

Old King's Highway Regional Historic District Commission

P.O. Box 279, Hyannis Mass. 02601

Telephone: 617-775-1766

1987 JUL -6 PM 3:38

DENNIS UNION CHURCH
v.

TOWN OF DENNIS
CLERK-TREASURER
Decision #87-14

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 #87-14 filed by the Dennis Union Church seeking review of a decision by the Dennis Historic District Committee which had denied a Certificate of Appropriateness for the use of vinyl siding on a portion of the Church located at 623 Main Street, Dennis, Massachusetts.

Present were Barbara Hart, Dennis; John Blaisdell, Sandwich; Milton Smith, Yarmouth; Michael Shay, Brewster; Peter Freeman, Barnstable; Robert G. Brown, Commission Counsel; Charles B. Kinney President of the Dennis Union Church, Applicant.

The Committee's decision had been filed with the Town Clerk on May 29, 1987, and the appeal entered with the Commission on June 10, 1987.

Charles B. Kinney, President of the Dennis Union Church appeared before the Commission on behalf of the Applicant and distributed an engineers report and a review of the proposal. He stated that the Church was in need of repair and that much of the wooden siding would have to be removed. Rather than replace it with wood which would have to be repainted every few years at great expense the Church was proposing to replace the original siding with vinyl siding of the same size and color. He stated that the appearance of the building would not be altered and addressed several criticisms regarding the use of vinyl siding, specifically appearance and /or structural hazard. He pointed out the Old King's Highway Regional Historic District Commission Guidelines regarding the use of vinyl siding and stated that the Church's proposal for the use of vinyl met all of the criteria contained in the guidelines. He reassured the Commission that the use of vinyl would be aesthetically pleasing and would not harm the building.

William Chandler, Treasurer of the Dennis Union Church addressed the Commission on the issue of aesthetics and distributed many pictures of buildings which had been covered with vinyl siding. He stated that the Church was barely visible from Route 6A and that the vinyl siding on the buildings pictured sometimes could not be detected unless within an arm's length of the structure. He stated that the use of vinyl did not pose any aesthetic problem and asked that the Committee's decision be overturned.

Barbara Hart, representing the Dennis Committee, addressed the Commission to explain the Dennis Committee's reasons for denial. She stated that the Committee's decision was not arbitrary, capricious or erroneous. She said that the Committee takes a reasonable approach to the use of vinyl siding and does allow its use on new construction within the District. She stated that this case was different than those in that this was an historic building in the heart and soul of the Dennis Historic District. She distributed letters from Henry Kelley, II and John MacKenzie in opposition to the use of vinyl siding.

Anne Stout, a member of the Dennis Committee addressed the Commission and spoke in opposition to the appeal stating that the process took several months and that the Committee did not come to its decision quickly and without adequate consideration of the issues involved. She said the Committee has suggested compromises with the Church but that they had been rejected. She asked that the appeal be denied in that the risks involved in the use of vinyl siding would be too great.

James Seaman of the Dennis Union Church Building Committee addressed the Commission and stated that Associated Testing Laboratories had evaluated the Church for the installation of vinyl siding and that they were familiar with the buildings and what the proposal would involve.

Milton Smith, a member of the Commission quoted various sections of the Historic District Act and said that, in this instance, the use of vinyl siding, in his opinion, would defeat the purpose of the Act.

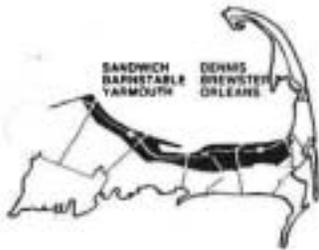
After lengthy discussion, the Commission made the following determination.

1. That the Dennis Committee did not act in an arbitrary, capricious and erroneous manner in denying the Applicant's Certificate of Appropriateness. 4-0-1

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



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TOWN OF DENNIS
CLERK-TREASURER

DENNIS UNION CHURCH

v.

Amendment to Decision #87-14

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

The second paragraph in the above decision is hereby amended by deleting the second paragraph in its entirety and inserting in place thereof the following:

Present were Barbara Hart, Dennis; John Blaisdell, Sandwich; Milton Smith, Yarmouth; Jan Francis, Brewster; Peter Freeman, Barnstable; Robert G. Brown, Commission Counsel; Charles B. Kinney President of the Dennis Union Church, Applicant.

Peter L. Freeman (v)

Peter L. Freeman
Chairman