



Old King's Highway Regional Historic District Commission

P.O. Box 279, Hyannis Mass. 02601

Telephone: 617-775-1766

LEE & JOAN NATHANSON

v.

Decision #89-15 NOV 22 P.M.

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

TOWN CLERK & TREASURER

On Monday, October 2, 1989 the Commission held a hearing on Appeal #89-15 filed by Lee & Joan Nathanson seeking reversal of a decision by the Yarmouth Historic District Committee which had denied a Certificate of Appropriateness for alterations to a single family home at 52 Gingerbread Lane, Yarmouthport, Mass..

Present were John Halvorson, Brewster; Robert DiMartile, Yarmouth; Christopher Miner, Orleans; and Brendan Joyce, Dennis.

The Committee's decision had been filed with the Town Clerk on August 31, 1989, and the appeal entered with the Commission on August 31, 1989, within the ten day appeal period.

The hearing had been continued from the meeting of September 26, 1989 at which time no quorum of the Commission was present.

Mr. & Mrs. Nathanson, Applicants, were not present at the hearing.

Robert DiMartile, representing the Yarmouth Committee, addressed the Commission to explain the Yarmouth Committee's reasons for denial. He said he was not at this particular meeting, however the minutes of the meeting show the original Certificate of Appropriateness was for the installation of brick facing in front of the stove pipe and the Applicants had shingled the stove pipe.

After discussion the Commission made the following determination.

- 1. That the Yarmouth Committee did act in an erroneous manner in denying the Application. 3-0-1.
- 2. Disapproval of the application would cause substantial hardship to the Applicants while approval of the application would not cause substantial detriment to public welfare or substantial derogation from the intent and purposes of the Historic District Act. 3-0-1.
- 2. That a superceding Certificate of Appropriateness be issued according to plans on file with the Yarmouth 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 Yarmouth Town Clerk.

Signature of Christopher Miner  
Christopher Miner  
Vice Chairman