

Old King's Highway Regional Historic District Commission
 First District Courthouse, Barnstable, Mass. 02630 Telephone: 617-362-4092

STEPHEN Y. DEALY

Appellant

VS.

OLD KING'S HIGHWAY REGIONAL
 HISTORIC DISTRICT COMMITTEE
 IN THE TOWN OF SANDWICH

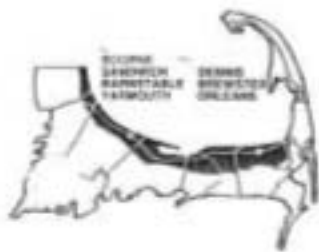
DECISION

No. 80-6

A hearing was held on July 1, 1980, continued to July 11, 1980, by the above Commission upon an appeal by the Appellant from a decision of the Sandwich Historic Committee granting a Certificate for Removal and a Certificate of Appropriateness allowing the re-location of a dwelling from Baksis Avenue to 107 Charles Street, Quaker Hills, Sandwich, Massachusetts.

Present were: Mr. MacSwan, Barnstable; Mr. Hanger, Dennis; Mr. Long, Yarmouth, Mr. Ivers, Brewster, Attorneys Princi & Garnick for the appellant; attorney Higby for the applicant and James R. Wilson, counsel for the commission.

At the outset of the hearing Attorney Princi pointed out that notice had not been given to the various common owners who held an interest in the abutting open space area in the Quaker Hills subdivision in which the dwelling was to be located. A check of the records at the Sandwich Town Hall indicated that the common areas were taxed and listed as being owned by all of the various residents of the subdivision. Since Section 9 of the Act requires notice be mailed to owners of property abutting the affected premises as they appear on the most recent tax list and



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it appeared that notice was not so given, the following motion was adopted by the Commission:

MOVED:by Mr. Ivers, seconded by Mr. Long that the decision of the Sandwich Committee granting a Certificate for removal and a Certificate of Appropriateness to Dennis Earle be annulled and that the case be remanded to the Sandwich Committee for a new hearing with full and proper notices in accordance with Section 9 of the Act.

Adopted 4-0-1

The parties are advised that they may appeal this decision by filing an appeal with the First District Court at Barnstable within twenty (20) days of the date hereof.

Respectfully submitted

Elliott B. MacSwan
Elliott B. MacSwan, Chairman

July 14, 1980

