

Frank and Lori S. Sambor

v.

Decision #98-21

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

On Tuesday, September 8, 1998, the Commission held a hearing on Appeal #98-21 filed by Frank and Lori S. Sambor, seeking review of a decision by the Dennis Historic District Committee denying a Certificate of Appropriateness for alterations to a building located at 48 Silverleaf Lane, 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 Frank and Lori Sambor, Appellant/Applicants.

The Committee's decision was filed with the Town Clerk on July 27, 1998. The appeal was entered with the Commission on August 8, 1998 within the 10 day appeal period.

THE APPELLANT'S PRESENTATION:

Attorney Quirk, addressed the Commission in favor of the appeal. He indicated that this appeal was about a widow walk that the Dennis Committee had refused to approve. He suggested that the house could not be seen from a public place and that the widow walk ought to have been approved. He also suggested that even if it could be seen, it was appropriate for its neighborhood.

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 and that the widow walk was too large and not in character with the neighborhood.

DISCUSSION:

In discussion among Commission members it was felt that the Dennis Committee was not being erroneous. It indicated that the Applicant ought to reapply with a smaller and better design.

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. (3-2-1)
2. That the Dennis Committee had not been arbitrary, capricious or erroneous in denying the changes to the windows. (3-2-1)

DETERMINATION:

As to Appeal #98-21, the appeal is denied. (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