

H. MAURICE BURKE & SYLVIA D. BURKE

v.

Decision #2001-09

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

On Tuesday, August 14, 2001 the Commission held a hearing on Appeal #2001-09 filed by H. Maurice Burke & Sylvia D. Burke, seeking review of a decision by the Sandwich Historic District Committee denying a Certificate of Appropriateness for alterations to property located at 157/159 Route 6A, 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 H. Maurice Burke and Sylvia D. Burke, Appellants.

The Committee's decision was filed with the Town Clerk on June 15, 11, 2001. The appeal was entered with the Commission on June 21, 2001, within the 10 day appeal period.

**THE APPELLANT'S PRESENTATION:**

Mr. & Mrs. Burke addressed the Commission in favor of the appeal. They said the problem was the fact that the state had paved an area adjacent to the miniature golf course they operate. They said that they were never informed of the site visit to the property and were never informed of the meeting where their application for a Certificate of Appropriateness was to be considered.

**THE COMMITTEE'S PRESENTATION:**

Jonathan Shaw, representing the Sandwich Committee, addressed the Commission in opposition to the appeal. He said that the Sandwich Committee had made a mistake and That Mr. & Mrs. Burke should have been informed of the meeting and site visit, but weren't.

**DISCUSSION:**

In discussion among Commission members there was a consensus that the matter should be remanded to the Sandwich Committee.

**FINDINGS:**

The Commission found as follows:

1. That Appeal #2001-09 be remanded to the Sandwich Committee for the earliest possible date and with no further fees to be paid and no further forms required.

**DETERMINATION:**

As to Appeal #2001-09 the appeal 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.

Dorothy Stahley  
Chairman