**Town of Harwich**

732 Main Street

Harwich, MA 02645

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**Historic District and Historical Commission**

**Wednesday, May 15, 2019**

**Small Hearing Room**

**Public Hearing**

1. **Call to Order**

Members Present: Chairperson Mary Maslowski, Vice Chairperson Gayle Carroll, Jeanne Steiner, Brendan Lowney, Bob Bradley, Bob Doane & Julia Eldredge

Members Absent: Angelo Kryiakides

Chairperson Mary Maslowski called the meeting to order at 6:00 p.m.

***Recording and Taping Notification: As required by law, the Town may audio or video record this meeting. Any person intending to either audio or video record this open session is required to inform the Chair.***

**II. Public Hearing**

1. **Hearings**
2. **Continued-HH2019-08 Notice of Intent (NOI)** has been received for 12 Grove Street, Map 6B, Parcel L52, MACRIS ID HRW.491 in the RH-2 Zone. The application proposes the partial demolition and reconstruction of a dormer at the front of house. The application is pursuant to the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II, Philip Dowd, as owner/applicant.

*EXHIBITS/DOCUMENTS: Notice of Intent application and associated documents dated March 21, 2019.*

Jason Muto was present to represent the owner. The application proposes the partial demolition and reconstruction of a dormer at the front of the house. The new trim, windows and roof will match what currently exists. Mr. Muto reviewed the layout of the current structure.

**Mr. Doane moved to close the public hearing, 2nd by Mr. Bradley and approved 7-0-0.**

**Mr. Doane moved to approve application HH2019-08 as presented, 2nd by Ms. Steiner and approved 7-0-0.**

**2. HH2019-11 Notice of Intent (NOI)** has been received for 5 Brooks Road, Map 5, Parcel X1-2 in the R-L Zone. The application proposes 100% demolition of a single family house and reconstruct in same footprint. The application is pursuant to the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II. Andrea DiGiovanni, Brenda Realty Trust, as owner/applicant.

*EXHIBITS/DOCUMENTS: Notice of Intent application and associated documents dated April 3, 2019.*

Rob McPhee from McPhee Associates was present to represent the owner. The application proposes the 100% demolition of the existing single family house and reconstruction in the same footprint. With the requirement to comply with the current energy and building codes, it is more feasible for the owner to demolish the building and start from scratch.

Mr. Bradley stated that the house is in bad shape, which brings up the issue of demolition by neglect. He does not have an issue with this application, but he would like to see the commission come up with guidelines going forward.

Mr. Doane and Ms. Steiner agreed with Mr. Bradley and stated that he would have no issue in granting this request.

**Ms. Steiner moved to close the public hearing, 2nd by Ms. Eldredge and approved 7-0-0.**

**Ms. Eldredge moved to approve the application HH2019-11 as presented, 2nd by Mr. Doane and approved 7-0-0.**

**3. 2019-12 Notice of Intent (NOI)** has been received for 194 Pleasant Bay Road, Map 113, Parcel S3-A in the R-R Zone. The application proposes 100% demolition of the detached barn. The application is pursuant to the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II, Gregory P. & Terri I. Ostrander as owner/applicant.

*EXHIBITS/DOCUMENTS: Notice of Intent application and associated documents dated April 12, 2019.*

Gregory & Terri Ostrander were present. They reviewed the application request to 100% demolish the detached barn on the property. The applicants have received a letter from their insurance company that the barn will not be covered due to its sub-standard condition. They are not proposing to replace the barn at this time.

Ms. Steiner visited the property and stated that it is clear that the roof on one side is going to cave in.

Mr. Doane stated that the way the property is set up, you cannot see the barn from the board. He is disappointed that the barn was not properly taken care of.

Mr. Bradley feels that this is another example of demolition by neglect, however he would agree that this barn is too far gone to be restored.

Ray Holtman from 186 Pleasant Bay Road was present and stated that he supports his neighbors request.

**Mr. Doane moved to close the public hearing, 2nd by Mr. Bradley and approved 7-0-0.**

**Ms. Steiner moved to approve the application HH2019-12 as presented, 2nd by Ms. Carroll and approved 7-0-0.**

**4. HH2019-13 Certificate of Appropriateness (COA)** has been received for 265 Sisson Road, identified as Harwich Junior Theatre, Map 40, Parcel Z5 in the MR-L Zone. The application proposes to install a wooden ground-mounted sign on the property. The application is pursuant to the MGL c. 40C, § and the Code of the Town of Harwich Chapter 131, Historic Preservation, Article I. Town of Harwich as owner, Chris Powicki as applicant.

*EXHIBITS/DOCUMENTS: Certificate of Appropriateness application and associated documents dated April 15, 2019.*

Chris Powicki was present and reviewed the request to install a wooden ground-mounted sign. They wish to install a permanent sign to publicize for the Harwich Junior Theatre. Mr. Powicki stated that if the commission has concerns about the location of the sign, the applicant can be flexible. He walked the commission through the materials that the sign is constructed of.

Ms. Steiner feels that the proposed location is a good one and having a sign there will prove to be valuable. Her concern is regarding the proposed wording on the sign and that it might cause confusion with the Harwich Cultural Center which is a short way down the road. Ms. Maslowski responded that is it not under the commission’s purview as to what the theatre company calls themselves.

Mr. Bradley would like the sign to be distinctly associated with what it relates to on the property. He would like to see the sign moved closer to the building. Mr. Lowney and Mr. Doane agreed regarding the location of the sign. Mr. Bradley added that it might be better if the sign is revised to include a detail about parking. Mr. Powicki responded that the sign is not intended for parking, simply to introduce the building.

Mr. Lowney asked that if the application is approved, that no concrete footings be used so that the sign can be removed if necessary.

Ms. Maslowski asked if the applicant would be willing to move the sign 10’ closer to the building. Mr. Powicki responded that they would be open to changing the location. He added that if they move the proposed sign, that they may consider putting a “parking” sign on a wooden stake closer to the parking area. Ms. Maslowski suggested that the applicant request a continuance until the next meeting so that he could revise his application.

**Ms. Carroll moved to continue the hearing HH2019-13 until the May 23, 2019 HDHC meeting, 2nd by Mr. Lowney and approved 7-0-0.**

**5. HH2019-14 Notice of Intent (NOI)** has been received for 198 Main Street, Map 56, Parcel T5-0 in the R-L Zone. The application proposes 100% demolition of detached barn. The application is pursuant to the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II. Pavel Braude as owner/applicant,

*EXHIBITS/DOCUMENTS: Notice of Intent application and associated documents dated April 19, 2019.*

Pavel Braude was present and reviewed the request to 100% demolish the detached barn on the property. He has had several companies look at the structure and the general consensus was that it is beyond restoration. Mr. Braude feels that the barn is unsafe and they would like to have it demolished in the best interest of the safety for his young daughter. They are not proposing a rebuild at this time.

Mr. Doane asked if the Fire Department put the “no entry” sign on the barn. Mr. Braude confirmed that it was the Fire Department and added that his insurance will not cover the barn due to its condition.

Mr. Lowney stated that the barn looks amazing from the street side and nicely compliments the house. Ms. Steiner agreed but added that the reality is that the barn needs a lot of work.

Mr. Doane’s impression is that the rear portion of the barn is in the worst shape. He asked if it might be possible to demolish the back piece of the barn and leave the core structure standing. Mr. Braude responded that after a lot of conversation with contractors, there is too much rot in the building and they are not sure what sections would hold up and what wouldn’t. Mr. Doane added that at this point, he might suggest a demolition delay be imposed, but he would like an opportunity to visit the property and suggested that the owner request a continuance of the hearing.

Ms. Maslowski stated that typically there would have been some type of documentation from a structural engineer or another professional that would give their professional opinion as to the state of the building.

Abutter Jenny Diggs was present and stated that she supports her neighbors request to demolish the structure.

**Ms. Steiner moved to continue the hearing HH2019-14 until the June 19, 2019 HDHC meeting, 2nd by Mr. Doane and approved 7-0-0.**

1. **New Business**

**1.** Discussion of possible Community Preservation Act projects

*EXHIBITS/DOCUMENTS: None provided.*

Ms. Maslowski requested that her fellow HDHC members start to think about possible CPC applications for the next review cycle. The deadline for application is October 1.

Ms. Eldredge stated that at a previous meeting, Mr. Kryiakides brought up the possibility of having signage installed that brings attention to the fact that you are entering a historic district.

Ms. Maslowski informed the commission that she suspects that the money awarded to the HDHC during the CPC cycle will be rescinded because the commission is over their timeframe to use the funds.

The commission discussed the budget for the HDHC and Ms. Maslowski stated that she will obtain more information for the next meeting. She will also find out from the Finance Director what the balance is for funds that have already been certified. The Finance Director will also be able to provide information on what the HDHC can anticipate in revenues for the next fiscal year.

Ms. Maslowski will add a discussion on the revolving fund for the HDHC’s next regular meeting.

The commission reviewed other possible uses for CPC funds.

**2.** Minutes from 05/01/2019-vote to approve

*EXHIBITS/DOCUMENTS: Draft minutes from the May 1, 2019 HDHC Meeting.*

**Ms. Eldredge moved to approve and place on file the minutes of the May 1, 2019 HDHC meeting, 2nd by Mr. Doane and approved 7-0-0.**

**3.** Review Zoning Board of Appeals Agenda for May 29, 2019

*EXHIBITS/DOCUMENTS: Zoning Board of Appeals Agenda dated May 29, 2019*

No comments were made on the May 29, 2019 Zoning Board of Appeals agenda.

1. **Briefings and Reports by Board Members**

**1.** CPC update

*EXHIBITS/DOCUMENTS: None provided.*

Mr. Doane provided the commission with a CPC update. He stated that it is clear in the state mandate that anyone seeking historic funds have to be approved by the historic commission in the appropriate town. Mr. Doane suggested reviewing the charter referencing documentation around the Historic District and Historic Commissions authority.

Mr. Doane would like to request a list of structures that the Fire Department has marked as “do not enter”.

**2.** Other Boards & Commission update

*EXHIBITS/DOCUMENTS: None provided.*

Mr. Lowney reported that the property located on Sisson Road that was discussed earlier tonight was transferred to the Affordable Housing Trust.

Ms. Maslowski read into the record a letter to the editor from the Cape Cod Times which is requesting other groups to add their name to a list regarding making Nantucket Sound a preserved resource.

Mr. Doane stated that conceptually, he likes the idea, but there are too many unknown factors at this point.

**IV. Adjourn-** The meeting adjourned at 8:20 p.m.

Mr. Doane moved to adjourn at 8:20 p.m., 2nd by Mr. Lowney and approved 7-0-0.

Submitted by:

Jennifer Clarke, Recording Secretary

Adopted on: June 19, 2019