first floor of 441 Commercial, objects to the use of metal and having the staircase affixed to the building. She also raised concerns with noise given this is a metal/spiral staircase.

Chris Fiset, Bussa's attorney, opposes metallic spiral staircases. He position is that they are not in keeping with the historic characteristics of the waterfront. It is not in keeping with neighboring properties and would appear as an inappropriate add-on. They consider it an eye sore and have concerns about it negatively affect the value of the property.

Carol Neal read two additional letters from the file. One letter was in support.

One letter opposed and stated that the condo association has not approved the staircase, saying 3 out of 4 owners disapprove.

Doug Taylor stated that he is going to require an egress for this building. He requested the board have the opportunity for input on the design.

Motion: Marcene Marcoux **Second:** Clo Tepper

To grant a certificate of compliance for the plans as presented, with the following conditions/revisions, pursuant to

guideline 13:

- 1] The staircase is designed to allow for additional accessibility from other units in the building
- 2] Noise mitigating materials be used in the staircase
- 3] This decision is influenced by the Building Commission's insistence that an egress be provided to the third floor.

Yea: Marcene Marcoux, Clo Tepper, Carol Neal

Nay: 0 **Abstain:** Polly Burnell

2006-07

Application by Tom Thompson 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 amend previously approved plans to cover first floor decks with porches at the property located at **3 Fishburn Court, Provincetown, MA.**

Marcene Marcoux recused herself due to potential personal conflict.

Members sitting on the case: Polly Burnell, Carol Neal, Clo Tepper

Discussion:

John DeSouza and Tom Thompson presented new plans for the proposed porch which does not require railings. The porch would be minimally visible from Pearl Street.

Carol Neal questioned whether the porch is in keeping with the style of this particular building. Clo Tepper expressed the same concern saying that the porch would not be in keeping with the style of the structure.

The applicants explained that the pitch of the porch roof is so shallow that it appears transparent and would not detract from the features of the house.

Public comment: None in favor or against.

Applicant requested a continuance on the hearing. They wish to return with additional research for the board to consider.

Motion: Polly Burnell **Second:** Clo Tepper

To accept the applicant's request for continuance to 1/25/06

Yea: Polly Burnell, Clo Tepper, Carol Neal.

Nay: 0 **Abstain:** 0

2006-08

Application by Paul Kelly and Edward Dusek 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 add two dormers to the rear ell wing (south elevation) and one dormer to the east elevation. The applicant(s) propose to establish the style of new windows and replacement sash for the building and to organize the rear southeast corner of the property with a new fence at the property located at **19 Pearl Street, Provincetown, MA.**

Members sitting on the case: Carol Neal, Clo Tepper, Polly Burnell, Marcene Marcoux

Discussion: Paul Kelly presented the plans. The original body of the $\frac{3}{4}$ Cape will not be altered. The rear wing / kitchen, which was added at a later date and the upstairs space above the kitchen, are where the changes are focused. The house was probably original Federal Style and later changed with Victorian elements and window changes.

West elevation – there are basically no changes to the front elevation. The applicant would like to remove storm windows from all elevations.

The applicant would like to use 2 over 2 throughout except the smallest windows which would be 4 square. The applicant would like to remove the storms and use divided light insulated glass for all window replacements. He is requesting an approval to use these replacement windows on all portions of the building over time. Window replacements at this time would be for dormers and for the rear portion of the building.

The applicant would like to remove the wooden plank storm door, installed within the last 10 years, to reveal the existing old wooden front door.

South elevation – the dormer is visible from Pearl Street, but the back wing has a very low visibility.

North elevation – The French doors would be replaced with divided light panes.

East elevation – Clo Tepper would prefer to see something other than French doors on this elevation. The applicant explained that the outside space is fenced and is a private outside space. It is blocked by a 6' fence.

Polly Burnell questioned that the new window on the gable end is oversized. However, This is for egress.

The applicant is proposing a Marvin divided light window with a 7/8" muntin. The applicant would like to fence the area in the southeast corner and locate utilities in that area.

Public comment: None in favor or against.

One letter in the file is opposed to the skylight, and the cedar fence.

Motion: Clo Tepper **Second:** Carol Neal

To grant a certificate of compliance for the plans dated 1/2/06, pursuant to the guidelines listed and with the following conditions:

1] The over-scale second floor window on the east elevation on the main house is allowed due to required egress

2] The fence in the southeast corner of the property will be of the type illustrated in photo #14 of the packet, allowed under guideline 11

3] Skylights are allowed under 8.c and must be a low profile design

4] Dormers are allowed under 8.a

5] Window replacements are allowed under 5, and all approved replacement windows must use non-tinted, clear glass and ½ screens, unless otherwise provided in the decision. Full screens or windows with Low-E, or other tinted glass are not permitted.

Yea: Carol Neal, Clo Tepper, Polly Burnell, Marcene Marcoux

Nay: 0 **Abstain:** 0

Approve minutes

Motion: Carol Neal **Second:** Clo Tepper

To approve the minutes of the executive session of 10/19/06.

Vote: 4-0-0

Motion: Clo Tepper **Second:** Marcene Marcoux

To approve minutes of December 21, 2005

Vote: 4-0-0

Motion: Carol Neal **Second:** Clo Tepper

To adjourn the meeting at 7:55 pm.

Vote: 4-0-0

Respectfully submitted,
Carla Anderson
Recording Secretary

Approved _____ at meeting of _____
John Dowd, Chairman