



Old King's Highway Regional Historic District Commission

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TOWN OF DENNIS  
CLERK-TREASURER

ROBERT C. CONLY,

v.

Decision #93-15

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

On Tuesday, October 19, 1993 the Commission held a hearing on Appeal #92-15 filed by Robert C. Conly seeking review of a decision by the Dennis Historic District Committee which had denied a Certificate of Appropriateness for a fence to be located at 7 Washburn Place, East Dennis, Massachusetts.

Present were Pat Rothermel, Dennis; Janet Francis, Brewster; Steve Carmel, Sandwich; Christopher R. Miner, Orleans; Robert G. Brown, Commission Counsel; and Robert C. Conly, Appellant.

The Committee's decision had been filed with the Town Clerk on September 15, 1993, and the appeal entered with the Commission on September 24, 1993, within the 10 day appeal period.

THE APPELLANT'S PRESENTATION:

Robert C. Conly and Barbara Conly addressed the Commission in favor of the appeal. They stated that none of their neighbors had objected to the application for the fence. The fence is chain link with cedar posts and a black vinyl coating. They displayed pictures of other fences in the neighborhood.

THE COMMITTEE'S PRESENTATION:

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Pat Rothermel, representing the Dennis Committee, addressed the Commission to explain the Dennis Committee's reasons for denial. She stated that chain link fences are inappropriate to the area. The Dennis Committee has generally denied applications for chain link fences except in remote areas although stockade fences are allowed for privacy.

DISCUSSION:

Members of the Commission did question why stockade fences were allowed for reasons of privacy but fences such as the one that was proposed, were not. In discussions with the Appellant and the Commission it was thought that the matter would be appropriate for a remand to the Dennis Committee.

FINDINGS:

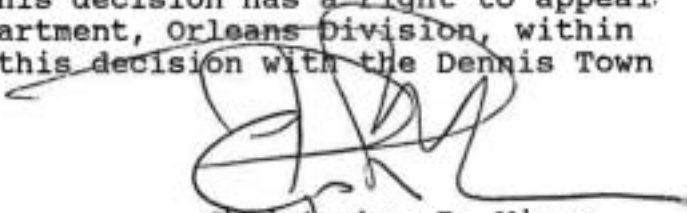
The Commission made the following Findings of Fact:

1. That the matter be remanded to the Dennis Committee.  
3-0-1.

DETERMINATION:

Based on the above findings, the matter is remanded to the Dennis Committee. Should no compromise be reached the Appellant retains his right of appeal to the Commission.

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.



Christopher R. Miner  
Chairman