

Old King's Highway Regional Historic District Commission

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EVERETT PAANANEN and
MARY PAANANEN

v.

Decision #89-3

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

On Tuesday, March 28, 1989 the Commission held a hearing Appeal #89-3 filed by Everett Paananen and Mary Paananen seeking reversal of a decision by the Barnstable Historic District Committee which had denied a Certificate of Appropriateness for the construction of a dwelling to be located adjacent to 139 West Main Street, West Barnstable, Massachusetts.

89-PE-3
APR 28
TOWN CLERK
BARNSTABLE, MASS.

Present were Janet Francis, Brewster; Paul McGuinness, Dennis; Bill Sheppard, Yarmouth; Peter Freeman, Barnstable; Robert G. Brown, Commission Counsel; Peter A. Sundelin, Attorney for Everett and Mary Paananen; and Everett Paananen.

The Committee's decision had been filed with the Town Clerk on February 23, 1989, and the appeal entered with the Commission on March 3, 1989.

Prior to the start of the hearing, Peter Freeman relinquished the duties of Chairman to Paul McGuinness who chaired the hearing as Chairman Pro Tem.

Attorney Peter Sundelin addressed the Commission after distributing a packet of informational materials relating to his presentation. He stated that there were three areas of disagreement with the Committee's decision. He stated that there was disagreement with the Committee's opinion that the design would be a mimicry of older designs in that this can be said about nearly every new structure built in the District. He then said there was disagreement with the Committee's contention that windmills were not historic to the area, citing articles mentioning the existence of windmills in the general area in the 17th, 18th and early 19th century, specifically the Scorton Mill which was located near the Applicants' building site and also the mills located at Cobb's Hill in Barnstable and mills in Hyannis. Finally, he stated there was disagreement with the Committee's opinion that the structure would clash with others in the area. He stated this would be true but that it would not be such a bad thing in that there is a tendency towards too much homogenization in the District.

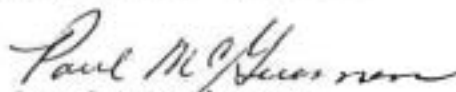
Everett Paananen, Applicant, addressed the Commission and explained the surrounding area, describing the structures on the abutting lots and said that the abutters were not concerned so much about the structure as they were about the location of the driveway. Attorney Sundelin added that those that had objected did so out of personal taste and not on historic criteria.

Peter Freeman, representing the Barnstable Committee, addressed the Commission to explain the Barnstable Committee's reasons for denial. He cited the minutes of the Committee hearing which had earlier been mailed to all of the Commissioners. He said the Committee agreed that homogenization is not a good thing for the District but also stated that in this case there were matters of design and compatibility. He stated that the homes that are built now are the result of continuity and that this is not continuity as there is a 200 year gap in the existence of windmills. He added that windmills are not historically indigenous to the area. With regard to design and compatibility, he described the proposed structure as a long box with a mill in an area where the homes were not of such massive size.

After lengthy discussion the Commission made the following determinations:

1. That the Barnstable Historic District Committee did not act in an arbitrary, capricious and erroneous manner in denying the Applicants' 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 Barnstable Town Clerk.


Paul McGuinness
Chairman Pro Tem

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TOWN CLERK
BARNSTABLE, MASS.