

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

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

McPhee Associates, Inc.

v.

Withdrawal #2003-7

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

On Tuesday, July 15, 2003 the Commission met to hear Appeal #2003-7 filed by McPhee Associates, Inc., seeking reversal of a decision by the Brewster Historic District Committee denying an amendment to a Certificate of Appropriateness for a retaining wall located at 51 Old North Road, Brewster, Massachusetts.

Present were Jeffery Wilson, Barnstable; Jonathan Shaw, Sandwich; Deborah Gray, Yarmouth; Roy Robinson, Brewster; Peter Lomenzo, Dennis; James R. Wilson, Commission Counsel and Robert McPhee, agent for the Applicant.

Discussion:

When the hearing was called, Commission Counsel stated that under Section F of the O.K.H.R.H.D. Guidelines at Page 9 of the Bulletin, upon the denial of a request for an amendment, the proper remedy was to file for a new Certificate of Appropriateness. Mr. Wilson stated that he had advised the Appellant of this prior to the hearing, but that the Appellant had wanted to come to the Commission Hearing.

After discussion, the Appellant asked to withdraw his appeal without prejudice, which was allowed by the Commissioners.

Determination:

As to Appeal #2003-7, the appeal is withdrawn.

Roy Robinson
Chairman