



Old King's Highway Regional Historic District Commission

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WALLACE G. HANGER
v.

TOWN OF DENNIS
CLERK--TREASURER
Decision #87-13

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

On Tuesday, June 30, 1987 the Commission held a hearing on Appeal #87-13 filed by Wallace G. Hanger seeking review of a decision by the Dennis Historic District Committee which had granted a Certificate of Appropriateness for a new dwelling to be located at Lot 12, 20 Garden Road, Dennis, Massachusetts. The Applicant's standing before the Commission is that of an abutter.

Present were Ron Lindholm, Dennis; John Blaisdell, Sandwich; Milton Smith, Yarmouth; Michael Shay, Brewster; Peter Freeman, Barnstable; Robert G. Brown, Commission Counsel; Mr. Moreland, Applicant; Ronald and Angela Hague, owners of the property in question.

The Committee's decision had been filed with the Town Clerk on May 29, 1987, and the appeal entered with the Commission on June 5, 1987 within the ten day appeal period.

Mr. Hanger addressed the Commission and described Garden Road as a wooded area with several of the lots on the road owned by the Town of Dennis or otherwise in conservation. He described the house as being a two story home with four bedrooms and a two car garage set back 27 feet from the road. He pointed out that most of the homes in the area were 50 feet or more from the road. He said he felt that the Committee did not take the size of the house into consideration, that Lot 12 was the smallest lot on the street and that this house was just too large for the lot. He distributed pictures of homes in the area and cited various statements by Committee members as to their reasoning which he felt were not appropriate under the act and asked the Commission to overturn the Committee's determination.

Ron Lindholm, representing the Dennis Committee, addressed the Commission to explain the Dennis Committee's reasoning in the matter. He stated that the Committee had not taken size into consideration and did admit that some aspects of the structure were not in keeping with the Commission guidelines. He did point out that aesthetics were not an issue and that the Committee felt that the home was appropriate for the area.

Mrs. Angela Hague, one of the owners of the property addressed the Commission and said that if the entire subdivision is taken into consideration you will find smaller homes than Lot 12. She stated that the homes in the area are not traditional Cape Cod homes, that the road is a dead end road that very few people travel and that very few people will see the house.

Mrs. Anne Stout, a member of the Dennis Historic District Committee addressed the Commission and stated that the neighborhood in question was a very unusual neighborhood and that it would be very difficult to see the home from anywhere else.

Mr. Ronald J. Hague, one of the owners of the property, addressed the Commission and stated that Mr. Hanger was not taking the entire neighborhood into consideration in his comments.

After lengthy discussion, the Commission made the following determination.

1. That the Dennis Committee did not act in an arbitrary, capricious and erroneous manner in approving the Hagues' Certificate of Appropriateness. 2-2-1

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

Peter L. Freeman (v)
Peter L. Freeman
Chairman