

JOSEPH J. TRAPP and LOUISE TRAPP

v.

Decision #2000-09

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

On Tuesday, June 6, 2000 the Commission held a hearing on Appeal #2000-09 filed by Joseph J. Trapp and Louise Trapp, seeking review of a decision by the Sandwich Historic District Committee denying a Certificate of Appropriateness for alterations to a building to be located at 118 Tupper Road, Sandwich, Massachusetts.

Present were Barnstable; Paul White, Sandwich; Elizabeth Wilcox, Dennis; Deborah Gray, Yarmouth; Roy Robinson, Brewster; Robert G. Brown, Commission Counsel; and Joseph & Louise Trapp, Appellants.

The Committee's decision was filed with the Town Clerk on May 10, 2000. The appeal was entered with the Commission on May 18, 2000, within the 10 day appeal period.

THE APPELLANTS' PRESENTATION:

Joseph & Louise Trapp, Appellants, addressed the Commission in favor of the appeal. They acquired the property at 118 Tupper Road approximately a year ago and operate it as an inn. They wish to change the wooden cedar shingles to asphalt shingles and were denied by the Sandwich Committee. It will be a major financial hardship to reshingle the roof with cedar shingles. Every abutter has asphalt shingles and several properties in the Town Hall Square area have asphalt shingles. They asked that the appeal be allowed.

THE COMMITTEE'S PRESENTATION:

Jonathan Shaw, representing the Sandwich Committee, addressed the Commission in opposition to the appeal. He displayed photos and maps of the Town Hall Square Historic District. He said the vote of the Committee was unanimous in denying the application. There might be a financial hardship in replacing the current shingles

with cedar shingles but the project need not be done all at once.

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 Sandwich Committee had acted in an arbitrary, capricious or erroneous manner in denying the application.

FINDINGS:

The Commission voted as follows:

1. That the Sandwich Committee did not act in an arbitrary, capricious or erroneous manner in denying the Appellants' application for a Certificate of Appropriateness. 3-0-1.
2. That the appeal be denied, however, the current roof may be replaced with cedar shingles in stages as appropriate. 3-0-1.

DETERMINATION:

As to Appeal #2000-09 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 Sandwich Town Clerk.

Roy Robinson
Chairman

Judith Avnet and George Wilson

v.

Disposition #2000-10

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

On Friday, May 10, 2000 the Commission received an appeal filed by Judith Avnet and George Wilson (Appeal #2000-10), seeking review of a decision by the Barnstable Historic District Committee which had denied a Certificate of Appropriateness for a building addition, retaining wall and shed to be located at 1919 Main Street, West Barnstable, Massachusetts.

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

While the appeal was pending, the Applicants submitted a new application to the local Barnstable Town Committee and abandoned this appeal.

See subsequent Appeal 2001-05, which resulted in a remand and final approval by the Barnstable Town Committee.