

ROBERT ANTONCECCHI

v.

Decision #99-7

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

On Tuesday, July 6, 1999 the Commission held a hearing on Appeal #99-7 filed by Robert Antoncecchi, seeking review of a decision by the Sandwich Historic District Committee denying a Certificate of Appropriateness for alterations to a building located at 26 Jones Lane, East Sandwich, Massachusetts.

Present were Edward Molans, Barnstable; Marian Reilly, Sandwich; Elizabeth Wilcox, Dennis; Deborah Gray, Yarmouth; Robert G. Brown, Commission Counsel; Thomas Capizzi, Agent for the Appellant, Robert Antoncecchi, Appellant, Cleon H. Turner, Esq., Attorney for individual members of the Sandwich Historic District Committee; and several interested members of the public.

The Committee's decision was filed with the Town Clerk on May 26, 1999. The appeal was entered with the Commission on June 2, 1999 within the 10 day appeal period.

As this appeal arose from the Chair's Committee, the Vice-Chair presided over the hearing.

THE APPELLANT'S PRESENTATION:

Tom Capizzi, Agent for the Appellant, addressed the Commission in favor of the appeal. He said he has been using this procedure for the installation of vinyl siding for approximately four years and it has been approved by every Committee in the Old King's Highway District. The Committee in Sandwich has new members who are not familiar with the installation technique and did not agree with the use of vinyl siding. There is no historic significance to the building or the area in general and the Appellant's immediate neighbor has had vinyl siding approved.

THE COMMITTEE'S PRESENTATION:

Marian Reilly, representing the Sandwich Committee, explained the Sandwich Committee's reasons for denial. She said the application was denied on a 2-2 vote. She said the members of the Committee in opposition to the application felt that the use of vinyl in this instance was inappropriate.

DISCUSSION:

In general discussion, Cleon Turner, Attorney for Paul White and Betty Allen, members of the Sandwich Historic District Committee, addressed the Commission in opposition to the appeal. He presented a letter from his clients stating their position and said that his clients felt that what was already there was worth saving. He said these members have voted to approve vinyl siding, but only in areas not visible from the road and not in historic areas.

In discussion among Commission members there was a consensus that the Sandwich Committee's decision was not based on any sustainable reason and should be reversed.

FINDINGS:

The Commission voted as follows:

1. That the Sandwich Committee erred in denying the Appellant's application for a Certificate of Appropriateness. 3-0-1.
2. That the appeal be allowed. 3-0-1.

DETERMINATION:

As to Appeal #99-7, 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 Sandwich Town Clerk.

Elizabeth Wilcox
Vice-Chair