

KENNETH SUTHERLAND

v.

Decision #2000-12

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

On Tuesday, August 1, 2000 the Commission held a hearing on Appeal #2000-12 filed by Kenneth Sutherland, seeking review of a decision by the Sandwich Historic District Committee denying a Certificate of Appropriateness for alterations to a building located at 68 Spring Hill Road, East Sandwich, Massachusetts.

Present were Edward Molans, Barnstable; Paul White, Sandwich; Deborah Gray, Yarmouth; Roy Robinson, Brewster; Elizabeth Wilcox, Dennis; Robert G. Brown, Commission Counsel; Robert Sutherland, Agent for the Appellant; and Jonathan Fitch, Attorney for the Appellant.

The Committee's decision was filed with the Town Clerk on June 29, 2000. The appeal was entered with the Commission on July 3, 2000, within the 10 day appeal period.

THE APPELLANT'S PRESENTATION:

Jonathan Fitch, Attorney for the Appellant, and Robert Sutherland, Agent for the Appellant, both addressed the Commission in favor of the appeal. They explained that the house with the deck had been approved years ago and that the roof had been placed so as to be able to screen in the deck. They felt the proposal was appropriate and should have received approval, however, the lack of a 7/12 pitch roof was a problem with the Sandwich Committee. They said that, although this would be very appropriate for a new house, it would not be appropriate as it would be overpowering and out of scale with the rest of the house. Showing pictures of the area, they said the Committee had failed to take into consideration the entire surroundings and should have found that the application was appropriate.

THE COMMITTEE'S PRESENTATION:

Paul White, representing the Sandwich Committee, addressed the Commission in opposition to the appeal. He displayed photographs of the area and said that this was a very significant area of the District and that the Committee had held at least four meetings regarding this project. The deck itself is not highly visible, but that building with a deck that size is not compatible with the District.

DISCUSSION:

In general discussion, Linda Marsh, a member of the Sandwich Committee, addressed the Commission in opposition to the appeal. She said the Sandwich Committee had acted in a very thoughtful manner taking into consideration that this is an historic neighborhood.

In discussion among Commission members there was a general consensus that various roof pitch alternatives had not been considered by the Sandwich Committee and that the matter could be compromised at the Sandwich Committee.

FINDINGS:

The Commission voted as follows:

1. That the matter be remanded to the Sandwich Committee to consider roof pitch alternatives.

DETERMINATION:

As to Appeal #2000-11 the matter is remanded to the Sandwich Committee.

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