

INDUSTRIAL COMMUNICATIONS & ELECTRONICS, INC.

v.

Decision #96-6

**OLD KING'S HIGHWAY REGIONAL HISTORIC
DISTRICT COMMITTEE FOR THE TOWN OF
BARNSTABLE**

On Tuesday, January 14, 1997 the Commission held a hearing on Appeal #96-6 filed by Industrial Communications & Electronics, Inc., seeking review of a decision by the Barnstable Historic District Committee which had denied a Certificate of Appropriateness for a radio antenna and support building to be located at 95 Spruce Pond Road, West Barnstable, Massachusetts.

Present were Peter Freeman, Barnstable; Roy Robinson, Brewster; Marian Reilly, Sandwich; Robert Miller, Yarmouth; Chick Craig, Dennis; Christopher Miner, Orleans; Robert G. Brown, Commission Counsel; Michael D. Ford, Attorney for the Appellant; Gordon Clark, Agent for the Appellant; and Frank Dirico, President of Industrial Communications & Electronics, Inc.

The Committee's decision was filed with the Town Clerk on August 21, 1996. The appeal was entered with the Commission on August 30, 1996 within the 10 day appeal period. The 30 day determination period was extended by agreement.

THE APPELLANT'S PRESENTATION:

Michael D. Ford, Attorney for the Appellant, addressed the Commission on behalf of the Appellant. He said that, in light of the fact that his client was also the Appellant in Appeal #96-12. He asked permission to withdraw Appeal #96-6 without prejudice.

DETERMINATION:

Upon a motion made and seconded, the Commission voted 5-0-1 to allow the Appellant to withdraw Appeal #96-6 without prejudice.

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.

Christopher R. Miner
Chairman