



Old King's Highway Regional Historic District Commission
P.O. Box 2187, Hyannis, Mass. 02601
Telephone 508-775-5793

LINDA H. BENN

v.

Decision #94-6

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

On Tuesday, October 18, 1994 the Commission held a hearing on Appeal #94-6 filed by Linda H. Benn, seeking review of a decision by the Sandwich Historic District Committee which had denied a Certificate of Appropriateness for the installation of vinyl siding on a building located at 39 Jarves Street, Sandwich, Massachusetts.

Present were Pat Rothermel, Dennis; Christopher Miner, Orleans; Roy Robinson, Brewster; Robert Terrill, Sandwich; Robert G. Brown, Commission Counsel; and Lewis Benn, Agent for the Appellant.

The Committee's decision had been filed with the Town Clerk on September 15, 1994, and the appeal entered with the Commission on September 26, 1994, within the 10 day appeal period.

THE APPELLANT'S PRESENTATION:

Lewis H. Benn addressed the Commission in favor of the appeal. He displayed a map of the area in general which showed various structures. Some of the structures had vinyl siding and some did not. He said that to say that the area was no appropriate was not correct as there were other examples of vinyl or other synthetic sidings in the area. To say that vinyl siding is inappropriate per se is also incorrect as, if it is done properly, the installation of vinyl siding is very difficult to notice. Mr. Benn also emphasized that the front of the building will be wood and that vinyl will only be used on the sides of the building and will be very difficult to see from the street.

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TOWN OF SANDWICH

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THE COMMITTEE'S PRESENTATION:

Robert Terrill, representing the Sandwich Committee, addressed the Commission to explain the Sandwich Committee's reasons for denial. He stated that the Town is very sympathetic with the owners of properties in the historic district however, the Sandwich Committee feels that, in the long run, the use of vinyl siding does not reduce costs. He read from various articles and reports on the hazards of using vinyl siding on buildings in historic districts. He admitted that there are examples of vinyl siding in the area, however, these examples either pre-dated the Historic District Act or were approved by earlier Committees. He stated that the area is a sensitive area even though it is not particularly near Route 6A. He asked that the decision of the Sandwich Committee be upheld.

DISCUSSION:

The Commission members discussed the matter among themselves and arrived at the conclusion that the Sandwich Committee erred in their reasoning that vinyl siding was inappropriate per se in the area.

FINDINGS:

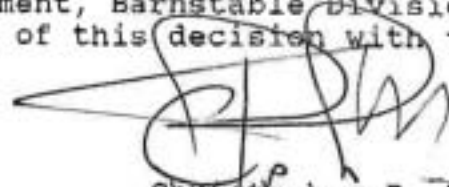
The Commission made the following Findings of Fact:

1. That the Sandwich Committee erred in denying the Appellant's Certificate of Appropriateness. 3-0-1.
2. That the appeal be allowed and that a Superceding Certificate of Appropriateness issue in accordance with plans on file with the Sandwich Committee. 3-0-1.

DETERMINATION:

Based on the above findings the appeal is allowed.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.



Christopher R. Miner
Chairman