

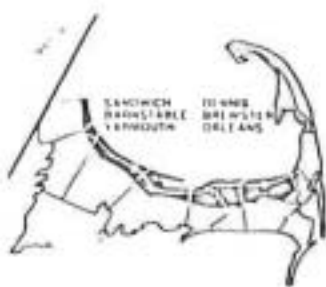
Old King's Highway Regional Historic District Commission
 First District Courthouse, Barnstable, Mass. 02630 Telephone: 617-362-4092

EDWARD C. NEMEC et al.)	
)	
Vs.)	Case # 82-2
)	Decision
)	
HISTORIC DISTRICT COMMITTEE)	
FOR THE TOWN OF BARNSTABLE)	

On February 22, 1982, the Commission held a hearing on an appeal filed by Edward C. Nemec and Peggy L. Nemec to a decision by the Barnstable Historic District Committee in which the committee had approved a Certificate of Appropriateness allowing the removal of a portion of a building located on Route 6A in West Barnstable, Massachusetts.

Present were: Mr. Brown (Orleans), Mr. Long (Yarmouth), Mr. Macswan (Barnstable), Mr. Marsh (Dennis), Mr. Sutton (Sandwich), Atty. Wilson (Commission Counsel), Mrs. Trowbridge with her Attorney Daniel J. Fern of Hyannis (Applicant), and Mr. & Mrs. Nemec with their Attorney Frank E. Green of Barnstable (Appellant).

Mr. MacSwan called the hearing to order at 2:05 PM and reviewed the case. Attorney Green, Attorney Fern, and members of the public each addressed the Commission. Affidavits were shown to the Commission indicating that none of the abutters had received notice of the Committee hearing. It was further acknowledged that the project consisted of the removal of a large portion of a dwelling and that the matter



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Case # 82-2 Cont.

had been processed as an Application for a Certificate of Appropriateness.

Based upon the evidence before the Commission, it makes the following findings:

1. The proceedings before the local town committee were in error and the approval of a Certificate of Appropriateness for the project should be annulled.

2. The matter should be remanded to the local committee for a new hearing with Applicant filing a new application seeking a Certificate for Removal.

Ordered that the Certificate of Appropriateness is hereby annulled and the matter remanded to the Barnstable Committee for a new hearing.

Respectfully

Elliot B. MacSwan, Chairman