

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

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Barbara Lewis

V.

Decision #2003-2

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

On Tuesday, April 1, 2003 the Commission held a hearing on Appeal #2003-2 filed by Barbara Lewis seeking reversal of a decision by the Sandwich Historic District Committee denying a Certificate of Appropriateness for installation of a new door and windows on dwelling located at 59 North Shore Blvd., Sandwich, Massachusetts.

Present were Jeffery Wilson, Barnstable; Jonathan Shaw, Sandwich; Deborah Gray, Yarmouth; Roy Robinson, Brewster; Elizabeth Wilcox, Dennis; James R. Wilson & Leslie Ann Morse, Acting Commission Counsels and Michael O'Brian, for the appellant/applicant.

The Committee's decision was filed with the Town Clerk on February 27, 2003. The appeal was entered with the Commission on March 7, 2003, within the 10-day appeal period.

The Appellant's Presentation:

Michael O'Brian addressed the Commission on behalf of the Appellant/Applicant and requested that the determination of the Town Committee be reversed and that the Commission issue a Certificate of Appropriateness for the proposed alterations. He submitted plans of the building and photographs. He stated that the application had been denied by tied two to two (2-2) vote by the Town Committee.

The Town Committee's Presentation:

Jonathan Shaw addressed the Commission on behalf of the Sandwich Town Committee. He stated that the applicant had not submitted full and complete plans and that it had been very difficult for his committee to identify the exact location and type of changes that were being proposed by the applicant.

He indicated that while he felt that his committee was correct in denying the application, that a different result might have occurred, had his committee had more time to work with the applicant and her agent.

Discussion:

The members of the Commission reviewed the plans and the pictures that the applicant had submitted to the Commission for the appeal hearing. The member's agreed with the need to have full and proper plans filed by an applicant with the local Town Committee.

The Commissioners felt that a new local public hearing with clear plans would provide an opportunity to work with the applicant to find an acceptable appropriate design to meet the applicant's needs.

Findings:

The Commission found as follows:

That the decision of the Sandwich Town Committee should be annulled

That the matter should be remanded to the Sandwich Town Committee for a new hearing with full and proper plans.

Determination:

As to Appeal #2003-2, the appeal is allowed and decision of the Sandwich Committee is annulled and the matter remanded to the Sandwich Town Committee for another hearing. (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.

Roy Robinson
Chairman