



Old King's Highway Regional Historic District Commission
 First District Courthouse, Barnstable, Mass. 02630

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 District Commission
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TOWN OF YARMOUTH
 TOWN CLERK & TREASURER

Meyer Assoc.)
 Appellant)
 vs.)
 Old King's Highway Regional)
 Historic District Committee)
 for the Town of Yarmouth)

DECISION

No. 80-14

A hearing was held on January 6, 1981 by the above Commission on two appeals filed by the above appellant from decisions of the Yarmouth Historic District Committee imposing modifications to the submitted plans covering the construction of a dwelling at Lot 7 Mayfair Road and Lot 12 Setucket Road within the Town of Yarmouth.

Persent were Mr. MacSwan, Barnstable, Mr. Hanger, Dennis, Mr. Ivers, Brewster, Mr. Long Yarmouth, Mr. Leonard, Sandwich Mr. Meyer, appellant and Attorney James R. Wilson.

Submitted to the Commission were the following items;

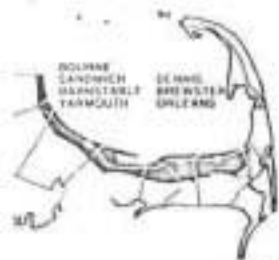
1. Plans of the proposed dwellings including site plans.
2. Photographs of a similar dwelling previously approved

by the Yarmouth committee.

Additionally all of the members of the Commission indicated that they had previously viewed the sites and were familiar with the neighborhoods in question.

The decision of the Yarmouth Committee was filed with the Town Clerk on December 4, 1980 and the appeal filed with the Commission on December 10, 1980, within the ten-day appeal period.

Mr. Meyer addressed the Commission and stated that he felt the Committee had erred in imposing the modifications on the buildings except that he would be willing to modify the plans for Lot 12



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so that the roof pitch on the front side of the building would be consistent and parallel all along the front of the building and would match that of Lot 7. He stated that making the modifications requested by the Committee would impose an additional cost of between \$400.00 and \$500.00. He further stated that the area lacked historic significance and that other houses of identical design had been previously approved by the Yarmouth Committee. He indicated that it was his opinion that the Yarmouth Committee was making determinations based upon personal likes and dislikes rather than on the standards set forth under the Act.

Mr. Long stated that his Committee was adhering to the guidelines established by the Commission that recommended a 7 over 12 minimum roof pitch which the proposed dwelling clearly violated. He indicated by using the modifications suggested by his Committee the dwellings would comply with the established standards set forth in the Bulletin and prevent the flat roof appearance being proposed by the applicant.

Mr. Meyer pointed out that the front roof slope exceeded the 7 over 12 slope requirement and that the back side would not be that visible.

After lengthy discussion the Commission makes the following findings:

1. That the rear roof pitch will not be sufficiently visible to be a significant design feature as viewed from the street.
2. That the Yarmouth Committee erred in modifying the



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rear roof pitch.

3. That the design as proposed for Lot 7 and Lot 12 would be appropriate if the roof lines were parallel and identical to those proposed for Lot 7.

Based upon these findings, Certificates of Appropriateness are hereby issued to the applicant as follows:

1. Lot 7-Mayfair Road. Certificate of Appropriateness issued for plans as filed by the applicant.
2. Lot 12-Setucket Road. Certificate of Appropriateness issued with modification of roof pitch to be identical with that shown for Lot 7.

The parties are advised that they may appeal this decision to the Barnstable District Court by entering a written appeal within 20 days of the date this decision is filed with the Yarmouth Town Clerk.

Respectfully submitted

Elliott B. MacSwan

Elliott B. MacSwan, Chairman

January 8, 1981