



Old King's Highway Regional Historic District Commission
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J.P.

RICHARD FERINA

vs.

Decision #84-15

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

On December 4, 1984 and December 20, 1984 the Commission held hearings on an appeal filed by Richard Ferina seeking review of a decision by the Dennis Committee which denied a Certificate of Appropriateness for a new residence to be located at 41 Crown Grant Drive, Dennis.

Present were: Mr. Sutton, Sandwich; Mr. Mac Swan, Barnstable; Mr. Nickerson, Yarmouth; Mr. Hanger, Dennis; Mr. Wilson, Commission Counsel; and Robert Therrien, architect for the applicant.

The decision of the Dennis Committee was filed with the Town Clerk on November 9, 1984 and the appeal entered with the Commission on November 15, 1984 within the ten day appeal period.

All members of the Commission indicated that they had visited the site. Plans of the building and photographs of the area were reviewed by the Commission.

Mr. Therrien identified himself as the architect for the applicant, stated that the design and placement of the building on the lot was appropriate for the neighborhood, and that the building fulfilled the owner's requirements. He indicated that the neighborhood had a variety of styles of houses with many features similar to those proposed in his design. He further indicated that the area was not one of critical historical concern and suggested that greater creativity of design would be appropriate.

Mr. Hanger, speaking for the Dennis Committee, stated that his committee felt that the design had too many peaks and was a conglomeration of features that did not fit in the neighborhood. Mr. Stacy, Mr. Arom and Mr. Sullivan, all residents from the neighborhood, spoke in support of the Dennis Committee's decision, stating that in their opinion the proposed house will break up the neighborhood design pattern and would not be compatible. The commissioners,

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with the written assent of the applicant, continued the first day of hearing until December 20th so that each member may further study the plans and revisit the neighborhood so as to assist them in making their final determination.

On December 20th the Commissioners met and made the following findings:

1. That the Dennis Committee was in error in determining that the proposed design was not compatible with the other buildings and structures in the immediate surroundings.
2. That the decision of the Dennis Committee exceeded its authority.

Therefore, the decision of the Dennis Committee is annulled and a Certificate of Appropriateness is hereby issued subject to the following modifications of the plans:

- (1) The vertical siding is to be replaced with clapboard on the front and white cedar shingles on the sides and rear.
- (2) The octagonal window is to be replaced with a square window of the same size.
- (3) The arches on the porch are to be modified so that they shall be flat on the tops with minor rounded corners.

All interested parties are hereby notified that they have a right to appeal this decision to the Orleans District Court by entering an appeal within twenty days of the filing of this decision with the Dennis Town Clerk.

Respectfully submitted,

George Sutton
RSB

George Sutton, Chairman