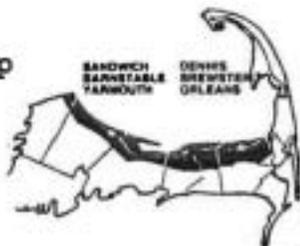


PP



Old King's Highway Regional Historic District Commission  
 P.O. Box 2187, Hyannis, Mass. 02601  
 Telephone 508-773-5793

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TOWN OF DENNIS  
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JOHN GLODE

v.

Decision #95-12

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

On Tuesday, January 16, 1996 the Commission held a hearing on Appeal #95-12 filed by John Glode, seeking review of a decision by the Dennis Historic District Committee which had denied a Certificate of Appropriateness for the construction of a building to be located at Lot #12, end of J.H. Sears Road, East Dennis, Massachusetts.

Present were Christopher R. Miner, Orleans; Peter L. Freeman, Barnstable; Roy Robinson, Brewster; Robert Terrill, Sandwich; Chick Craig, Dennis; Robert Miller, Yarmouth; Robert G. Brown, Commission Counsel; Michael B. Stusse, Attorney for the Appellant; Steven Shuman, Architect for the Appellant; and John Glode, Appellant.

The Committee's decision was filed with the Town Clerk on December 18, 1995. The appeal was entered with the Commission on December 20, 1995 within the 10 day appeal period.

**THE APPELLANTS' PRESENTATION:**

Michael B. Stusse, Attorney for the Appellant, addressed the Commission in favor of the appeal. Attorney Stusse displayed a model of the proposed house and also showed plans of the proposed house and pictures of the area. He said that the plans for the house were done in accordance with the Commission's Rules, Regulations and Guidelines. He said that the findings of the Dennis Committee were arbitrary as they were not based on the evidence presented. The proposed house is congruent with the intent and purpose of the Act and will occupy less than 3% of the lot behind the tree line. He also said that the house will not be visible from Route 6A.

Steven Shuman, Architect for the Appellant, addressed the Commission in favor of the appeal. He said that the Dennis Committee was of the opinion that the house was too large, too high and too visible for a sensitive setting. In fact, the house will have cedar shingles with a 9 over 12 pitch and a varied roofline to break up the massing. The trim on the house will be white. The house will be 4300 square feet, however, large does not necessarily mean bad. He pointed to other homes in the area and said that the neighborhood was generally one of large two-story homes. He said that the neighborhood is a very fine area and that this house will not be as prominent as others in the area.

#### THE COMMITTEE'S PRESENTATION:

Chick Craig, representing the Dennis Committee, addressed the Commission to explain the Dennis Committee's reasons for Denial. He distributed a packet of information regarding the past proceedings before the Dennis Committee. He read from the minutes of the first meeting before the Dennis Committee and displayed many pictures of the area. He stated that the house would be much too large and visible and that the primary concern of the Committee was to protect the visual impact from the harbor.

John Glode, Appellant, addressed the Commission in favor of the appeal stating that he thought the house was compatible with the area, that he would not want to do anything that would harm the Town and that he was not an unreasonable person.

Pat Rothermel, a member of the Dennis Committee, addressed the Commission in opposition to the appeal. She said that the house was much too large and high for that particular spot. She said that this was one of the last unspoiled vistas of Old Cape Cod in Dennis and that a slightly lower home, more in keeping with the contour of the land would be best for the area.

Henry Sears addressed the Commission in favor of the appeal. He said that he was an abutter to the property and that he felt that the house would be perfect for the site.

#### DISCUSSION:

In discussion among Commission members it was felt that the parties were not far apart in their thinking and that a remand to the Dennis Committee may be in order so that the parties might work out their differences. On Motion made by Roy Robinson and seconded by Robert Miller a vote was taken on whether to remand to the Dennis Committee, with special emphasis placed on the possibilities of 1. moving the house further back from the waterfront; 2. planting trees so as to reduce the visual effect of the house; and 3. possibly reducing the height of the house.

**FINDINGS:**

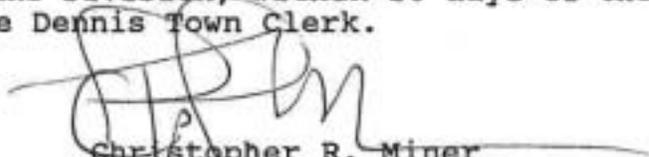
The Commission made the following determination:

1. That the matter be remanded to the Dennis Committee to consider the appropriateness of the proposed house in a setting where 1. the house is moved further from the waterfront; 2. vegetation is planted to reduce the visual impact of the house; and 3. the height of the house is lowered. 4-0-1

**DETERMINATION:**

Based on the above findings, the matter is remanded to the Dennis Committee for proceedings in accordance with the Commission's vote.

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