

**THOMAS BACHE and JOANNE BACHE**

**v.**

**Decision #98-4**

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

On Tuesday, April 28, 1998, the Commission held a hearing on Appeal #98-4 filed by Thomas Bache and Joanne Bache, seeking review of a decision by the Yarmouth Historic District Committee denying a Certificate of Appropriateness for alterations to a building located at 25 Wharf Lane, Yarmouthport, Massachusetts.

Present were Peter L. Freeman, Barnstable; William Quinn, Orleans; Elizabeth Wilcox, Dennis; Roy Robinson, Brewster; Marian Reilly, Sandwich; Robert G. Brown, Commission Counsel; and Thomas Bache and Joanne Bache, Appellants.

The Committee's decision was filed with the Town Clerk on April 8, 1998. The appeal was entered with the Commission on April 10, 1998 within the 10 day appeal period.

**THE APPELLANT'S PRESENTATION:**

Thomas Bache, Appellant, addressed the Commission in favor of the appeal. He explained that the original application had been approved as amended without a half-window that had been intended. He displayed photographs of other homes in the immediate area which showed the same style window.

**THE COMMITTEE'S PRESENTATION:**

There was no one present from the Yarmouth Committee to explain the Committee's reasons for denial.

**DISCUSSION:**

In discussion among Commission members it was felt that the Yarmouth Committee exercised poor judgment and that the window would not affect the integrity of the District.

**FINDINGS:**

With Regard to Appeal #98-04 the Commission voted to reverse the decision of the Yarmouth Committee. (4-0-1).

**DETERMINATION:**

As to Appeal #98-04, the appeal is allowed.

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 Yarmouth Town Clerk.

Marian Reilly  
Chair