

LOUIS J. SEMINARA, JR.

v.

Decision #2000-08

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

On Tuesday, June 6, 2000 the Commission held a hearing on Appeal #2000-08 filed by Louis J. Seminara, Jr., seeking review of a decision by the Yarmouth Historic District Committee denying a Certificate of Appropriateness for the construction of a building to be located at 50 Longfellow Drive, Yarmouthport, Massachusetts.

Present were Barnstable; Paul White, Sandwich; Elizabeth Wilcox, Dennis; Deborah Gray, Yarmouth; Roy Robinson, Brewster; Robert G. Brown, Commission Counsel; and Louis J. Seminara Jr., Appellant.

The Committee's decision was filed with the Town Clerk on May 4, 2000. The appeal was entered with the Commission on May 9, 2000, within the 10 day appeal period.

THE APPELLANT'S PRESENTATION:

Louis J. Seminara, Jr., Appellant, addressed the Commission in favor of the appeal. He distributed a plot plan and elevations of the proposed house. He said he disagreed with the Yarmouth Committee and felt that the house would be appropriate to the area. He compared his design with the other homes in the area and said he felt it was not out of character, considering the design and colors he had chosen. In addition there were no abutters present at the hearing before the Yarmouth Committee. He asked that the appeal be allowed.

THE COMMITTEE'S PRESENTATION:

Deborah Gray, representing the Yarmouth Committee, addressed the Commission in opposition to the appeal. She distributed a packet of information containing the Yarmouth Committee's minutes and decision. The house itself is not unpleasant but its location in this neighborhood is unprecedented and inappropriate compared to

the other 18 houses in the area. The house would dominate the setting of the neighborhood and the Committee felt its overall impact would be inappropriate.

DISCUSSION:

In discussion among Commission members there was a general consensus that great deference should be paid to the decisions of the local committees and that, in this instance, there was no evidence that the Yarmouth Committee had acted in an arbitrary, capricious or erroneous manner in denying the application.

FINDINGS:

The Commission voted as follows:

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

DETERMINATION:

As to Appeal #2000-08, the appeal is denied.

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.

Roy Robinson
Chairman