



Old King's Highway Regional Historic District Commission

First District Courthouse, Barnstable, Mass. 02730

Telephone: 617-362-4092 TOWN CLERK

TOWN OF SANDWICH

APR 22 1981

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WILLIAM A. BURKE )

Appellant )

VS. )

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

Appellee )

DECISION  
Case #81-4

A hearing was held on April 15, 1981 by the above Commission on an appeal filed by the above Appellant from the decision of the Sandwich Historic District Committee approving the issuance of a Certificate of Appropriateness to Gary and Abbott Johnson for modifications to a building and the placement of a new sign on property located at 679 Route 6A, Sandwich, Massachusetts.

Present were: Mr. MacSwan, Barnstable, Mr. Hanger, Dennis, Mr. Ivers, Brewster, Mr. White, Sandwich, Mr. Burke, Appellant, Mr. Johnson, Applicant and Attorney James R. Wilson.

All of the members of the Commission, except Mr. Ivers, indicated that they had viewed the site and were familiar with the neighborhood in question.

This matter was reviewed by the Sandwich Committee on March 17, 1981, with the decision being filed with the Town Clerk on March 18, 1981. The appeal was filed with the Commission on March 25, 1981, within the ten day appeal period.

At the outset of the proceedings, Mr. Burke addressed the Commission and indicated that he felt the building and sign were appropriate. He further indicated that the reason for his appeal which was stated in his petition, was that he felt that the applicant should have followed the procedures of the statute and should have been penalized for not adhering to the requirement of obtaining a proper certificate before the work was done to the building. The Commission's counsel indicated that the only proper issue for the Committee and the Commission was whether or not the building and sign were appropriate. He pointed out that the proper remedy for violation of procedural requirements of the Act was to seek criminal sanctions in the local district court.

After discussion, the following motion was offered by Mr.



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Ivers, and seconded by Mr. Hanger:

MOVED: that the decision of the Sandwich Committee be affirmed.

Adopted 3-0-1

This decision may be appealed to the First District Court of Barnstable by filing an appropriate complaint within 20 days of the filing of this decision with the Sandwich Town Clerk.

Respectfully submitted

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Elliott B. MacSwan, Chairman

April 16, 1981