



# Old King's Highway Regional Historic District Commission

P.O. Box 279, Hyannis Mass. 02601

Telephone: 617-775-1766

SEP 30 1989

MICHALIS MACHERAS

v.

Decision #89-12

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

On Tuesday, September 12, 1989 the Commission held a hearing on Appeal #89-12 filed by Michalis Macheras seeking reversal of a decision by the Barnstable Historic District Committee which had denied a Certificate of Appropriateness for a single family hometo be located at Lot #6, Sofia's Way, West Barnstable, Massachusetts.

Present were John Halvorson, Brewster; Allen Abrahamson, Sandwich; Robert DiMartile, Yarmouth; Peter Freeman, Barnstable; Brendan Joyce, Dennis; Robert G. Brown, Commission Counsel; Michael Princi, Counsel for the Applicant, and Mr. Michalis Macheras, Applicant.

The Committee's decision had been filed with the Town Clerk on June 15, 1989, and the appeal entered with the Commission on June 26, 1989, within the ten day appeal period.

Attorney Michael Princi addressed the Commission and explained his client's background and the procedural history of the matter. He stated that the proposed house would be extremely large, approximately 5500 square feet. He stated the house is to be built on a 2.50 acre lot and would have a design that would be typically colonial with characteristics of homes found in Williamsburg, Virginia. He stated the house cannot be seen from Route 6A. He described the half-round windows and the deck area off the right wing and stated that these are not things that the Barnstable Committee has always disapproved in the past. He stated the roof ridge is 38 feet which is permitted under both zoning and building codes. He described the back elevation which allows for a window due to the southerly exposure. He asked that the Committee's decision be reversed.

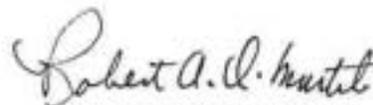
Peter Freeman, representing the Barnstable Committee, addressed the Commission to explain the Barnstable Committee's reasons for denial. He said he does not agree with the conclusions as stated by the Applicant's Counsel. He stated the Barnstable Committee has approved plans for a smaller building on the site and that there was plenty of give and take in the process. With regard to dormers he stated that in the recent past there have been many front

dormers that have been denied. He also pointed out that whatever is allowed by the building code or zoning does not control the Old King's Highway Regional Historic District. He stated the rear portion of the building would be visible from Plum Street and that because it would be visible, the Barnstable Committee properly exercised jurisdiction.

After discussion the Commission made the following determination.

1. That the Barnstable Committee did not act in an arbitrary, capricious, or erroneous manner in denying the Application. 4-0-1.
2. That the 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 Barnstable Town Clerk.

  
Robert DiMartile  
Chairman Pro Tem