



## Old King's Highway Regional Historic District Commission

P.O. Box 279, Hyannis Mass. 02601

Telephone: 617-775-1766

STEPHEN T. PHILLIPS

v.

Decision #87-18

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

On Tuesday, August 4, 1987 the Commission held a hearing on Appeal #87-18 filed by Stephen T. Phillips seeking review of a decision by the Sandwich Historic District Committee which had denied a Certificate of Appropriateness for the construction of a single family dwelling to be located at Lot 34, 65 Freeman Avenue, Sandwich, Massachusetts.

Present were Ron Lindholm, Dennis; John Blaisdell, Sandwich; Milton Smith, Yarmouth; Jan Francis, Brewster; Peter Freeman, Barnstable; Robert G. Brown, Commission Counsel; Mr. & Mrs. Philips, Applicants; Attorney Cleon Turner for the Applicants.

The Committee's decision had been filed with the Town Clerk on July 9, 1987, and the appeal entered with the Commission on July 15, 1987 within the ten day appeal period.

Attorney Cleon Turner addressed the Commission on behalf of the Applicants and displayed a large Town of Sandwich Assessors map of the area as well as a much smaller locus map of the immediate vicinity. He also showed photographs of other buildings in the area, focusing his presentation by describing the various buildings in the area which he said would be compatible with the proposed building. He described the proposed building as a new structure in the Town Neck area and detailed the process in obtaining permission to build on the site, including the granting of sideline variances. He stated that the Committee's decision was contrary to the facts as they existed and that the proposed building would not be incompatible with others in the area. He asked the Commission to reverse the ruling of the Sandwich Committee.

John Blaisdell, representing the Sandwich Committee, addressed the Commission to explain the Sandwich Committee's reasons for denial. He stated that the Committee had difficulty with the proposed building's size in relation to the buildings next to it, the Committee feeling that the building would overpower others in the area. He stated that most of the buildings in the area are low-pitch, 1 1/2 story buildings with a dormer. He stated that there are newer, larger homes in the area but that they are built on larger lots. The Committee also objected to the front elevation of the building, feeling that it was inappropriate. The Committee felt that the particular statement that this building will make will be very different from others in the area and the Committee felt it would be inappropriate.

After lengthy discussion, the Commission made the following determination.

1. That the Sandwich Committee did not act in an arbitrary, capricious and erroneous manner in denying the Certificate of Appropriateness. 2-2-1

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 Sandwich Town Clerk.

*Peter Freeman (r)*

Peter L. Freeman  
Chairman

