

Old King's Highway Regional Historic District Commission

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ALICE W. DINGMAN

v.

Decision #88-27

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

On Tuesday, October 11, 1988 the Commission held a hearing on Appeal #88-27 filed by Alice W. Dingman seeking review of a decision by the Dennis Historic District Committee which had approved a Certificate of Appropriateness for Richmar Realty Trust for the construction of a dwelling to be located at 124 Nobscusset Road, Dennis, Massachusetts.

Present were Ron Lindholm, Dennis; Peter Butt, Yarmouth; Christopher Miner, Orleans; Peter Freeman, Barnstable; Robert G. Brown, Commission Counsel; Mrs. Mary Keith Bossi, Representative of the Appellant, and Richard and Marion Panisocco, Applicants.

The Committee's decision had been filed with the Town Clerk on September 23, 1988, and the appeal entered with the Commission on September 29, 1988 within the ten day appeal period.

Mary Keith Bossi appeared before the Commission on behalf of the Appellant and distributed photos of other homes in the area. She asked that the appeal petition be amended regarding the front doors and grilles. She explained that the dispute regarding this application was regarding the color to be used (Pittsburgh Coral). She explained that she, Mrs. Dingman, and others in the area felt that this was a very historic area and that the color to be used would be very inappropriate.

Ron Lindholm, representing the Dennis Committee, addressed the Commission to explain the Dennis Committee's reasons for approval. He presented plans of the home and showed the placement of the doors and grilles in relation to the street and other homes in the area. He displayed pictures of other homes with similar treatments in the Towns of Yarmouth, Sandwich and Dennis. He admitted it is a strong accent color but added that it is being used only on the windows and grilles.

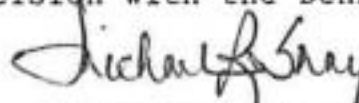
Richard and Marion Panisocco, Applicants, addressed the Commission in opposition to the appeal. They described the process used to select the colors and further explained the placement of the windows and grilles.

Barbara Hart of Dennis addressed the Commission in favor of the appeal. She stated that she has been a member of the Dennis Historic District Committee for the past eight years and that, had a death in the family not occurred, she would have been at this meeting. She stated that this proposed structure would be in the heart of the Dennis District and she felt the Committee acted arbitrarily in not considering some of the other homes in the neighborhood. She said the house will stand out among the older homes and will detract from the area.

After lengthy discussion the Commission made the following findings:

1. That the Dennis Committee did not act in an arbitrary, capricious and erroneous manner in approving the Applicant's Certificate of Appropriateness.
2. That the appeal be denied.

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.



Michael R. Shay  
Chairman