

SANDWICH CYCLES

v.

Decision #94-2

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

On Tuesday, April 19, 1994 the Commission held a hearing on Appeal #94-2 filed by Sandwich Cycles, seeking review of a decision by the Sandwich Historic District Committee which had denied a Certificate of Appropriateness for a sign to be located at #4 Merchants Square, Sandwich, Massachusetts.

Present were Pat Rothermel, Dennis; Peter Freeman, Barnstable; Bob Deemer, Yarmouth; Steve Carmel, Sandwich; Robert G. Brown, Commission Counsel; and David & Kimberly Buldini, Appellants.

The Committee's decision had been filed with the Town Clerk on March 18, 1994, and the appeal entered with the Commission on March 21, 1994, within the 10 day appeal period.

In the absence of the Chairman, Peter Freeman, Vice-Chairman, presided over the hearing as Chairman Pro Tem.

THE APPELLANT'S PRESENTATION:

Kimberly Buldini, Appellant, addressed the Commission in favor of the appeal. She stated that the sign conformed to the Town of Sandwich sign code and described the process by which they had sought permitting of the sign. She presented pictures of other signs in the area and also presented a letter from a representative of the local Chamber of Commerce.

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TOWN OF SANDWICH

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THE COMMITTEE'S PRESENTATION:

Steve Carmel, representing the Sandwich Committee, addressed the Commission to explain the Sandwich Committee's reasons for denial. He distributed pictures of other signs in the area. He said that the Committee felt they had no input into the process. He said that the sign over the door was large. He also said that the lettering on the sign should be darker and more defined. He indicated a willingness to work with the Appellants on a redesign of the sign and suggested that the matter could be remanded to the Sandwich Committee.

DISCUSSION:

The Commission discussed the possibility of remanding the matter to the Sandwich Committee. Both the Appellants and the Sandwich Committee indicated that, if remanded, there was a reasonable possibility that an agreement could be reached.

FINDINGS:


The Commission made the following Findings of Fact:

1. That the matter be remanded to the Sandwich Committee.
3-0-1.

DETERMINATION:

Based on the above findings the matter is remanded to the Sandwich Committee, 3-0-1.

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 Sandwich Town Clerk.


Peter L. Freeman
Vice-Chairman