



Old King's Highway Regional Historic District Commission
P.O. Box 279, Hyannis Mass. 02601
Telephone: 617-775-1766

IRVING L. AND JUDITH A. HUNTER

v.

Decision #85-12

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

On Tuesday, October 15, 1985 the Commission held a hearing on Appeal #85-12 filed by Irving L. and Judith A. Hunter seeking review of a decision by the Dennis Historic District Committee which had granted a Certificate of Appropriateness for the construction of a commercial building at 86 Willow Street, Yarmouthport, Massachusetts.

Present were: Mr. Sutton, Sandwich; Mr. MacSwan, Barnstable; Mr. Nickerson, Yarmouth; Mrs. Stout, Dennis; Mr. Wilson, Commission Counsel; Mr. and Mrs. Hunter, appellants; Mr. Creney on behalf of the applicants.

The Committee's decision had been filed with the Town Clerk on September 12th and the appeal entered with the Commission on September 23rd, within the ten day appeal period. All members of the Commission indicated that they had visited the site and were familiar with the neighborhood. Plans of the proposed commercial building were submitted to the Commissioners.

The Hunters addressed the Commission and stated that the reason for their appeal was that they felt the building was too large, and that the procedures by which the Committee reviewed the application were wrong. The appellants stated that one of the members of the Committee initially disqualified himself from sitting on the application, and then changed his mind and participated in the Committee's review.

Mr. Nickerson stated that his Committee felt that the plan was a substantial improvement over an earlier proposed design, and felt that the building as a commercial structure was appropriate for the neighborhood. He indicated that the area was commercially zoned, and that there were other commercial buildings in the neighborhood. He further indicated that his Committee had acted in good faith, and felt that the application had been thoroughly reviewed and that parties given a fair opportunity to present their views to the Committee.

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After lengthy discussion the Commissioners made the following findings and determination:

1. That the design of the commercial building was appropriate for the neighborhood.
2. That the Town Committee did not err in its procedures or in its determination. .

Therefore, the decision of the Yarmouth Committee is affirmed.

Any person aggrieved by this decision has a right to appeal to the Barnstable District Court within 20 days of the filing of this decision with the Yarmouth Town Clerk.

George Sutton (v)

George Sutton, Chairman

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