

Old King's Highway Regional Historic District Commission

P.O. Box 279, Hyannis Mass. 02601

Telephone: 617-775-1766

JOHN F. MIKUTOWICZ

v.

Decision #88-17

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

On Tuesday, June 7, 1988 the Commission held a hearing on Appeal #88-17 filed by John F. Mikutowicz seeking review of a decision by the Barnstable Historic District Committee which had denied a Certificate of Appropriateness for a new building to be located at 990 Route 6A, West Barnstable, Massachusetts.

Present were Ronald Lindholm, Dennis; Michael Shay, Brewster; Christopher Miner, Orleans; Lee Davis, Barnstable; Milton Smith, Yarmouth; Robert G. Brown, Commission Counsel; John F. Mikutowicz, Applicant; and Peter Sundelin, Attorney for the Applicant.

The Committee's decision had been filed with the Town Clerk on May 12, 1988, and the appeal entered with the Commission on May 13, 1988.

Peter Sundelin, Attorney for the Applicant, addressed the Commission on behalf of the Applicant. He presented various plans of the proposed building and described the area in question. He stated that the proposed building would be situated in close proximity to a building that probably would not be approved under the Act. Nevertheless, the design of the proposed building attempted to blend in new architecture with the existing architecture in the immediate area as much as possible. He stated that the roofline did have a 60 foot width, but that it would be impractical in light of the proposed tenants to reduce the size of the building. He stated that the Committee had objected to the exterior stairways on each side of the building, but that such egresses were required under the State Building Code.

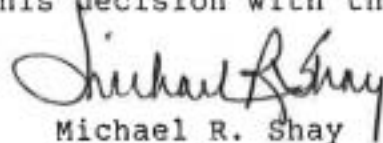
Lee Davis, representing the Barnstable Committee, addressed the Commission to explain the Barnstable Committee's reasons for denial. He stated that the Committee felt that the building was too massive, that the 60 foot roof span was inappropriate and wished that the building could be redesigned so as not to be so massive. He also stated that the Committee wished that plans of this type could be prepared by a Registered Architect.

Robert Stewart of the Barnstable Committee addressed the Commission to support the Barnstable Committee's position. He stated that the compatibility of the building to the rest of the area was the main issue. He described the existing building on the site as a large one story building and stated that the proposed three story building would not be compatible. The Committee felt that there was a lack of planning and that not enough information had been given to the Committee in terms of measurements, etc..

After lengthy discussion the Commission made the following determination.

1. That the Barnstable Historic District Committee did not act in an arbitrary, capricious or erroneous manner in denying the Applicant's Certificate of Appropriateness and that the appeal be denied. 4-0-1

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.


Michael R. Shay
Chairman

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TOWN CLERK
BARNSTABLE, MASS.