

WILLIAM BURTON

v.

Decision #98-2

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

On Tuesday, April 28, 1998, the Commission held a hearing on Appeal #98-2 filed by William Burton, seeking review of a decision by the Dennis Historic District Committee denying a Certificate of Appropriateness for a fence to be located at 100 Old Town Road, East Dennis, Massachusetts.

Present were Edward Molans, Barnstable; William Quinn, Orleans; Elizabeth Wilcox, Dennis; Roy Robinson, Brewster; Marian Reilly, Sandwich; Robert G. Brown, Commission Counsel; and Phillip Quinn, Agent for the Appellant.

The Committee's decision was filed with the Town Clerk on March 27, 1998. The appeal was entered with the Commission on April 1, 1998 within the 10 day appeal period.

THE APPELLANT'S PRESENTATION:

Philip Quinn, Agent for the Appellant, addressed the Commission in favor of the appeal. He displayed photographs of the home and of the neighborhood in question. He also displayed photographs of other fences in the neighborhood and described the style of fence proposed, stating that it was a picket fence with a three inch scallop. He said this type of fence is routinely approved on Nantucket and asked that the Committee's decision be reversed.

THE COMMITTEE'S PRESENTATION:

Elizabeth Wilcox, representing the Dennis Committee, addressed the Commission to explain the Committee's reasons for denial. She said the fence was denied for both a Certificate of Exemption and for a Certificate of Appropriateness. The fence is not picket and is, in fact, two very different fences that are both highly visible. She stated there is no fence in the Sesuit Neck area that is similar to

this. She said the Committee felt the fence would be inappropriate as there are only three true picket fences in the Sesuit Neck area.

DISCUSSION:

Following the presentations there was considerable discussion with regard to whether the matter could be settled. As the result of these discussions, the Appellant's agent requested that the appeal be withdrawn.

FINDINGS:

With Regard to Appeal #98-02 the Commission voted to allow the Appellant to withdraw the appeal. (4-0-1).

DETERMINATION:

As to Appeal #98-02, the Appeal is considered withdrawn.

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.

Marian Reilly
Chair