

PAUL BANNON and LAURIE BANNON

v.

Decision #97-13

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

On Tuesday, September 2, 1997 the Commission held a hearing on Appeal #97-13 filed by Paul Bannon and Laurie Bannon, seeking review of a decision by the Sandwich Historic District Committee which had denied a Certificate of Appropriateness for alterations to a building located at 9 Dewey Avenue, Sandwich, Massachusetts.

Present were Marian Reilly, Sandwich; Robert Miller, Yarmouth; Seth Crowell, Dennis; Peter Freeman, Barnstable; Robert G. Brown, Commission Counsel; and Paul Bannon, Appellant.

The Committee's decision was filed with the Town Clerk on July 28, 1997. The appeal was entered with the Commission on August 7, 1997 within the 10 day appeal period.

THE APPELLANT'S PRESENTATION:

Paul Bannon, Appellant, addressed the Commission in favor of the appeal. He said that the project in question was the addition of a 4' x 8' two-story addition to his house which was originally approved in 1994. He said the Committee's reasons for the denial were "too much height" and "too visible from Route 6A." He said that, with regard to the height issue, the top of the addition would be lower than the top of the house. He also stated, with regard to the visibility issue, Route 6A is 380 feet away from his house. He said the Committee is unhappy with the approved project and is biased towards the addition.

THE COMMITTEE'S PRESENTATION:

Marian Reilly, Chairman of the Sandwich Committee, addressed the Commission to explain the Committee's reasons for denial. She displayed a plan of the 1994 approval and stated that the current work was stopped when it was done without the approval of the Committee. She said that the front of the house is on Dewey Avenue and the rear of the house is very visible from Route 6A. She recounted the procedural history of the application and displayed a plan of the house as it had been constructed (without the Committee's approval). She asked that the appeal be denied.

DISCUSSION:

Successive votes to affirm, reverse and remand the matter failed to gain a majority of the quorum of the Commission.

DETERMINATION:

Based on the failure of a majority of the quorum of the Commission to either affirm, reverse, or remand the matter, the determination of the Sandwich Committee is affirmed.

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.

Peter L. Freeman
Chairman