



Old King's Highway Regional Historic District Commission

TOWN CLERK
BARNSTABLE MASS.
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Mr. Roger P. Williams and)
Sarah A. Williams,)
- Appellants)
vs)
TOWN OF BARNSTABLE OLD KING'S)
HIGHWAY REGIONAL HISTORIC)
DISTRICT COMMITTEE)
- Appellee)

DECISION ON APPEAL TO
ABOVE COMMISSION

No 77-5

A hearing was held on June 21, 1977 by the above Commission on the appeal by Roger P. Williams et Ux from the decision of the Town of Barnstable Historic District Committee denying a certificate of appropriateness to said Williams on their application to add to an existing non-conforming commercial building and the erection of a sign, said property being located on Route 6A, in Cummaquid, Barnstable, Massachusetts.

The appellants through their attorney, Robert Donahue, of Hyannis, alleged that the decision of the local town committee in denying their application was based upon an objection to expansion of the use of the property as a commercial structure in a residential zone and not based upon the appearance of the structure that would be constructed on the site. The attorney for the appellants stated that this issue was the domain of the Board of Appeals.

Members of the Barnstable town committee stated that they felt that the appellants had made a number of alterations to the building without properly applying to the local committee, including the construction of skylights, windows and other features which altered the character of the building and that to allow additional alterations would be asking too much of the local committee. The local committee stated that many abutters to the subject property objected to the alterations and that the further additions would not be in character with the existing building.

Mr. Ryan, who appeared at the Commission Hearing, spoke in opposition to the appeal, stating that the building was one of the oldest in Cummaquid and stating that the alterations would change the whole appearance of the building.

After testimony from a number of concerned parties, attorney Donahue suggested a compromise. His client would agree to give up the shed extension to the rear and the sign on the front of the building if the Commission would allow the lifting of the roof line and the construction of the outside stairs.



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The Commission members, after considerable discussion, agreed to this suggestion with the understanding that appropriate plans of the alterations together with those of the requested outside stairway would be submitted to the local committee for their approval.

The Commission voted 4/1/1 the following motion:

"Moved that the decision of the Barnstable Committee to deny a certificate of appropriateness be annulled and that a certificate be issued to allow the applicants to raise the shed roof on the rear of the building, as requested, and to build a stairway on the east side of the building, as requested, provided no further expansion or construction be undertaken and further that the Barnstable Committee shall receive appropriate plans so as to properly approve the appearance of the design of the stairs and the roof alterations. The Commission sustains the denial to construct the shed and requested sign."

All parties were advised that they have 20 days from the date of the filing of this decision with the town clerk within which to enter an appeal with the First District Court of Barnstable.

Commission Acting Chairman