

DONALD J. LONG

v.

Decision #2001-10

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 #2001-10 filed by Donald J. Long, seeking review of a decision by the Sandwich Historic District Committee denying a Certificate of Appropriateness for alterations to a building located at 8 Academy Road, 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 Donald J. Long, Appellant.

The Committee's decision was filed with the Town Clerk on July 12, 11, 2001. The appeal was entered with the Commission on July 19, 2001, within the 10 day appeal period.

**THE APPELLANT'S PRESENTATION:**

Donald J. Long addressed the Commission in favor of the appeal. He explained that he wished to replace the wooden shingles on his home with architectural grade asphalt shingles. He said that when the house was constructed the nearest house in the neighborhood had asphalt shingles and, since that time, other houses in the area have been approved for the use of asphalt singles. He said that the minutes of the meeting did not accurately reflect what was said at the meeting and he played a short excerpt from the meeting. In rebuttal to the Committee's presentation, Mr. Long said that the Committee was trying to impose its own likes and dislikes on applicants, and also reiterated that the basis for denial was not accurate.

**THE COMMITTEE'S PRESENTATION:**

Jonathan Shaw, representing the Sandwich Committee, addressed the Commission in opposition to the appeal. He said that two of the cases cited by Mr. Long were, in fact, hardship cases.

**DISCUSSION:**

In discussion among Commission members there was a consensus that there was some uncertainty with regard to the Sandwich Committee's reasoning with regard to its denial of the Appellant's application and that the matter should be remanded to the Sandwich Committee.

**FINDINGS:**

The Commission found as follows:

That Appeal #2001-10 be remanded to the Sandwich Committee, with the provision that, if the matter returns to the Commission level, that the Sandwich Committee provide a detailed statement of facts, rather than opinion. 4-0-1.

**DETERMINATION:**

As to Appeal #2001-10 the appeal is remanded to the Sandwich Committee. 4-0-1.

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