

SUSAN SPERO

v.

Decision #2001-06

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

On Tuesday, May 8, 2001 the Commission held a hearing on Appeal #2001-06 filed by Susan Spero, seeking review of a decision by the Sandwich Historic District Committee denying a Certificate of Appropriateness for a fence to be located at 59 North Shore Boulevard, East Sandwich, Massachusetts.

Present were Dorothy Stahley, Barnstable; Jonathan Shaw, Sandwich; Deborah Gray, Yarmouth; Roy Robinson, Brewster; Elizabeth Wilcox, Dennis; Robert G. Brown, Commission Counsel; and Susan Spero, Appellant.

The Committee's decision was filed with the Town Clerk on April 2, 2001. The appeal was entered with the Commission on April 6, 2001, within the 10 day appeal period.

THE APPELLANT'S PRESENTATION:

Susan Spero, addressed the Commission in favor of the appeal. She said she wanted a fence because she is close to her neighbors and there are other fences in the neighborhood.

THE COMMITTEE'S PRESENTATION:

Jonathan Shaw, representing the Sandwich Committee, addressed the Commission in opposition to the appeal. He read from Sandwich Committee materials and said that the area is considered a beach historic district. The maintenance of a sense of openness associated with a beach area was encouraged and fences were discouraged. He distributed a picture of the house and of the area. He said if there was a fence it should not come forward of the house.

DISCUSSION:

In general discussion, Susan Spero said she was willing to discuss what kind of a fence would be acceptable, and that the discussion never got to the issue of a particular fence. She said she was willing to accept a split-rail fence.

In discussion among Commission members there was a consensus that there was insufficient evidence before them to reverse the decision of the Sandwich Committee.

FINDINGS:

The Commission found as follows:

1. That the Sandwich Committee did not act in an arbitrary, capricious, or erroneous manner in denying Appellant's application. 3-1-1.
2. That the appeal be denied. 3-1-1.

DETERMINATION:

As to Appeal #2001-06 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.

Dorothy Stahley
Chairman