

**OLD KING'S HIGHWAY REGIONAL HISTORIC DISTRICT
COMMISSION**

P.O. Box 140, Barnstable, Massachusetts 02630-0140
Tel: 508-775-1766 FAX 508-775-9248

Capizzi Home Improvement, Inc.

V.

Decision #2001-17

**Old King's Highway Regional Historic
District Committee For the Town of
Sandwich**

On Tuesday, November 6, 2001 the Commission held a hearing on Appeal #2001-17 filed by Capizzi Home Improvement, Inc. seeking review of a decision by the Sandwich Historic District Committee denying a Certificate of Appropriateness for alterations to Mr. & Mrs. Rene Pinault property located at 28 June Lane, East Sandwich, Massachusetts.

Present were Jeffery Wilson, Barnstable; Paul White, Sandwich; Deborah Gray, Yarmouth; Roy Robinson, Brewster; Barry Crowell, Dennis; James R. Wilson, Acting Commission Counsel; and Mr. & Mrs. Rene Pinault, Applicants.

The Committee's decision was filed with the Town Clerk on October 12, 2001. The appeal was entered with the Commission on October 20, 2001, within the 10 day appeal period.

The Committee's Presentation:

Paul White representing the Sandwich Committee, addressed the Commission and stated that following the filing of the Committee's denial of the requested Certificate of Appropriateness, a member of the committee discovered that the wrong property had been viewed and after a discussion with other committee members it had been discovered that different result would have resulted.

The Appellant's Presentation:

Mr. Rasch of Capizzi Home Improvement, Inc. addressed the Commission on behalf of the applicant and requested that the determination of the Town Committee be reversed and that a Certificate of Appropriateness be issued by the Commission.

TOWN CLERK
TOWN OF SANDWICH

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Discussion:

Attorney James R. Wilson indicated that in his opinion that based on the facts as presented by the Sandwich Committee that the action of committee should be annulled and the application remanded back to the Town Committee for the issuance of a proper Certificate of Appropriateness.

Findings:

The Commission found as follows:

That the Committee made an error in making its determination to deny the applicant's application.

Determination:

As to Appeal #2001-17, the appeal is allowed and decision of the Sandwich Committee is annulled. The application is remanded to the Sandwich Committee for the issuance of a proper Certificate of Appropriateness.

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