



Old King's Highway Regional Historic District Commission
P.O. Box 279, Hyannis Mass. 02601

1983 JUN 10 PM 1:30
Telephone: 617-775-1766

CAREITH DE LONG
Appellant

TOWN OF YARMOUTH
TOWN CLERK & TREASURER

vs.

DECISION
Case No. 83-3

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

On June 7, 1983 the Commission held a hearing on an appeal filed by Careith DeLong to a decision by the Yarmouth Historic District Committee which had denied an application for a Certificate of Appropriateness for an addition to property located at 54 Thatcher Shore Road, Yarmouthport, Massachusetts.

Present were: Mr. Sutton, Sandwich; Mr. MacSwan, Barnstable; Mr. Nickerson, Yarmouth; Mr. Hanger, Dennis; Mr. Ivers, Administrative Assistant and Attorney Wilson, Commission counsel. Also present were Ms. DeLong, Mr. Hoit, architect for appellant and other interested parties (Blair, West, Hickey and Francis).

The decision of the Yarmouth Committee was filed on April 21, 1983, and the appeal entered with the Regional Commission on April 29, 1983 within the ten day appeal period. The appellant submitted a written extension for scheduling of the Regional Commission hearing beyond the thirty day time period due to the unavailability of her architect.

The appellant presented plans, photographs and other related material to the Commission for review. These included a revised plot plan showing a location for parking on the west side of the building. The proposal calls for the addition of a second story with a gambrel roof as the center section of the building. Mr Hoit indicated that the style of the building was in harmony with other buildings along Thatcher Shore Road, and that the gambrel roof would be far less massive in appearance than a conventional Cape or other pitch roof. He further indicated that the modifications of the site plan would give an appearance of moving the house further back from the edge of Thatcher Shore Road thereby reducing its massive appearance.

Mr. Francis addressed the Commission, and speaking on behalf of his fellow residents on Gingerbread Lane, he indicated that they opposed the addition because the style of the building would contrast with the houses that have

been constructed along Gingerbread Lane. He indicated that Gingerbread Lane's architecture was all of the traditional Cape style, and that a Gambrel would not be compatible.

Mr. Nickerson explained that the Town Committee had denied the project by a two to two vote because they felt that the building, while being appropriate in style, was too massive in its appearance for the lot. He also read a letter from concerned citizens setting forth their opposition to the proposed addition.

After lengthy discussions, the Commission made the following findings and determinations:

1. That the Yarmouth Town Committee erred when it denied the Certificate of Appropriateness by determining that the addition would be too massive in appearance.
2. That the Gambrel style is appropriate for the neighborhood.
3. That the Certificate should have been issued with proper conditions, to wit, the modified plot plan, the addition of east and west window mullions and the requirement that the roof shingles be no lighter in color than the existing shakes on the side of the building.

Therefore, the decision of the Yarmouth Committee is annulled, and a Certificate of Appropriateness is hereby issued allowing the second floor addition as per plans with the following additional conditions:

1. That the site plan be modified to correspond with the plan submitted to the Commission which has been dated June 7, 1983.
2. That the east and west windows have mullions.
3. That the roof shingles be no lighter in color than the existing shakes.

The parties are advised that this decision is subject to a twenty day appeal period under which an aggrieved party may file an appeal with Barnstable District Court within twenty days of the filing of this decision with the Yarmouth town clerk.

Respectfully submitted,


George Sutton, Chairman