



Old King's Highway Regional Historic District Commission

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ROBERT J. RIEDL

v.

Decision #87-19

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

On Tuesday, August 4, 1987 the Commission held a hearing on Appeal #87-19 filed by Robert J. Riedl seeking review of a decision by the Brewster Historic District Committee which had granted a Certificate of Appropriateness for the construction of a new building at Our Lady of the Cape Parish Center, 468 Stoney Brook Road, Brewster, Massachusetts. The Applicant's standing is that of an abutter.

Present were Barbara Hart, Dennis; John Blaisdell, Sandwich; Milton Smith, Yarmouth; Jan Francis, Brewster; Peter Freeman, Barnstable; Robert G. Brown, Commission Counsel; Robert J. Riedl, Applicant; Attorney James Higgins for the Applicant; Attorney Michael McGrath for Our Lady of the Cape Church.

The Committee's decision had been filed with the Town Clerk on July 10, 1987, and the appeal entered with the Commission on July 20, 1987 within the ten day appeal period.

Attorney James Higgins appeared before the Commission on behalf of the Applicant and stated that the project in question required strict interpretation regarding the roof pitch and the use of vinyl siding. Attorney Higgins argued that that the church is a public place and is in the epitome of the area that the Committee is intended to safeguard. He stated that the roofline on the proposed building made it too massive. He stated that strict enforcement was necessary because this is a very large prominent building that should lead by example and be held to a stricter standard.

Attorney Michael McGrath, representing Our Lady of the Cape Church addressed the Commission in support of the Brewster Committee's decision. He showed a United States Geological Survey (USGS) map to the Commission to show the elevations in the area. He stated that the building would not be visible from Percie Newcomb Road and would only be partially visible from Stoney Brook Road. He described the area as being heavily wooded and that the elevations in the area would block most of the view.

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Jan Francis, representing the Brewster Committee, addressed the Commission to explain the Brewster Committee's reasons for approval. She agreed with Attorney McGrath and further stated that there had been much consultation between the Church and the Committee and that nothing regarding the application had been taken lightly.

After lengthy discussion, the Commission made the following determination.

1. That the Brewster Committee did not act in an arbitrary, capricious and erroneous manner in approving the Applicant's Certificate of Appropriateness. 4-0-1

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

Peter L. Freeman (r)
Peter L. Freeman
Chairman