



Old King's Highway Regional Historic District Commission
P.O. Box 279, Hyannis Mass. 02601

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MIKE & JOAN WISHER

v.

Decision #87-2

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

On Tuesday, April 7, 1987 the Commission held a hearing on Appeal #87-2 filed by Mike and Joan Wisher seeking review of a decision by the Sandwich Historic District Committee which had denied a Certificate of Appropriateness for the construction of an addition to the front of an existing house located at 152 North Shore Boulevard, East Sandwich, Mass..

Present were Anne Stout, Dennis; John Blaisdell, Sandwich; Allen Abrahamson, Sandwich; Milton Smith, Yarmouth; Kevin Ordway, Brewster; Lewis Reis, Orleans; Robert G. Brown, Commission Counsel; Mr. and Mrs. Wisher, Applicants.

The Committee's decision had been filed with the Town Clerk on February 12, 1987, and the appeal entered with the Commission on February 20, 1987 within the ten day appeal period. On March 10, 1987 the Commission voted to deny the appeal when no one appeared before the Commission to represent the Applicants. On March 16, 1987 the Applicants, in writing, assented to a 30 day continuance of the time period for consideration and requested the Commission to reconsider its vote of March 10, 1987, claiming that they had not received notice of the hearing. The Commission, at its meeting of April 7, 1987, upon motion made and seconded, voted to reconsider its vote.

Mr. and Mrs. Wisher addressed the Commission and described the process by which they had progressed to this point, beginning with their first meeting with the Sandwich Committee. Mr. and Mrs. Wisher distributed photographs of the area and of the house in question, stating that the neighborhood exhibited a variety of styles, shapes and sizes. Mrs. Wisher admitted that the solar panels which are currently on the house had been placed without the approval of the Sandwich Committee but stated that she was unaware that approval had not been received from the Committee. Both Mr. and Mrs. Wisher stated that they felt the disapproval was based on personal opinion and not on the criteria in the Act.

John Blaisdell and Allen Abrahamson, representing the Sandwich Committee, addressed the Commission to explain the Sandwich Committee's reasons for denial. They stated that

the structure could be described as "almost a saltbox" and felt that the addition would be very obvious especially in comparison with others in the neighborhood. They stated that there were concerns with the structure's height and placement on the lot and the placement of a window on the structure. They stated that the placement of the window tended to indicate that the building was designed from the interior as opposed to the exterior. They felt that the Committee was not arbitrary, capricious or erroneous and stated that they are willing to work with Mr. and Mrs. Wisner.

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 Applicant's Certificate of Appropriateness. (3-1-1)

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.

Anne Stout (v)

Anne Stout
Chairman

