

July 7, 1975

No. 75-4

Mr. Walter Todd Peters
24 Highland Road
East Dennis, Ma. 02641

Re: Hearing on Appeal from
Dennis Town Commission
on erection of fence on
property owned by James T.
Cramer, East Dennis

Dear Mr. Peters:

At a meeting held on July 7, 1975, at the Dennis Town Hall following a hearing on your appeal of the decision made by the Dennis Town Commission, after hearing evidence and reviewing the facts, it was moved by Mr. Stuart Hockenberry of Orleans, and seconded by Mr. John Harris of Yarmouth, that the decision of the local Town Commission in the above entitled matter be annulled because of a failure on the part of the appellant to set forth in his application the names of all of the abutters to his property; thereby causing the local Town Commission not to give proper notice prior to its hearing. It was the feeling of the Commission members that the decision of the local Town Commission was defective because of the failure to notify abutters. The failure to notify abutters was verified by statements made by the appellant during the course of the hearing and by an examination of the Town of Dennis Assessor's map, which clearly showed five abutters to the appellant's property, while the application indicated only one abutter.

During the course of the hearing and in the deliberation, it was brought out that the fence may, in fact, not be visible from either a public way or a way shown on a subdivision plan. If this were in fact proven to be the case, then it was the consensus of the Commission that probably the entire project would be exempt and not subject to the jurisdiction of the Old King's Highway Regional Historic District Commission.

Very truly yours,

DB:np

Donald Bourne
Chairman Pro-Tem



Town of Dennis

Old King's Highway Regional Historic District Committee

Dennis Town Office, South Dennis, Massachusetts 02660

July 14, 1975

No. 75-4

Mr. James T. Cranmer
26 Highland Road
East Dennis, MA 02641

Dear Mr. Cranmer

Following the hearing on appeal Town Counsel, Robert E. O'Neil, has ruled that Mr. Peter's driveway is not a "way" within the mean of Chapter 470 of the Acts of 1973.

Consequently a re-inspection of the locus of the proposed six (6) foot stockade fence was made by myself and three other Committee members (Messers Bullock, Gill and Short) of the Dennis Committee.

It is the Committee's considered opinion that the proposed fence along the back property line would not be visible from a "way", public or otherwise. Therefore, the proposed fence is not under our jurisdiction and no further hearings or even an approval by us are in order or necessary.

Sincerely

William G. Hanger
Chairman

WTH/r

cc Walter Todd Peters
cc Dennis Town Clerk
cc O.K.H.R.H.D. Commission