

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

BRUCE ROSINOFF & SUSAN ROSINOFF

v.

Decision #95-6

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

On Tuesday, August 1, 1995 the Commission held a hearing on Appeal #95-6 filed by Bruce Rosinoff and Susan Rosinoff, 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 structure located at 5 Gray Brick Road, East Sandwich, Massachusetts.

Present were Chick Craig, Dennis; Peter Freeman, Barnstable; David Moeller, Yarmouth; Kaethe Maguire, Sandwich; Robert G. Brown, Commission Counsel; and Bruce and Susan Rosinoff, Appellants.

The Committee's decision had been filed with the Town Clerk on June 29, 1995, and the appeal entered with the Commission on July 7, 1995, within the 10 day appeal period.

In the absence of Christopher Miner, Chairman of the Commission, the hearing was presided over by the Vice-Chairman, Peter Freeman.

THE APPELLANTS' PRESENTATION:

Bruce Rosinoff addressed the Commission in favor of the appeal. He stated that he and his wife had had a terrible time keeping paint on the clapboard siding of their home and that they had had the clapboard cleaning and scraped on two occasions with no success. As a result they wish to install vinyl siding on their home. He said he believed the Sandwich Committee's decision was unfair because it was arbitrary. He said that two houses in his neighborhood and near his house have vinyl siding and aluminium trim. Further, he said that several properties in the District--including several on Route 6A--have vinyl siding. As such, the decision of the Board was arbitrary. He introduced Tom Capizzi who would be installing the vinyl siding and said that Mr. Capizzi's work was impeccable and the vinyl siding would be properly installed.

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TOWN OF SANDWICH

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Susan Rosinoff addressed the Commission in favor of the appeal and pointed out instances of vinyl siding on dormers and garages in the neighborhood. She said that approval for the installation of this vinyl siding had been given within the past two years.

Tom Capizzi addressed the Commission in favor of the appeal. He displayed a piece of vinyl to the members of the Commission and said that he had worked on historic buildings in the past. He said that the vinyl siding can be installed with almost no seams and that "J" channels can be effectively dealt with.

THE COMMITTEE'S PRESENTATION:

Kaethe Maguire, representing the Sandwich Committee, addressed the Commission to explain the Sandwich Committee's reasons for denial. She said that the neighborhood is not an old neighborhood but it is a nice neighborhood. She said that the Committee did have two letters from abutters who were very opposed to the installation of vinyl siding based on a lack of precedent and inappropriateness to the District. Taking this into consideration, the Committee voted 4-1 to deny the application. She said that the Committee did visit the site and take into consideration the Appellants' hardship. However, approval of the application would have been detrimental to the appropriateness of the neighborhood and the application was denied.

DISCUSSION:

In discussion among Commission members, a majority of the members of the Commission felt that the Sandwich Committee had devoted quite a bit of time to the application and had based their decision on a visit to the site. Further, the Committee had taken the issue of hardship into consideration.

FINDINGS:

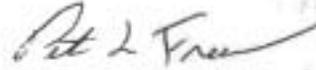
The Commission made the following Findings of Fact:

1. That the Sandwich Committee did not act in an arbitrary, capricious or erroneous manner in determining that the Applicants' application was inappropriate for the area. 3-0-1.

DETERMINATION:

Based on the above findings, the appeal is 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 Sandwich Town Clerk.



Peter L. Freeman  
Vice-Chairman