

# Old King's Highway Regional Historic District Commission

P.O. Box 279, Hyannis Mass. 02601

Telephone: 617-775-1766

MR. & MRS. VICTOR A. PHILLIPS

v.

Decision #87-41

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

On Tuesday, January 5, 1988 the Commission held a hearing on Appeal #87-41 filed by Mr. & Mrs. Victor A. Phillips seeking review of a decision by the Barnstable Historic District Committee which had denied a Certificate of Appropriateness for the installation of an additional dormer on a building located at 100 Indian Hill Road, Cummaquid, Massachusetts.

Present were Barbara Hart, Dennis; Michael Shay, Brewster; John Blaisdell, Sandwich; Milton Smith, Yarmouth, Peter Freeman, Barnstable; Robert G. Brown, Commission Counsel; and Mr. Paul Chase, Agent for Mr. & Mrs. Phillips.

The Committee's decision had been filed with the Town Clerk on December 11, 1987, and the appeal entered with the Commission on December 17, 1987, within the ten day appeal period.

Prior to the hearing Mr. Freeman turned over the duties of Chairman to Vice-Chairman Michael Shay who conducted the hearing.

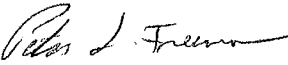
Paul Chase, Agent for Mr. and Mrs. Phillips addressed the Commission and presented a sketch of the building and the proposed additional dormer. He explained that the house already had a dormer, that Mr. Phillips needed an additional dormer to provide light into his study, and that the addition of another dormer would not derogate from the intent and purpose of the Historic District Act.

Peter Freeman, representing the Barnstable Committee, addressed the Commission to explain the Barnstable Committee's reasons for denial. He stated that the house was basically unattractive and that it was unbalanced. In terms of architecture the proposed addition was not in keeping with the intent and purpose of the Historic District Act.

After lengthy discussion the Commission made the following determination.

1. That the Barnstable Historic District Committee did not act in an arbitrary, capricious and erroneous manner in denying the Applicant's Certificate of Appropriateness and that the Appeal be denied. 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 Barnstable Town Clerk.

  
Peter L. Freeman  
Chairman

TOWN CLERK  
BARNSTABLE, MASS.

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