

Old King's Highway Regional Historic District Commission

P.O. Box 279, Hynnis Mass. 02601

Telephone: 617-775-1766

JOSEPH & JUDY PINCIARO

v.

Decision #89-4

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

On Tuesday, May 16, 1989 the Commission held a hearing on Appeal #89-4 filed by Joseph & Judy Pinciario seeking review of a decision by the Sandwich Historic District Committee which had denied a Certificate of Appropriateness for alterations to previously approved plans on property located at Lot #85, Freeman Ave., Sandwich, Massachusetts.

Present were Paul McGuinness, Dennis; Janet Francis Brewster; Peter Freeman, Barnstable; Peter Butt, Yarmouth; Allen Abrahamson, Sandwich; Robert G. Brown, Commission Counsel; Cleon Turner, Esq., Attorney for the Applicants; and Mr. & Mrs. Pinciario, Applicants.

The Committee's decision had been filed with the Town Clerk on April 12, 1989, and the appeal entered with the Commission on April 18, 1989.

Attorney Cleon Turner addressed the Commission on behalf of the Applicants. He explained that on December 14, 1988 a set of plans on behalf of the Applicants had been approved for their property which is located in the Town Neck area of Sandwich. He distributed pictures of the general area and stated that his clients wished to make some changes in their plans, namely to change some windows, change the outside stairs and add skylights. He stated that the changes were contemplated partly to alleviate the objections of an abutter. He stated that the basis of the appeal was that the plans were disapproved in their entirety which he stated was arbitrary. He argued that the denial of the entire package without addressing some of the minor changes was, in itself, arbitrary.

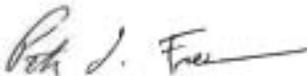
Allen Abrahamson, representing the Sandwich Committee, addressed the Commission to explain the Sandwich Committee's reasons for denial. He explained that the reason for the original approval in December of 1988 was that the plans showed a clean, simple structure in an area that has a hodgepodge of styles. He stated that the construction work had started on the house when the owner decided to change the plans without the approval of the Historic District

Committee and the Building Inspector issued a stop work order. He stated that the Committee had no problems with the changes in the stairways and the skylights. The Committee's main concern was with the front and rear elevations of the property.

After discussion the Commission made the following determination.

1. That the matter be remanded to the Sandwich Historic District Committee in order to see if a compromise can be negotiated between the parties.

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 Sandwich Town Clerk.


Peter L. Freeman
Chairman

TOWN CLERK
TOWN OF SANDWICH

MAY 26 1989

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