

Kevin Sullivan and Karion A. Sullivan

v.

Decision #98-22

**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 #98-22 filed by Kevin Sullivan and Karion A. Sullivan seeking review of a decision by the Dennis Historic District Committee denying a Certificate of Appropriateness for a new house to be located at 7 Levi 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; and Kevin Sullivan and Karion A. Sullivan, Appellant/Applicants.

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

THE APPELLANT'S PRESENTATION:

Kevin Sullivan, addressed the Commission in favor of the appeal. He indicated that this appeal was about a new house that the Dennis Committee had refused to approve. He suggested that the house was appropriate for the neighborhood. He claimed that the Committee had been arbitrary in denying the application.

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 proposed new dwelling was not appropriate for 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 more appropriate design that would better fit into the neighborhood.

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 application. (3-2-1)

DETERMINATION:

As to Appeal #98-22, 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