

VANDEL CORPORATION

v.

Decision #98-14

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

On Tuesday, July 7, 1998, the Commission held a hearing on Appeal #98-14 filed by Vandel Corporation, seeking review of a decision by the Dennis Historic District Committee denying a Certificate of Appropriateness for alterations to a building located at 586 Route 6A, Dennis, Massachusetts.

Present were Edward Molans, Barnstable; William Quinn, Orleans; Elizabeth Wilcox, Dennis; Roy Robinson, Brewster; Marian Reilly, Sandwich; David Moeller, Yarmouth; Edward Molans, Barnstable; James R. Wilson, Commission Counsel Pro Tem; and Chuck DeLuga, Agent for the Appellant.

The Committee's decision was filed with the Town Clerk on May 22, 1998. The appeal was entered with the Commission on May 29, 1998 within the 10 day appeal period.

THE APPELLANT'S PRESENTATION:

Chuck DeLuga, Agent for the Appellant, addressed the Commission in favor of the appeal. He spoke of other buildings approved for vinyl siding such as the Dennis Union Church and the Scargo Manor. He pointed out that the immediate abutters to the property included buildings with vinyl siding. In this instance the building is 200 feet from Route 6A and access to the property is from the rear. Vinyl can be applied to this building without being incompatible with the District.

THE COMMITTEE'S PRESENTATION:

Elizabeth Wilcox, representing the Dennis Committee, explained the Dennis Committee's reasons for denial. She said the Committee does not want to vinyl wrap Route 6A in Dennis and is trying to reverse the tide of vinyl in Dennis.

DISCUSSION:

In discussion among Commission members it was felt that the Dennis Committee was erroneous in essentially banning the use of vinyl in the District. The Commissioners felt that the use of vinyl, done properly, was not a problem.

FINDINGS:

The Commission made the following Findings of Fact:

1. That the Dennis Committee used poor judgment in denying the Appellant's 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. Wood detail should be preserved as much as possible,and that a Superceding Certificate of Appropriateness issue pursuant to these conditions. 5-0-1.

DETERMINATION:

As to Appeal #98-14, 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