

**LOREN & HILDA BURNETT**

**v.**

**Decision #99-8**

**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 #99-8 filed by Loren & Hilda Burnett, seeking review of a decision by the Sandwich Historic District Committee denying a Certificate of Appropriateness for the construction of a building to be located at 10 Captain Kidd Road, East Sandwich, Massachusetts.

Present were Edward Molans, Barnstable; Marian Reilly, Sandwich; Elizabeth Wilcox, Dennis; Deborah Gray, Yarmouth; Robert G. Brown, Commission Counsel; and Anne Michniewicz and Rich Anderson, Agents for the Appellants.

The Committee's decision was filed with the Town Clerk on June 9, 1999. The appeal was entered with the Commission on June 16, 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:**

Anne Michniewicz, Agent for the Appellants, addressed the Commission in favor of the appeal. She said the application was turned down because the proposed house was not in keeping with the neighborhood. She presented plans of the proposed house and a plan of the area as well as pictures of various homes in the areas to show that the proposed house would not be out of character with the area.

**THE COMMITTEE'S PRESENTATION:**

Marian Reilly, representing the Sandwich Committee, explained the Sandwich Committee's reasons for denial. She said the site plan was inaccurate and that the so-called salt-box styling was inaccurate and should be turned around. It was for these reasons that the

application was denied.

**DISCUSSION:**

In discussion among Commission members there was a consensus that it would be helpful if the Appellants would correct their site plan and return to the Sandwich Historic District Committee. As such a remand would be in order.

**FINDINGS:**

The Commission voted as follows:

1. That the matter be remanded to the Sandwich Historic District Committee for further proceedings based on corrected site plan(s). 3-0-1.

**DETERMINATION:**

As to Appeal #99-8, the matter is remanded to the Sandwich Historic District Committee.

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