

# Old King's Highway Regional Historic District Commission

First District Courthouse, Barnstable, Mass. 02630

Telephone: 617-362-4092

SANDWICH BOARD OF SELECTMEN, ET ALS

VS.

Case #82-4

HISTORIC DISTRICT COMMITTEE FOR  
THE TOWN OF SANDWICH

DECISION

On April 13, 1982, the Commission held a hearing on an appeal filed by the Sandwich Board of Selectmen, Sandwich Human Services Building Committee, Grattan Gill, Nelda Hoxie, Louis F. Giampetro, Thomas Miller and Milton Schwartz to a decision by the Sandwich Historic District Committee which disapproved an application for a Certificate of Appropriateness for the construction of a Human Services Building which was to be located on Morse Road, Sandwich, Massachusetts.

Present were: Mr. Ivers, Brewster, Mr. MacSwan, Barnstable, Mr. Brown, Orleans, Mr. Long, Yarmouth, Mr. Sutton, Sandwich, James R. Wilson, counsel for the Commission, Mr. Schwartz, appellant, Mr. Gill, appellant, Mr. Roberti of the Board of Selectmen, Mr. Nelson of the Human Services Committee, Mr. Giampetro and members of the Sandwich Historic District Committee.

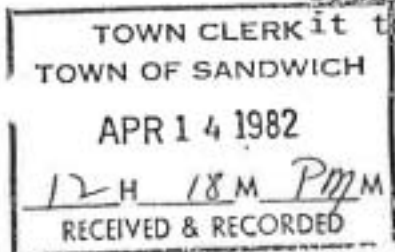
The decision of the Sandwich Historic District Committee was filed with the Town Clerk on March 11, 1982, and the appeal entered with the Commission on March 17, 1982, within the ten day appeal period.

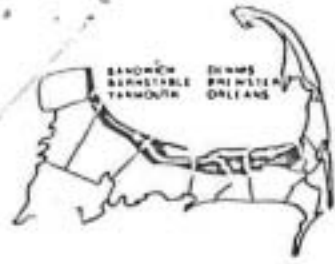
All members of the Commission indicated that they had visited the site and were familiar with the neighborhood. Additionally, slides were shown of the area and plans and renderings of the proposed building were shown to the members.

Mr. Nelson addressed the Commission and stated that the building had been designed by Mr. Schwartz according to the demands of his committee.

Mr. Schwartz then addressed the Commission and stated that it was his opinion that the Committee had not followed the criteria set forth in Section 10 of the Act; that the building was compatible with the neighborhood; that it was a one-two story building with white cedar shingles and wood construction that was common to the area; that the building's layout with three separate parts was intentionally designed to break up the size and massiveness of the building and to allow it to better fit into its setting.

Mr. Roberti addressed the Commission and indicated that





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the Building Committee was working on a tight budget and that the building was to be built by the vocational school and that thereby there were many restraints to the design of the structure. He urged that perhaps the parties could reach a compromise in the impass that exists between the two town committees.

Mr. Sutton then addressed the Commission and stated that he felt the design was not compatible with the neighborhood and that his Committee had attempted to resolve the problem of non-compatibility. He indicated that the major problem of the design was with the shed roofs on the kitchen and the shed dormers. He further indicated that the remainder of the design was acceptable to the committee.

Other members of the committee addressed the Commission providing support for their disapproval of the overall design.

After lengthy discussion and efforts to compromise the impass on the design proposal, the Commission made the following decision:

1. That the Commission determine that the Town Committee erred in its outright denial of a Certificate of Appropriateness;
2. That the decision denying the Certificate of Appropriateness be annulled.
3. That both the applicants and the committee should make an additional effort to arrive at a compromise in the design of the shed dormers and kitchen.
4. That the matter be remanded back to the local town committee in an effort to work out a resolution of these issues

The parties were advised that they have a right to appeal to the First District Court of Barnstable within twenty days of the filing of this decision with the Town Clerk.

Respectfully submitted

*Harris H. Ivers*  
Harris H. Ivers, Chairman  
*H.I.*

TOWN CLERK  
TOWN OF SANDWICH  
APR 14 1982  
12 H 18 M P M  
RECEIVED & RECORDED

APR 14, 1982