



Old King's Highway Regional Historic District Commission

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MR. & MRS. FRANKLIN GOODMAN

v.

Decision #87-35

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

On Tuesday, December 6, 1987 the Commission held a hearing on Appeal #87-35 filed by Mr. & Mrs. Franklin Goodman seeking review of a decision by the Dennis Historic District Committee which had denied a Certificate of Appropriateness for a new house at Lots 94 & 95 Hiram Pond Road, Dennis, Massachusetts.

Present were Barbara Hart, Dennis; Michael Shay, Brewster; John Blaisdell, Sandwich; Milton Smith, Yarmouth, Robert G. Brown, Commission Counsel; Michael McGrath, Esq., Attorney for Applicants; and Mr. & Mrs. Franklin Goodman, Applicants.

The Committee's decision had been filed with the Town Clerk on November 2, 1987, and the appeal entered with the Commission on November 2, 1987, within the ten day appeal period. By agreement the 30 day determination period was waived.

Attorney Michael McGrath addressed the Commission on behalf of the Applicants. He distributed a memorandum of law and displayed a poster showing pictures of other houses in the area. He stated there was no clear architectural style or clear cut pattern of design in the area. He stated that the plans called for a clapboard facade with white cedar shingles which he said were very common on Cape Cod and not unusual and would be consistent with the neighborhood. He stated the proposed tower is consistent with others in Dennis and displayed pictures of various structures with tower designs. He stated that Hiram Pond Road is not a well travelled road and there is no historic significance to the area. He said the proposed design is not out of the ordinary and asked the Commission to either annul the decision of the Dennis Committee and issue a superceding order or remand the matter to the Dennis Committee for further consideration.

Barbara Hart, representing the Dennis Committee, addressed the Commission to explain the Dennis Committee's reasons for denial. She stated that the Dennis Committee spent a great deal of time reviewing this application. She did state that the Committee could not define a particular style of

architecture for the house but felt that the examples cited by Attorney McGrath were not consistent. She especially cited the brick facade of the house as being out of character with the neighborhood.

Anne Stout, a member of the Dennis Committee addressed the Commission and said that the addition of the tower added to the house's size, height and bulk.

Franklin Goodman, Applicant, addressed the Commission and stated that he had given careful consideration to the plan and had retained some trees on the property for privacy and that others in the neighborhood had none.

After lengthy discussion the Commission made the following determination.

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

