



Old King's Highway Regional Historic District Commission

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1985 FEB 25 10 11 AM
TOWN CLERK & TREASURER

C. GARY MARADIAN

vs.

Decision 85-1

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

On Monday, February 25, 1985, the Commission held a hearing on an appeal filed by C. Gary Maradian seeking review of a decision by the Yarmouth Historic District Committee which disapproved a gazebo which was to be located at the rear of a house at 25 Green Teal Way, Yarmouthport.

Present were: Mr. Sutton, Sandwich; Mrs. Howes, Barnstable; Mr. Nickerson, Yarmouth; Mrs. Cady, Brewster; Mr. Wilson, Commission Counsel; Mr. and Mrs. Maradian; and Attorney Hopkins (applicant's attorney).

Attorney Hopkins addressed the Commission and stated that he felt the Committee erred in denying the approval of the gazebo because the area in which the gazebo was to be located was suitable in that the design was compatible with the applicant's house and other houses in the neighborhood. He presented a petition of support from all the neighbors along with historical documentation supporting the use of the gazebo. Plans of the proposed gazebo as well as photographs were presented to the Commission.

Mr. Nickerson stated that his Committee felt that the location was close to Route 6A and was in an area of critical concern. He further indicated that his Committee did not believe that the gazebo was an appropriate feature for the architectural style of the applicant's house.

After a lengthy discussion, the Committee makes the following decisions:

1. That the Yarmouth Committee erred in determining that the proposed gazebo was not compatible with the neighborhood.

2. That the Yarmouth Committee erred in denying a Certificate of Appropriateness for the gazebo.

Decision 85-1 (continued)

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Therefore, the decision of the Yarmouth Committee is annulled and a Certificate of Appropriateness for the gazebo is hereby issued, provided the applicant plants suitable trees and shrubbery for reasonable screening.

Any person aggrieved by this decision has a right to appeal to the Barnstable District Court within twenty days of the filing of this decision with the Yarmouth Town Clerk.

Respectfully submitted,

George Sutton

George Sutton
Chairman