

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

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**Joseph Antonellis/Paint America**

**V.**

**Decision #2003-3**

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

On Tuesday, April 15, 2003 the Commission held a hearing on Appeal #2003-3 filed by Joseph Antonellis seeking reversal of a decision by the Sandwich Historic District Committee denying a Certificate of Appropriateness for construction of a new building to be located at 60 Route 6A, Sandwich, Massachusetts.

Present were Jonathan Shaw, Sandwich; Deborah Gray, Yarmouth; Roy Robinson, Brewster; Elizabeth Wilcox, Dennis; James R. Wilson & Leslie Ann Morse, Acting Commission Counsels and Joseph Antonellis, the appellant/applicant and his agent, Anne M. Michniewicz.

The Committee's decision was filed with the Town Clerk on March 21, 2003. The appeal was entered with the Commission on March 21, 2003, within the 10-day appeal period.

**The Appellant's Presentation:**

Anne Michniewicz 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 building. She submitted plans of the building and photographs of other buildings in the area. She stated that the proposed fencing studio building had been designed to meet zoning regulations and the parking requirements of the Town Sandwich. She indicated that it was in a commercial zone and near a large shopping plaza. She expressed the opinion that the building would be compatible with the neighborhood and that the committee erred in denying the application.

**The Town Committee's Presentation:**

Jonathan Shaw addressed the Commission on behalf of the Sandwich Town Committee. He stated that the applicant had submitted a large and massive building on a small lot (16,700 sq. feet) that would be too close to the road (Route 6A). He suggested that the location of the proposed building would give it a very massive appearance. He pointed out that the building would be cut into the hill and would have three stories on the front.

He indicated that his committee was properly exercising its' authority as stated in foot note #24 of the Massachusetts Supreme Judicial Court, decision *Dennis Housing Corp. v. Zoning Board of Appeals of Dennis, et al.* (See copy below).

**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 Commissioners agreed with the Committee's determination that the building would have an undesirable massive appearance.

**Findings:**

The Commission found as follows:

That location of the building would cause it to appear massive in its proposed location on Route 6A.

That the decision of the Sandwich Town Committee should be affirmed

**Determination:**

As to Appeal #2003-3, the appeal is denied and decision of the Sandwich Committee is affirmed (3-0-1).

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