



Old King's Highway Regional Historic District Commission
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1990 MAY 15 AM 10:14

TOWN OF DENNIS
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JOSEPH & FERNANDO GIANGREGORIO

v.

Decision #90-5

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

On Tuesday, April 10, 1990 the Commission held a hearing on Appeal #90-5 filed by Joseph & Fernando Giangregorio seeking review of a decision by the Dennis Historic District Committee which had approved the application of George R. and Jan L Najemy for a Certificate of Appropriateness for an alteration to an existing building located at 17 Jonathan Drive, Dennis, Massachusetts.

Present were Brendan Joyce, Dennis; Jan Francis, Brewster; Peter Freeman, Barnstable; Robert Deemer, Yarmouth; Christopher Miner, Orleans; Allen Abrahamson, Sandwich; Robert G. Brown, Commission Counsel; Joseph and Fernando Giangregorio, Appellants, and George R. Najemy, Applicant.

The Committee's decision had been filed with the Town Clerk on March 12, 1990, and the appeal entered with the Commission on March 20, 1990 within the ten day appeal period.

Joseph and Fernando Giangregorio, Appellants, addressed the Commission and stated that the house in question was built according to certain parameters and specifications. They stated that it was their understanding that the flat roof currently in place was to be replaced with a pitched roof and that it was their understanding that a reason for the pitched roof was that the flat roof was leaking. They stated that it was possible to repair a flat roof so that it would not leak. They stated that by changing the roofline of the house you would be changing the historic character of the nature and they asked that appeal be allowed.

George R. Najemy, Applicant, addressed the Commission in opposition to the appeal. He stated that he did wish to place a pitched roof on the building. He said that the flat roof that is in place now is the only flat roof in the area and that the placement of the pitched roof will be more in keeping with the area.

Brendan Joyce, representing the Dennis Committee, addressed the Commission to explain the Dennis Committee's reasons for approval. He stated that the Committee unanimously felt that

the change would be in keeping with the rest of the neighborhood. The major objection of the Appellants is that they will lose their waterview. Waterviews are nowhere guaranteed in perpetuity and the house is not of an historic nature. The vote of the Committee was unanimous and the Committee did not act in an arbitrary or capricious manner.

After lengthy discussion the Commission made the following determinations:

1. That the Dennis Committee did not act in an arbitrary, capricious or erroneous manner in approving the Applicant's Certificate of Appropriateness. 5-0-1.
2. That the appeal be denied. 5-0-1.

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.



Peter L. Freeman
Chairman