



# Old King's Highway Regional Historic District Commission

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TOWN CLERK  
BARNSTABLE, MASS.

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SCOTT and IRENE VAIL

v.

Decision #86-7

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

On Tuesday, May 20, 1986 the Commission held a hearing on Appeal #86-7 filed by Scott and Irene Vail seeking review of a decision by the Barnstable Historic District Committee which had denied a Certificate of Appropriateness for the construction of a new house at the end of Maggie Lane in West Barnstable, Massachusetts.

Present were: Mr. MacSwan, Barnstable; Mrs. Stout, Dennis; Mr. Blaisdell, Sandwich; Mr. Shaw, Yarmouth; Mr. Ivers, Administrative Assistant; Mr. Wilson, Commission Counsel; Richard F. Schiffmann, attorney for applicants, and Mr. and Mrs. Vail.

The Committee's decision had been filed on April 22, 1986 and the appeal entered with the Regional Commission on May 2, 1986 within the ten-day appeal period.

Mr. Schiffmann addressed the Commission and stated that the proposed house was located almost 300 feet off of the end of Maggie Lane, and, therefore, was not very visible to the public. He further indicated that all of the neighbors in the area had seen the plans and basically supported the design. He further pointed out that other homes in the area were of contemporary style similar to that being proposed by the Vails.

Mr. MacSwan, speaking on behalf of the Barnstable Committee, indicated that the design contrasted with the guidelines of the Commission, and had few features that were compatible with the intent of the law. He further stated that the applicants had been given an opportunity to address the Committee and had been present for the deliberations and decision process. He did indicate, however, that since the decision was rendered his Committee had reviewed the plans and the proposed project, and that further review with the applicants might alter their ultimate determination to disapprove the proposed use.

Therefore, after discussion the Commission made the following determination:

The decision of the Barnstable Committee denying a Certificate of Appropriateness is hereby annulled, and the matter remanded to the Barnstable Committee for further review. A new hearing should be scheduled with notice to abutters and proper advertising by the local Town Committee.

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

Anne Stout  
Chairman