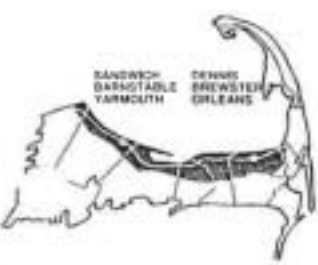


Original



Old King's Highway Regional Historic District Commission
P.O. Box 279, Hyannis Mass. 02601
Telephone: 617-775-1766

LINDA CORNWELL

v.

Decision #89-17

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

On Tuesday, November 21, 1989 the Commission held a hearing on Appeal #89-17 filed by Linda Cornwell seeking reversal of a decision by the Yarmouth Historic District Committee which had denied a Certificate of Appropriateness for a new door on property located at 32 Margaret Joseph Road, Yarmouthport, Massachusetts.

Present were Janet Francis, Brewster; Allen Abrahamson, Sandwich; Christopher Miner, Orleans; Brendan Joyce, Dennis; Willard Sheppard, Yarmouth; Robert G. Brown, Commission Counsel; and Linda Cornwell, Applicant.

The Committee's decision had been filed with the Town Clerk on October 19, 1989, and the appeal entered with the Commission on October 30, 1989, within the ten day appeal period.


Linda Cornwell addressed the Commission and stated that the door that is on the house now is not the door that was approved. She said that after the original plans were approved it was decided to purchase a new door. She said there were other revisions that were approved by the Yarmouth Committee but they refused to approve the new door. She stated that she felt that she was being punished for putting the new door in without permission from the Yarmouth Committee.

Willard Sheppard, representing the Yarmouth Committee, addressed the Yarmouth Committee to explain the Yarmouth Committee's reasons for denial. He stated that there were two houses in question, one that fronted on Margaret Joseph Road and one that fronted on Route 6A. The house fronting on Margaret Joseph Road is the one that is the concern of the Commission. He distributed copies of the minutes of the meetings at which the matter had been discussed. He stated that plans had been approved and that the builder had taken some leeway in the construction of the house. He said the house had been approved with a four panel door and not the nine panel door that was currently in place. He said there were other areas where the construction had deviated from the approved plans but that these matters had all been resolved in favor of the Applicant. He said there may be a hardship but that, if there is one, it was self-imposed.

After lengthy discussion, the Commission made the following determinations.

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


Christopher Miner
Vice Chairman

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TOWN CLERK OF YARMOUTH

PM