



Old King's Highway Regional Historic District Commission
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STEVEN GIANGREGORIO and
ROBIN GIANGREGORIO

v.

Decision #94-3

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

On Tuesday, June 21, 1994 the Commission held a hearing on Appeal #94-3 filed by Steven Giangregorio and Robin Giangregorio seeking review of a decision by the Yarmouth Historic District Committee which had approved a Certificate of Appropriateness to D. Theo Construction Co. for a new house, garage and deck to be located at 50 Bray Farm Road North, Yarmouthport, Massachusetts.

Present were Pat Rothermel, Dennis; Peter Freeman, Barnstable; Christopher Miner, Orleans; Steve Carmel, Sandwich; David Moeller, Yarmouth; Robert G. Brown, Commission Counsel; Steven Giangregorio and Robin Giangregorio, Appellants; George Adams and Paul Beatty, Agents for the Applicants; and many interested members of the public.

The Committee's decision had been filed with the Town Clerk on May 13, 1994, and the appeal entered with the Commission on May 23, 1994, within the 10 day appeal period.

THE APPELLANTS' PRESENTATION:

Robin Giangregorio, Appellant, addressed the Commission in favor of the appeal. Using pictures of the neighborhood, she stated that she felt that the proposed house did not aesthetically blend into the neighborhood. She said that other homes in the neighborhood are more customized than this house and that this house will not be in conformity with other houses in the neighborhood.. She stated that the lot is a nonconforming lot and the proposed house will take up a lot of frontage and is not a "custom enough" ranch.

THE COMMITTEE'S PRESENTATION:

David Moeller, representing the Yarmouth Committee, addressed the Commission to explain the Yarmouth Committee's reasons for approval. He stated that all of the members of the Yarmouth Committee had visited the site and that the site had been staked out. He said that the plan that was ultimately approved was not the plan that had originally been submitted. He said that the Applicant had made changes to the plans and it was the revised plan that was approved by the Yarmouth Committee. He said he felt the Yarmouth Committee was not arbitrary and that the decision of the Yarmouth Committee was in keeping with the Act.

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DISCUSSION:

Richard Brenner, a resident of the neighborhood, addressed the Commission in favor of the appeal. He stated that the proposed house will deter from the value of his house and will "suck value" from his house and others.

George Adams, agent for the Applicant, addressed the Commission in opposition to the appeal. He stated that the plan that is before the Commission was not the original plan and that it took several meetings to come to the current design.

FINDINGS:

The Commission made the following Findings of Fact:

1. That the Yarmouth Committee did not act in an arbitrary, capricious or erroneous manner in approving the Applicant's application. 4-0-1.

DETERMINATION:

Based on the above findings, the appeal is denied and the determination of the Yarmouth Historic District Committee is affirmed.

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.



Christopher R. Miner
Chairman

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