



# Old King's Highway Regional Historic District Commission

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CHARLES DESIMONE

v.

Decision #88-2

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

On Tuesday, December 13, 1988 the Commission held a hearing on Appeal #88-29 filed by Charles DeSimone seeking review of a decision by the Yarmouth Historic District Committee which had denied a Certificate of Appropriateness for the construction of a commercial building to be located at 964 Route 6A, Yarmouthport, Massachusetts.

Present were Michael Shay, Brewster; Allen Abrahamson Sandwich; Christopher Miner, Orleans; Milton Smith; Yarmouth; Robert G. Brown, Commission Counsel; Charles DeSimone, Applicant.

The Committee's decision had been filed with the Town Clerk on October 6, 1988, and the appeal entered with the Commission on October 17, 1988, within the ten day appeal period.

Charles DeSimone addressed the Commission and presented renderings of the proposed building. He said that the only problem he had with the Committee was their reluctance to approve the proposed quarter-round windows. He stated that he felt that there would be nothing out of character with the use of these windows and that they were already in existence on Route 6A.

Milton Smith, representing the Yarmouth Committee, addressed the Commission to explain the Yarmouth Committee's reasons for denial. He said the existing quarter-round window Mr. DeSimone had referenced was located in a house that was built in the 1920's and would not be in keeping with colonial style architecture on Route 6A. He stated that quarter-round windows are usually used in steep pitched roofs and that the use of a quarter-round in this instance would be inappropriate.

After brief discussion the Commission made the following determination:

1. That the Yarmouth Committee did not act in an arbitrary, capricious or erroneous manner in denying the Applicant's Certificate of Appropriateness.

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2. That the appeal be denied.

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.



Michael R. Shay  
Chairman

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