

**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 #2001-23**

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

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On Tuesday, January 8, 2002 the Commission held a hearing on Appeal #2001-23 filed by Capizzi Home Improvement, Inc. seeking review of a decision by the Yarmouth Historic District Committee denying a Certificate of Appropriateness for vinyl siding and aluminum trim to Mr. & Mrs. Douglas Space property located at 286 Main Street, Yarmouthport, Massachusetts.

Present were Jeffery Wilson, Barnstable; Paul White, Sandwich; Deborah Gray, Yarmouth; Roy Robinson, Brewster; Elizabeth Wilcox, Dennis; James R. Wilson, Acting Commission Counsel; Michael Hurley of Capizzi Home Improvement, Inc.

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

**The Appellant's Presentation:**

Mr. Hurley 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 the Commission issue a Certificate of Appropriateness. We are staying with the same color and felt confident that it would be approved. He indicated that the house was only twenty (20) to thirty (30) years old. He stated that many buildings had been approved for this type of siding and that painting the wooden clapboards was more expensive than the proposed vinyl siding.

**The Town Committee's Presentation:**

Deborah Gray distributed copies of the Town Committee's minutes and letter of denial. She indicated that the committee felt that while the house was not old or significant in its age, that it was located on a highly visible and significantly sensitive part of Route 6A. She stated that the house is a classical salt-box design and located among many older homes that are listed in the National Register. She indicated that none of the houses in the immediate area have been approved for vinyl siding.

**Discussion:**

The members of the Commission stated that while vinyl siding has been approved in various parts of the District; they agreed with the Town Committee's determination that the high sensitivity of the location of the applicants' house sufficiently supported the denial of the application.

**Findings:**

The Commission found as follows:

That an examination of the location for the proposed change in siding presented by the applicant would create a visual and aesthetic incongruity.

That the change from wood to vinyl siding in the proposed setting will cause an obviously incongruous change.

That the conditions especially affecting the denial of the applicant's request will not involve a unique and substantial hardship that would allow the approval of the application.

That the Committee did not exceed its authority or exercise poor judgment.

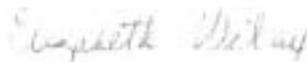
That the Committee was not arbitrary, capricious or erroneous in its action.

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

**Determination:**

As to Appeal #2001-23, the appeal is denied and decision of the Yarmouth Committee is affirmed.

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 Yarmouth Town Clerk.



Elizabeth Wilcox  
Vice Chairman

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