



Old King's Highway Regional Historic District Commission
P.O. Box 279, Hyannis Mass. 02601

Telephone: 617-775-1766

1986 OCT 15 AM 11:35

TOWN OF DENNIS
CLERK--TREASURER

P. J. NYBERG, Trustee Jil-Mar Realty Trust

v.

Decision #86-18

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

On Tuesday, October 7, 1986 the Commission held a hearing on Appeal #86-18 filed by P. J. Nyberg, Trustee, Jil-Mar Realty Trust seeking review of the Dennis Historic District Committee's denial of a Certificate of Appropriateness for the construction of a chain link fence that was to be located on Hokum Rock Road in East Dennis, Massachusetts.

Present were: Mr. Smith, Yarmouth, Mrs. Stout, Dennis; Mr. Shay, Brewster; Mr. Freeman, Barnstable; Mr. White, Sandwich; Mr. Wilson, Commission Counsel; Mr. Nyberg, appellant; Mr. Quick, attorney for the appellant; Mrs. Stephens, a neighbor and Mrs. Chodkowski, another neighbor.

Attorney Quirk speaking on behalf of the appellant, stated that the fence would be seven feet tall, and was necessary to protect his client's contractor's yard from vandalism and being an attractive nuisance to kids in the neighborhood. He further pointed out that his client had erected such a fence on his other properties and that these fences had been very effective in deterring vandalism.

Mrs. Stout presented pictures of the other fences, and stated that the objection of her Committee was principally to the razor rib wiring that was to be placed on the top of the fence which she indicated was objectionable to the neighbors. She pointed out that her Committee felt that the wire was inappropriate in appearance because it would give a prison-like appearance to the neighborhood.

Mrs. Stephens and Mrs. Chodkowski supported the Committee's opinion that the razor rib wire was visually inappropriate for their neighborhood.

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After lengthy discussion the Commission determined that there was insufficient evidence to indicate that the local Committee had acted erroneously in denying the Certificate of Appropriateness to the applicant. Therefore, the decision of the local Committee is affirmed.

Any person aggrieved by this decision has a right to appeal to the Orleans District Court within 20 days of the filing of this decision with the Dennis Town Clerk.

Anne Stout
Chairman