



Old King's Highway Regional Historic District Commission

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URSULA F. DUNN, d/b/a MCDUNN LTD.

v.

Decision #87-30

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

On Tuesday, October 20, 1987 the Commission held a hearing on Appeal #87-30 filed by Ursula F. Dunn, d/b/a McDunn Ltd. seeking review of a decision by the Dennis Historic District Committee which had approved a Certificate of Appropriateness for a new sign, subject to conditions at 821 Main Street, Dennis, Massachusetts.

Present were Barbara Hart, Dennis; Yarmouth; Michael Shay, Brewster; Peter Freeman, Barnstable; John Blaisdell, Sandwich; Robert G. Brown, Commission Counsel; Ursula Dunn, Applicant and James Quirk, Esq., Attorney for the Applicant.

The Committee's decision had been filed with the Town Clerk on September 11, 1987, and the appeal entered with the Commission on September 21, 1987, within the ten day appeal period.

Attorney James Quirk addressed the Commission on behalf of the Applicant, displaying examples of the logo design in question. Attorney Quirk described the procedure before the Dennis Committee and said that the Certificate had stated simply "approved" but was, in fact, approved subject to conditions not mentioned in the approval. He stated that the sign in question is a logo sign and that the logo design is an integral part of the business advertising and location. Both Attorney Quirk and the Applicant displayed pictures of the proposed sign and examples of other signs in the District. Attorney Quirk stated that there were good reasons to be flexible in this instance, that the sign was not oversized, the colors were consistent, the sign was in good taste and should be approved.

Ursula Dunn, Applicant addressed the Commission and stated that originally she had agreed to the changes requested by the Dennis Committee, however, after discussing the matter with her partner she discovered that the sign had already been made.

Barbara Hart, representing the Dennis Committee, addressed the Commission to explain the Dennis Committee's decision. She stated that the one simple reason the conditions were placed on the application was that the guidelines of the District express a preference for classical rather than modern design. She said that the logo could possibly be used as part of the sign but that the logo itself could not be the sign. She said the only exceptions that have been granted were in the cases of national oil companies. She said that Dennis Committee had allowed the use of the sign to be used for the opening of the business and that she had received several phone calls from business persons and residents objecting to the sign.

After lengthy discussion the Commission made the following determination.

1. That the approval was a valid conditional approval and that the Dennis Historic District Committee did not act in an arbitrary, capricious and erroneous manner in approving the Applicant's Certificate of Appropriateness subject to conditions and that the Applicant's Petition for Appeal be denied. 3-0-1

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  
Chairman

*Peter L. Freeman*  
10-21-87