

**ANN M. ADLEY and  
BRIAN M. ADLEY**

**v.**

**Decision #99-15**

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

On Tuesday, November 9, 1999 the Commission held a hearing on Appeal #99-15 filed by Ann M. Adley and Brian M. Adley, seeking review of a decision by the Dennis Historic District Committee denying a Certificates of Demolition and Appropriateness, respectively, regarding a building located at 6 Dalton Lane (aka 200 Sea Street), East Dennis, Massachusetts.

Present were Edward Molans, Barnstable; Paul White, Sandwich; Elizabeth Wilcox, Dennis; Deborah Gray, Yarmouth; Roy Robinson, Brewster; William Quinn, Orleans; Robert G. Brown, Commission Counsel; Myer Singer, Attorney for the Appellants; and Ann M. Adley and Brian M. Adley, Appellants.

The Committee's decision was filed with the Town Clerk on September 20, 1999. The appeal was entered with the Commission on September 30, 1999, within the 10 day appeal period.

**THE APPELLANT'S PRESENTATION:**

Myer Singer, Attorney for the, Appellants, addressed the Commission in favor of the Appeal. He explained that this was more of a technical appeal than an appeal on the merits. When the matter was first heard by the Dennis Committee in August there were four members of the Committee present. When the Committee next heard the matter in September there were four members of the Committee present but they were not the same four members. He distributed a Memorandum of Massachusetts Law as well as a Memorandum from the Dennis Town Counsel regarding the matter.

**THE COMMITTEE'S PRESENTATION:**

Elizabeth Wilcox, representing the Dennis Committee, explained the Dennis Committee's reasons for denial. She said the practice followed by the Dennis Committee in this matter was the usual practice and that the Committee acted in good faith on the application.

**DISCUSSION:**

In discussion among Commission members a majority of the Commissioners felt that, although the Dennis Committee acted in good faith on the application, a procedural error had been made and the matter should be remanded to the Dennis Committee.

**FINDINGS:**

The Commission voted as follows:

That the matter be remanded to the Dennis Committee for a full rehearing. 3-1-2.

**DETERMINATION:**

As to Appeal #99-15, the matter is remanded to 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  
Chair