

DONALD J. DUFFY, JR.

v.

Decision #97-4

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

On Tuesday, July 15, 1997 the Commission held a hearing on Appeal #97-4 filed by Donald J. Duffy, Jr., seeking review of a decision by the Dennis Historic District Committee which had denied a Certificate of Appropriateness for alterations to a building located at 7 Grace's Way, Dennis, Massachusetts.

Present were Christopher Miner, Orleans; Roy Robinson, Brewster; Michael Hart, Sandwich; Robert Miller, Yarmouth; Seth Crowell, Dennis; Robert G. Brown, Commission Counsel; and Donald J. Duffy, Jr., Appellant.

The Committee's decision was filed with the Town Clerk on March 27, 1997. The appeal was entered with the Commission on April 4, 1997 within the 10 day appeal period. The 30 day determination period was waived by agreement.

In the absence of the Chairman, the Vice-Chairman presided over the hearing.

**THE APPELLANT'S PRESENTATION:**

Donald J. Duffy, Jr., Appellant, addressed the Commission in favor of the appeal. He said he was told by the Committee that skylights would be inappropriate for the neighborhood. He said the skylights would be appropriate in this neighborhood and said that the neighborhood in question, while it may be within the boundaries of the historic district, was not an historic area. He produced pictures of the neighborhood and of the house in question. He asked that the appeal be allowed.

**THE COMMITTEE'S PRESENTATION:**

Seth Crowell, Chairman of the Dennis Committee, addressed the Commission to explain the Committee's reasons for denial. He said none of the houses on that street or on the opposite street have skylights on the front of the house. Skylights, in general, are allowed on the back of the house but not on the front of the house.

**DISCUSSION:**

Michael Allard, addressed the Commission in favor of the appeal. He said that the neighborhood is not historic and there are many homes in the area with skylights.

Jane Stevens, a member of the Dennis Committee, addressed the Commission in opposition to the appeal. She said that of the 19 houses on the street, there are no houses with skylights in the front.

Successive votes to affirm, reverse and remand the matter failed to gain a majority of the quorum of the Commission.

**DETERMINATION:**

Based on the failure of a majority of the quorum of the Commission to either affirm, reverse, or remand the matter, the determination of the Dennis Committee is affirmed.

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.

Robert N. Miller  
Vice-Chairman