

Thomas Wroe and Candice Wroe

v.

Decision #98-20

**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 #98-20 filed by Thomas Wroe and Candice Wroe, seeking review of a decision by the Dennis Historic District Committee denying a Certificate of Appropriateness for alterations to a building located at 297 Sesuit Neck 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; James H. Quirk Attorney for Appellant/Applicants; and Thomas and Candice Wroe, 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 20, within the 10 day appeal period.

**THE APPELLANT'S PRESENTATION:**

Attorney Quirk, addressed the Commission in favor of the appeal. He indicated that this matter had been before the Commission in Appeal 99-03 and that the problem was a refusal by the Dennis Committee to allow the omission of the grills from the windows of the new house. He claimed that it was arbitrary to require the grills to be placed in the windows. He stated that the grills could not be seen from the street.

**THE COMMITTEE'S PRESENTATION:**

Elizabeth Wilcox, representing the Dennis Committee, explained the Dennis Committee's reasons for denial. She said the Committee was seeking to maintain the historic character and appearance of the neighborhood by requiring all houses to have grills in the windows.

**DISCUSSION:**

In discussion among Commission members it was felt that the Dennis Committee was being erroneous in seeking to require grills when the windows could not be seen from the street and each application ought to be judged on its own merits.

**FINDINGS:**

The Commission made the following Findings of Fact:

1. That the Dennis Committee exercised poor judgment in denying the Appellant's request for a Certificate of Appropriateness. (3-2-1)
2. That the Dennis Committee had been arbitrary, capricious or erroneous in denying the changes to the windows. (3-2-1)

**DETERMINATION:**

As to Appeal #98-20, the appeal is allowed and a Certificate of Appropriateness issued for the deletion of the grills. (3-2-1)

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