



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

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DANIEL DELOUCHE

v.

Decision #89-19

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

On Tuesday, December 19, 1989 the Commission held a hearing on Appeal #89-19, filed by Daniel Delouche seeking review of a decision by the Yarmouth Historic District Committee which had denied a Certificate of Appropriateness for a sign to be located at 713 Main Street, Yarmouthport, Mass.

Present were Brendan Joyce, Dennis; Robert DiMartile, Yarmouth; Allen Abrahamson, Sandwich; Peter Freeman, Barnstable; Robert G. Brown, Commission Counsel; and Willard Sheppard of the Yarmouth Historic District Committee.

The Committee's decision had been filed with the Town Clerk on November 17, 1989, and the appeal entered with the Commission on November 27, 1989 within the ten day appeal period.

There was no one present to represent the Applicants. The Commission, after conferring with Commission Counsel, agreed to proceed with the hearing.

Robert DiMartile, representing the Yarmouth Committee, addressed the Commission to explain the Yarmouth Committee's reasons for denial. He read a long procedural history of the Yarmouth Committee's dealings with the sign in question, including many instances where the applicants were not present at Committee meetings. He said the Committee wished the Applicants to lower the sign about three feet. He stated that he felt that because of the great deal of time spent by the Committee in this matter that the decision of the Committee was not arbitrary or capricious and that the judgment of the Committee was not erroneous.

After discussion, the Commission made the following determination on Appeal #89-19:

1. That the Yarmouth Committee did not act in a arbitrary, capricious or erroneous manner in denying the Application for the Certificate of Appropriateness. 3-0-1.
2. That the appeal be denied. 3-0-1

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.

Peter L. Freeman
Chairman