



# Old King's Highway Regional Historic District Commission

P.O. Box 279, Hyannis Mass. 02601

Telephone: 617-775-1766

D. KENNETH GOURLEY

v.

Decision #87-23

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

On Tuesday, September 15, 1987 the Commission held a hearing on Appeal #87-23 filed by D. Kenneth Gourley seeking review of a decision by the Sandwich Historic District Committee which had denied a Certificate of Appropriateness for alterations on property located at 413 Route 6A, Sandwich, Massachusetts.

Present were Barbara Hart, Dennis; Milton Smith, Yarmouth; Michael Shay, Brewster; Peter Freeman, Barnstable; Paul White, Sandwich; Robert G. Brown, Commission Counsel; and D. Kenneth Gourley, Applicant.

The Committee's decision had been filed with the Town Clerk on August 17, 1987, and the appeal entered with the Commission on August 27, 1987, within the ten day appeal period.

D. Kenneth Gourley appeared before the Commission and distributed pictures and a short written statement. He explained that the building in question had originally been built in the 1950's as a gift shop and had no historical significance. He stated that the back of the building was dark and needed light and cross ventilation and for that reason was requesting the placement of one window. He stated that in 1981 he had requested the two windows now existing on the front of the building from the Sandwich Committee and was denied by them. This action was later annulled by the Commission and a Certificate of Appropriateness issued by the Commission. He stated that the window would protrude only 5 inches and that the relief requested could be granted without detriment to the goals of the Old King's Highway Regional Historic District.

Paul White, representing the Sandwich Committee, addressed the Commission to explain the Sandwich Committee's reasons for denial. He stated that the building is one of three in the complex, consisting mainly of reverse saltboxes with heavy shingles. He stated that the Committee felt that the windows would not be compatible in terms of size, not that the Committee "didn't like it". He said the Committee felt that light and ventilation could be just as easily handled by the use of skylights.

After lengthy discussion the Commission made the following determination.

1. That the Sandwich Historic District Committee did not act in an arbitrary, capricious and erroneous manner in denying the Applicants' Certificate of Appropriateness and that the Applicant's Petition for Appeal be denied. 4-0-1

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 L. Freeman (1)*

Peter L. Freeman  
Chairman

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