

Bruce Work and Regina Work

v.

Decision #98-19

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

On Tuesday, August 4, 1998, the Commission held a hearing on Appeal #98-19 filed by Bruce Work and Regina Work, seeking review of a decision by the Dennis Historic District Committee denying a Certificate of Appropriateness for landscaping, driveway and other improvements to for their new house located at 6 Cold Storage Road, East 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 Bruce and Regina Work, Appellant/Applicants.

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

THE APPELLANT'S PRESENTATION:

Bruce Work, Applicant, addressed the Commission in favor of the appeal. He spoke of other driveways in the neighborhood that had used asphalt instead of gravel and suggested that the Town Committee was being arbitrary in refusing their application. He argued that asphalt was compatible with the historic district and the neighborhood.

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 too many asphalt driveways and suggested that a better plan ought to be presented by the Applicants. She pointed out that when the house was approved, it had called for a gravel driveway for a part of its setting.

DISCUSSION:

In discussion among Commission members it was felt that the Dennis Committee was not being erroneous in seeking a more attractive design plan for the landscaping and the driveway.

FINDINGS:

The Commission made the following Findings of Fact:

1. That the Dennis Committee did not exercise poor judgment in denying the Appellant's request for a Certificate of Appropriateness. (5-0-1)
2. That the Dennis Committee had not been arbitrary, capricious or erroneous in denying the changes to the landscaping plan. (5-0-1)

DETERMINATION:

As to Appeal #98-19, the appeal is denied. (5-0-1)

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