

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

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

**Joseph Dugas &  
Edith Dugas**

**V.**

**Decision #2003-1**

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

On Tuesday, April 1, 2003 the Commission held a hearing on Appeal #2003-1 filed by Joseph Dugas and Edith Dugas seeking reversal of a decision by the Barnstable Historic District Committee granting a Certificate of Appropriateness for the placement of a window on a garage owned by Richard Rudders and Joan Rudders to be located at 36 Sunset Lane, Barnstable, Massachusetts.

Present were Jeffery Wilson, Barnstable; Jonathan Shaw, Sandwich; Deborah Gray, Yarmouth; Elizabeth Wilcox, Dennis, Roy Robinson, Brewster; James R. Wilson, Commission Counsel, Gerald Garnick, Attorney for Appellants, Thomas J. Perrino, Attorney for the Applicants.

**The Appellant's Presentation:**

Attorney Gerald Garnick submitted to the commission a claim that the notice for the Town Committee's hearing had been mailed to his client six days instead of the required seven days before the date of the public hearing.

**The Town Committee's Presentation:**

Jeffery Wilson acknowledged that the records of his Town committee indicated that the notice had been defective.

**Discussion:**

The members of the Commission indicated that in view of the defective notice, a new hearing with full and proper notice should be held before the local town committee.

**Findings:**

The Commission found as follows:

That a defective notice for the local town committee's public hearing was given.

**Determination:**

As to Appeal #2003-1, the decision of the Barnstable Committee is annulled and the matter remanded back to the local town committee for a new hearing with full and proper notice. (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 Barnstable Town Clerk.

Roy Robinson, Chairman