



Old King's Highway Regional Historic District Commission
First District Courthouse, Barnstable, Mass. 02630 Telephone: 617-325-4092

COPY



Peter Kramer
Steven Singleton

Appellants

vs

DECISION

Old King's Highway Regional
Historic District Committee
in the Town of Brewster-

No. 80-12

A hearing was held on October 22, 1980, by the above Commission upon appeals filed by Peter Kramer and Steven Singleton from a decision of the Brewster Historic District Committee approving a Certificate of Appropriateness for Corcoran, Mullins, Jennison, Inc., allowing the construction of portions of Ocean Edge Development (La Salette) Route 6A, Brewster, Mass.

Present were: Mr. MacSwan, Barnstable, Mr. Sutton, Sandwich, Mr. Hanger, Dennis, Mr. Ivers, Brewster, Mr. Long, Yarmouth, Attorney Stone, appellants' attorney, James R. Wilson, attorney for the Commission and Attorney McLaughlin, applicants' attorney. Also present was John Drew and other interested parties.

At the beginning of the procedure, Mr. MacSwan announced that he had received a letter from Attorney Stone withdrawing Mr. Kramer's appearance. Attorney Stone confirmed that Mr. Kramer did not wish to go forward with his appeal but that Mr. Singleton did wish to proceed on the merits.

All of the members indicated that they had viewed the site and the appeal petition. The decision of the Brewster Committee had been filed with the Town Clerk on September 26, 1980, and filed with the Commission on October 6, 1980 within the ten day appeal period.

Attorney Stone addressed the Commission on behalf of Mr. Singleton and stated that he felt the Committee erred in not considering the proposed project as a whole. He argued that by reviewing the project in phases the Committee could not properly judge the setting for the various buildings. He also argued that the entire property had historic significance and that the outbuildings as well as the main building required protection in their present locations and surroundings. He offered 5 letters in support of the historic significance of the subject property. He further stated that the roof lines of the new buildings would be visible from Route 6A and thereby be detrimental to the interests of the Act. He further argued that the re-location of the front gates would damage the historic and aesthetic character of the property.



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Finally he argued that the allowance of the project would destroy the visual and aesthetic quality of the property of the surrounding area.

Mr. Ivers, speaking on behalf of his committee, stated that they recognized the historic significance of the property and its buildings and that they considered the project both as to the phase that was being presented and the overall development plans in their entirety. He indicated that the Committee had spent over twelve hours in open session reviewing the project and affording all interested parties the opportunity to be heard on the various issues. He indicated that neither Attorney Stone nor his clients had ever raised any objections to the project. He further stated that his Committee had considered the stucco style and the color, etc., of the buildings involved and that a genuine effort was made to make the new structures compatible with the historic buildings that were on the site. He indicated that the developer was doing all that could reasonably be asked in order to meet the needs and interests of the Historic District Act. He pointed out that substantial monies had been spent in an effort to preserve the outbuildings that were capable of rehabilitation. He indicated that the Committee and the contractor discussed all of the requirements set forth in the Act in determining the appropriateness and stated that the massiveness of the project required the long list of special conditions attached to the Certificate of Appropriateness.

Based upon the viewing of the site, the documents offered to the Commission for review, and the testimony given at the hearing, the Commission makes the following findings:

1. That the two main buildings which will be preserved do have historic significance and value to the district.
2. That the Brewster Committee considered as a part of its deliberations, the entire proposed project.
3. That the exhaustive review by the Brewster Committee and the many facts considered by the Brewster Committee warranted its finding that the proposed project was appropriate under Section 10 of the Act.
4. That the decision of the Committee did not exceed its authority, was not arbitrary or capricious, and did have substantial factual evidence to support its conclusion to issue the Certificate of Appropriateness.
5. That the decision of the Brewster Committee is affirmed.

Respectfully submitted,

Elliott B. MacSwan
Elliott B. MacSwan, Chairman

October 30 1980