

CEDAR MEADOWS ASSOCIATES

v.

Decision #98-11

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

On Tuesday, June 7, 1998, the Commission held a hearing on Appeal #98-11 filed by Cedar Meadows Associates, seeking review of a decision by the Dennis Historic District Committee denying a Certificate of Appropriateness for alterations to a building located at 574 Route 6A, Dennis, Massachusetts.

Present were Edward Molans, Barnstable; William Quinn, Orleans; Elizabeth Wilcox, Dennis; Roy Robinson, Brewster; Marian Reilly, Sandwich; David Moeller, Yarmouth; Robert G. Brown, Commission Counsel; and Glenn and Connie Bechard, Appellants.

The Committee's decision was filed with the Town Clerk on May 14, 1998. The appeal was entered with the Commission on May 21, 1998 within the 10 day appeal period.

THE APPELLANT'S PRESENTATION:

Glenn and Connie Bechard, Appellants, addressed the Commission in favor of the appeal. They said their desire was to see their building be the best it can be. They wish to put white vinyl on the building so as to make it more appropriate with Route 6A. Their building is only 20 years old and will not hold paint. In addition, dust from the surrounding properties is a problem. The use of vinyl will not detract from the area and the building will be more of an asset to the community.

Mark Baker, contractor for the Appellants, addressed the Commission in favor of the appeal. He showed the Commission the type and style of vinyl to be used and said it could be done appropriately with no "J" channels.

THE COMMITTEE'S PRESENTATION:

Elizabeth Wilcox, representing the Dennis Committee, explained the Dennis Committee's reasons for denial. She said the Committee denied the application because the building is in the center of the historic Dennis Village and it seems as if vinyl is taking over.

DISCUSSION:

In discussion among Commission members it was felt that the Dennis Committee used poor judgment in essentially banning the use of vinyl as the Commission has promulgated regulations for its use. The Commission felt the use of vinyl could be allowed in this case, provided proper conditions were noted.

FINDINGS:

The Commission made the following Findings of Fact:

1. That the Dennis Committee used poor judgment in denying the Appellants' request for a Certificate of Appropriateness. 5-0-1.
2. That the appeal be allowed, subject to the following conditions:
 - a. No "J" Channels shall be used;
 - b. No pieces shorter than 4 feet shall be used in re-siding the home;
 - c. The Dennis Committee shall be notified of these conditions, and
 - d. The entry shall be and Alcoa entry with Pilasters, Pediment and Urn,and that a Superceding Certificate of Appropriateness issue pursuant to these conditions. 5-0-1.

DETERMINATION:

As to Appeal #98-11, the appeal is allowed, subject to the above conditions.

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