

ROBERT J. QUINN

v.

Decision #99-11

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

On Tuesday, September 7, 1999 the Commission held a hearing on Appeal #99-11 filed by Robert J. Quinn, seeking review of a decision by the Dennis Historic District Committee denying a Certificate of Appropriateness for alterations to a building located at 6 Donovan Drive, Dennis, Massachusetts.

Present were Edward Molans, Barnstable; Paul White, Sandwich; Elizabeth Wilcox, Dennis; Deborah Gray, Yarmouth; William Quinn, Orleans; Roy Robinson, Brewster; Robert G. Brown, Commission Counsel; Vaughn Renaud, agent for the Appellant; and Robert J. Quinn, Appellant.

The Committee's decision was filed with the Town Clerk on July 23, 1999. The appeal was entered with the Commission on July 28, within the 10 day appeal period.

THE APPELLANT'S PRESENTATION:

Robert J. Quinn, Appellant, addressed the Commission in favor of the Appeal. He explained that the application was for an enclosed porch which would allow them to remove appliances from the basement. There were various amendments proposed and they were agreed to, however, the application was still denied on a 3-2 vote. He said he believes the Committee erred and the enclosed porch would be in keeping with the rest of Cape Cod. He distributed pictures of various homes in the area and said the enclosed porch would be in keeping with the aesthetic tradition of the area.

THE COMMITTEE'S PRESENTATION:

Elizabeth Wilcox, representing the Dennis Committee, explained the Dennis Committee's reasons for denial. She distributed copies of the minutes of the hearing and said this would be a very visible (from three sides) addition to the house. She said the windows should match and compliment the house because the house is so open. She said the Committee did ask the designer to make changes but the designer chose not to. At that point the Committee had no choice but to take a vote on the amended plan.

DISCUSSION:

In discussion among Commission members it became apparent that, although a vote had been taken on the proposed amendments, no vote had been taken on the original plans. Over 45 days having passed, the application is considered approved as a result of the Dennis Committee's failure to act.

FINDINGS:

The Commission voted as follows:

1. That the Dennis Committee procedurally erred in this matter. 5-0-1.
2. That the appeal is allowed. 5-0-1.

DETERMINATION:

As to Appeal #99-11, the appeal is allowed, subject to plans on file with the Dennis Committee.

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.

William Quinn
Chairman