



Old King's Highway Regional Historic District Commission

P.O. Box 279, Hyannis Mass. 02601

Telephone: 617-775-1766

GALLUS CONSTRUCTION, INC.

vs.

Decision #84-13

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

On Wednesday, November 14, 1984 the Commission held a hearing on an appeal filed by Gallus Construction, Inc. seeking review of a decision by the Yarmouth Committee which had disapproved the construction of a ranch style home on property located at 777 Route 6A, Yarmouth.

Present were: Mr. Sutton, Sandwich; Mr. MacSwan, Barnstable; Mr. Nickerson, Yarmouth; Mr. Hanger, Dennis; Mrs. Cady, Brewster; Mr. Wilson, Commission Counsel; Attorney Ford for Gallus Construction and Mr. Gallus.

The decision of the Town Committee was filed on October 11, 1984 and the appeal entered with the Commission on October 19, 1984 within the ten day appeal period.

All members of the Commission indicated that they had visited the site.

Plans of the proposed ranch style home and other buildings in the area were reviewed by the Commission.

Attorney Ford addressed the Commission and stated that he felt the Committee had been arbitrary, capricious and erroneous in not allowing the applicant to build a ranch style home when the neighborhood consisted mainly of ranches. He indicated that the style for the neighborhood had been established, and that there were only four lots left upon which houses could be built. He indicated that it would be inconsistent to put a Cape or Colonial house in a neighborhood that contained many ranches. He further indicated that the ranches were more marketable because older buyers did not like to go up and down stairs. He further pointed out that the particular ranch proposed by the applicant had an eight foot return instead of the two feet that was commonly being used in the other ranches in the neighborhood.

Mr. Nickerson stated that his Committee felt there were too many ranches along this stretch of Route 6A, and that the design was becoming too repetitive.

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Decision #84-13 (cont.)

Mrs. Cady indicated that she did not feel it was appropriate to have the large number of ranches going up along Route 6A. However, Mr. MacSwan indicated that he felt there were sufficient changes in the appearance of the ranch from those others in the neighborhood to provide enough variety to make it appropriate. He further indicated that he felt that ranches were established in that neighborhood, and that it was a little late to start disapproving them. Mr. Sutton and Mr. Hanger agreed with Mr. MacSwan.

After reviewing the plans, the neighborhood and lengthy discussions, the Commission makes the following findings:

1. That the Yarmouth Committee erred in denying the applicant's request to build a ranch style house on the proposed lot.
2. That the proposed ranch style dwelling is appropriate for the lot.

Therefore, the decision of the Yarmouth Committee is annulled and a Certificate is hereby issued approving the plans as filed with the local Committee. Vote 3-0-1

Any person aggrieved by this decision may file an appeal with the Barnstable District Court within twenty days of the filing of this decision.

Respectfully submitted,

George Sutton
George Sutton
Chairman

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BARNSTABLE DISTRICT COURT