

Application for a Minor Modification of Facilities
WRZE(FM)
Exhibit 1

Exhibit with Respect to Section 307(b)

By this application, Qantum of Cape Cod License Company, LLC, seeks authority to change its community of license from Nantucket, Massachusetts, to Dennis, Massachusetts. In order to provide the requisite principal community coverage to Dennis, Qantum is also hereby seeking authority to relocate the WRZE(FM) transmission facilities.

Area and Population; Number of Stations Providing Service

Relocation of the WRZE(FM) facilities would result in a substantial increase in the number of people served by WRZE(FM). Whereas WRZE(FM)'s present Channel 242B allotment at Nantucket produces a 60 dbu contour encompassing 180,058 persons and 8,560.3 square kilometers, the proposed allotment of Channel 242B1 to Dennis would permit the establishment of facilities that would generate a 60 dbu contour encompassing 228,068 persons and 4802.9 square kilometers.¹ The change in allotment would thus result in WRZE(FM)'s being able to serve in excess of 26% more people than can currently be served. While the reallocation would result in a loss of service to 35,216 persons, the loss area, as is demonstrated in the attached Technical Statement of Graham Brock, Inc., is served by more than five full-time services, with the result that the area is considered by the Commission to be well-served.²

Whereas Nantucket is currently the community of license of three stations³ and is the community of license of a vacant allotment awaiting the opening of a window,⁴ Dennis is not presently the community of license of any full-service broadcast facility.⁵ Thus, a grant of the instant proposal would result in the provision of a first local full service transmission service to Dennis.

Community Status of Dennis

Dennis is a town in need of its own transmission service. According to the 2000 US Census, Dennis has a population of 15,973. It is governed by a Board of Selectmen

¹ The proposed allocation will provide a 70 dBu contour to 121,903 people and 1,519.1 square kilometers.

² The Commission considers an area to be well-served if it receives five or more services. *Family Broadcasting Group*, 53 RR 2d 662 (Rev. Bd. 1983), *rev. denied* FCC 83-559 (Comm'n Nov. 29, 1983); *see also LaGrange and Rollingwood, Texas*, 10 FCC Rcd 3337 (1995).

³ In addition to being WRZE(FM)'s community of license, Nantucket is also the community of license of WNCK(FM) and WNAN(FM).

⁴ Channel 249A was allotted to Nantucket by Commission action in Docket No. 04-238.

⁵ Dennis is the community of license of a low-power television station, WMPX-LP.

elected by the citizens of Dennis.⁶ Day to day administration of the town is handled by a Town Administrator, an Assistant Town Administrator, a Town Accountant and a Legal Administrator. The town provides the full panoply of governmental services. Police protection is provided by the Dennis Police Department. Fire protection is provided by the Dennis Fire Department. Dennis has its own Animal Control Officer, Board of Health, Building Department and Building Commissioner, Department of Public Works and Department of Natural Resources. Dennis issues birth certificates, death certificates, marriage licenses, and dog licenses. Dennis is home to the Ezra H. Baker Elementary School and the Nathaniel H. Wixon Middle School. Library services are provided by The Dennis Libraries, which include the “Dennis Public Library,” and “The Dennis Memorial” library.

The cultural needs of the community are fostered by the Dennis Arts & Culture Council, which is responsible for distributing funds to projects in the arts, humanities and interpretive sciences. Dennis is also home to the Cape Play House, which is reputed to be the nation’s oldest summer theatre. Dennis also offers a number of summer activities, such as arts and craft shows, concerts and Dennis Festival Days, which are held in August.

Dennis also has a long and distinguished history. It was incorporated in 1793 and was named for Josiah Dennis, who was a popular minister in the community. The citizens of Dennis were actively and intimately involved with the maritime industry during the 19th century. More recently, the town has become a popular vacation spot and artistic center.

Dennis is home to several churches, including the Dennis Union Church and the Dennis Church of the Nazarene.

Dennis supports its own Chamber of Commerce. Numerous Dennis businesses are members of the Chamber of Commerce, including the Dennis Inn, the Dennis Conservation Trust, the Dennis Council on Aging and numerous hotels and restaurants.

Dennis was the recipient of the 1977-1978 “All America-City Award.” This award is a program of the National Civic League that “recognizes innovative leadership and collaborative community-wide problem-solving” and is viewed as the nation’s most prestigious civic award.⁷

Tuck Analysis

Because Dennis is located within the Barnstable Town Urbanized Area, the Commission’s policies require that an analysis be performed under *Faye and Richard*

⁶ Dennis maintains a web site providing detailed information concerning the town, its officials and the services the town provides. See www.town.dennis.ma.us. Much of the information contained in this exhibit was extracted from the town’s web site.

⁷ See <http://www.ncl.org/>.

Tuck, Inc.,⁸ to determine whether the proposed community of license is sufficiently independent of the urbanized area's core community as to warrant the award of credit for the provision of first local service to the proposed community of license.

Tuck prescribes three criteria that must be considered. First, does the proposed allocation yield service to the entire urbanized area (the "Coverage Criterion")? Second, what is the size of the proposed community of license as compared to the core community and how far is the proposed community of license from the core community (the "Relative Size and Proximity Criterion")? Third, what is the level of interdependence between the smaller community and the core community (the "Interdependence Criterion")?

In the present case, the Coverage Criterion clearly favors the allocation of Channel 242B1 to Dennis. As is set forth in the technical statement of Graham Brock, Inc., that is attached to this application, the proposed allocation would cover only 44.5% of the land area within the Barnstable Town Urbanized Area with a 70 dbu signal.

Similarly, consideration of the Relative Size and Proximity Criterion favors the allocation of Channel 242B1 to Dennis. The town of Barnstable, which is the core community in the Barnstable Town Urbanized Area, has a 2000 Census population of 47,821. By contrast, Dennis has a population of 15,973. Dennis is thus approximately 1/3 the size of Barnstable. The Commission has previously found that communities that were much smaller in comparison to their core communities than Dennis is in comparison to Barnstable were entitled to first local service. Thus, for example, the Commission held in *Charlotte and Grand Ledge, Michigan*, 20 FCC Rcd 13694 (2005), that a community that was 6.6% of the size of the core community was entitled to first local service. Certainly, if a community that is only 6.6% of the size of the core community can be found to be independent of that community, Dennis must be found to be independent of Barnstable. Emphasizing the lack of interdependence between Dennis and Barnstable is the fact that Dennis is not immediately adjacent to Barnstable. It is separated from Barnstable by the intervening town of Yarmouth.

Under the Interdependence Criterion, the Commission looks at eight factors to determine whether the proposed community of license is independent of the core community. Applying those factors, it is evident that Dennis is entitled to first local transmission service.

Factor 1: To what extent do the community residents work in the larger metropolitan area, rather than the proposed community of license? According to the US Census Bureau, 16.8% of the Dennis workforce works in Dennis. The Commission has previously determined that communities with similar percentages of their workforces working in the proposed community of license are not interdependent with the core community and thus are to receive a favorable finding under this factor. *See, e.g., Lake City, Chattanooga, Harrogate, and Halls Crossroads, Tennessee*, 20 FCC Rcd 18961 (2005).

⁸ 3 FCC Rcd. 5374 (1988).

Factor 2: Does the smaller community have its own newspaper or other media that covers the community's needs and interests? News concerning the Dennis community is supplied by "Dennis Deliveries," a bi-monthly publication of the town of Dennis. In addition, information concerning current activities in the town is provided by a website, www.mass.info/dennis.ma/. That website will soon be providing reports on local news.

Factor 3: Do community leaders and residents perceive the specified community as being an integral part of, or separate from, the larger metropolitan area. As is evidenced by the fact that local business leaders have created a separate chamber of commerce for Dennis, that the community has a history dating back to the 18th Century, that the town is listed in the US Census, and that it maintains its own government, it is clear that community leaders and local residents perceive Dennis as being separate from Barnstable. See *Statesville and Clemmons, North Carolina, Iron Gate, Virginia*, 21 FCC Rcd 57, 58-9 (2006).

Factor 4: Does the community have its own government and elected officials? As is set forth in detail above, Dennis has its own local government consisting of elected selectmen and professional town administrators. The local government provides police, fire and numerous other governmental services.

Factor 5: Does the smaller community have its own local telephone book or zip code? Although Dennis does not have its own telephone directory, zip code 02638 has been assigned to Dennis, Massachusetts. That is distinct from zip code 02630, which has been assigned to Barnstable.

Factor 6: Does the community have its own commercial establishments, health facilities and transportation systems? Attached hereto is a printout from the Dennis Chamber of Commerce evidencing just a portion of the substantial number of commercial establishments that are resident in Dennis. In addition, the town of Dennis includes within its boundaries the Cape Cod Medical Center, St. Luke's Health Alliance, Eagle Pond Rehabilitation and the Mid Cape Vision Center. It is also home to at least two dentist offices, that of Dr. Frank Dahlstrom and Dr. Robert Creeden.

Factor 7: Is the specified community and the central city part of the same advertising market? Although both Barnstable and Dennis are part of the same Arbitron market, Dennis does constitute a distinct advertising market, as is evidenced by the fact that the online site "www.Mass.info" devotes a separate website to Dennis. See www.mass.info/dennis.ma/.

Factor 8: Does the specified community rely on the larger metropolitan area for various municipal services such as police, fire protection, schools, and libraries? As has been demonstrated above, the proposed community of license of Dennis provides the various municipal services to its residents. The town does not rely on the larger metropolitan area for such services.

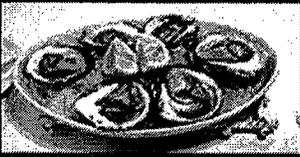
A review of the eight factors set forth in *Tuck* thus inevitably leads to the conclusion that Dennis is not interdependent with Barnstable. Given the fact that both the Coverage Criterion and the Relative Size and Proximity Criterion set forth in *Tuck* also demonstrate Dennis's status as an independent community, it is appropriate to credit the instant proposal with providing first local service to Dennis.

Under Section 307(b) of the Communications Act, the Commission is required to allocate broadcast stations so as to achieve a "fair, efficient, and equitable distribution of radio service" among the several states and communities. Traditionally, this analysis has used four allotment priorities:

- (1) First full-time aural service;
- (2) Second full-time aural service;
- (3) First local service; and
- (4) Other public interest matters (with co-equal weight being given to priorities 2 and 3). See *Revision of FM Assignment Policies and Procedures*, 90 FCC 2nd 88, 91(1982).

More recently, the Commission has acknowledged that, because "there are virtually no populated areas of the country where our higher allotment priorities, such as first reception service, have not been attained[,] . . . as a practical matter, provision of first local service is the highest of our allotment priorities which remains in any significant degree unsatisfied." *Modification of FM and TV Authorizations*, 5 FCC Rcd at 7096 (¶ 16). Reallocation of Channel 242 from Nantucket to Dennis would allow the Commission to achieve this de facto highest of allotment priorities. As a result, the instant application should be granted.

DENNIS OYSTERS



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Viewing listings 1-20 of 51 Page: [1](#) [2](#) [3](#) >

Briarcliffe Motel

Phone: (508) 385-3464 Toll Free: (888) 575-3318

203 Route 6A, P.O. Box 171, Dennis, MA 02638

Located along Historic Route 6A. Closest motel to Mayflower & Corporation Beaches.

Unique rooms with refrigerators, a/c, phones, private baths and cable televisions. Outdoor pool. One and two room suites are also available.

Season: Mid-May to early October

Contact: Julie and Ken Belou ✉ questions@briarcliffemotel.com

Dennis Inn

Located in the quiet village of Dennis on Cape Cod, the Dennis Inn is a function facility offering a variety of venues and possibilities for your wedding, private, corporate or holiday events. As a functions-only facility, your group can enjoy all the inn has to offer. The inn is fully licensed for your entertainment and beverage needs.

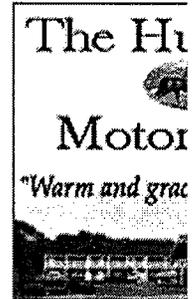
Phone: (508) 385-6571

25 Scarsdale Road, P.O. Box 445

Dennis, MA 02638

Contact: Brad Boyd and Cathy Cugini ✉ treats@gis.net

The Hu
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Kingfisher Lodging

Phone: (508) 385-5883 Fax: (508) 385-7783

177 Main Street, Route 6A, Dennis, MA 02638

The Kingfisher Lodging is an 11 room, family owned and operated motel in a quiet, setting of "Old Cape Cod", located on historic Route 6A in Dennis. We offer newly remodeled rooms within a few minutes from some of Cape Cod's finest sandy beaches, the Cape Playhouse, antiques, shops, crafts and art shows.

WiFi-internet access

Season: Year-round

Contact: Leonard Fisher  questions@kingfisherlodging.com

Scargo Manor Bed & Breakfast

508-385-5534 Fax: 508-385-9791

909 Main Street, Dennis, MA 02638-1405

Recently featured on the television news magazine, CHRONICLE

Season: Year-round

Contact: Debbie & Larry Bain  info@scargomanor.com

Treats Catering/Flying Lobster

Treats Catering is now located at The Dennis Inn and available for off premise and on site weddings, clambakes, barbecues.

Phone: (508) 385-1540

Toll Free: (800) 564-3496

Fax: (508) 385-6533

Located at The Dennis Inn, 25 Scarsdale Road, Dennis, MA 02638

Contact: Brad Boyd and Cathy Cugini  treats@gis.net

- **Advanced Printing**

Phone: (508) 385-3751 Fax: (508) 385-3197

234 Main Street

Dennis, MA 02638

Contact: Ernie Johnson  sales@advancedprintingonline.com

- **Antique Center of Cape Cod**

Phone: (508) 385-6400

243 Main Street, Route 6A

Dennis, MA 02638

Contact: Michael Power  info@antiquecenterofcapecod.com

- **AP Kimball Construction**

Phone: (508) 737-1250

95 Blackball Hill Road

Dennis, MA 02638

Contact: Peter & Angela Kimball

- **Armchair Bookstore**
Phone: (508) 385-0900 Fax: (508) 385-0990
619 Main Street
Dennis, MA 02638
Contact: Dawn Donovan ✉ books@armchairbookstore.com

- **Baksa Studio**
Phone: (508) 385-5733 Fax: (508) 385-5733
766 Main Street
P.O. Box 2037
Dennis, MA 02638
Hand-made jewelry. Paintings by Theresa Baska
Contact: Michael Baska ✉ baksa@baksa.com

- **Blossoms Florist & Gifts**
Phone: (508) 385-0093
543 Main Street, Dennis, MA 02638
Flowers for all occasions.
Contact: Bonnie & Jim Kooy

- **Blue Moon Bistro**
Phone: (508) 385-7100
605 Main Street (Route 6A)
Dennis, MA 02638
Serves lunch and dinner.
Contact: Peter Hyde, Owner

- **Cape Business Publishing**
Phone: (508) 385-3811 Fax: (508) 385-7488
704 Main Street, Dennis, MA 02638
Contact: Ernie Johnson, Bob Viamari, Glenn Ritt
✉ ernie@capebusiness.net

- **Cape Cinema Group, Inc.**
Phone: (508) 385-2503
24 Hope Lane (behind the Cape Playhouse)
Lovely theatre that showcases independent and foreign films.
Contact: Eric Hart ✉ capecinema@yahoo.com

- **Cape Cod Paper Company, Inc.**
Phone: (508) 385-8700
1147 Main Street, P.O. Box 2005, Dennis, MA 02638
Contact: Joan Bohlin

- **Cape Playhouse**
Phone: (508) 385-3838 Fax: (508) 385-8162
820 Main Street, Route 6A
P.O. Box 2001, Dennis, MA 02638-2001
Contact: Kathleen Anne Fahle ✉ director@capeplayhouse.com

- **Capeweeks Remodeling & Renovations, Inc.**
Phone: (508) 385-8144
162 South Yarmouth Road, Dennis, MA 02638
Handles all phases of interior and exterior carpentry. Residential and commercial
Contact: Chris Weeks ✉ capeweeks@verizon.net

- **Capt'n Frosty's Inc**
Phone: (508) 385-8548
210 Route 6A
P.O. Box 2021
Dennis, MA 02638
Fresh seafood and soft serve ice cream.
Contact: Pat Henderson ✉ captain@captainfrosty.com

- **Center Stage Cafe**

Phone: (508) 385-7737 Fax: (508) 385-7737
36 Hope Lane
Dennis, MA 02638
Open April - December.
Continental Cuisine with
Caribbean & Asian Influences.
Contact: Kelley & Mark Bartale

- **Chapin's Restaurant**

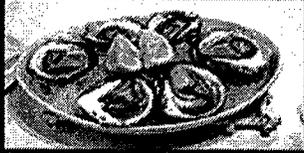
Phone: (508) 385-7000
85 Taunton Avenue, Dennis, MA 02638
Seafood and American specialties. Available for private functions
during shoulder seasons.
Seasonal outdoor raw bar.
Contact: Lou Malzone ✉ info@chapinsrestaurant.com

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Viewing listings 21-40 of 51 Page: [<](#) [1](#) [2](#) [3](#) [>](#)

- **Circle of Life Massage Therapy**
Phone: (508) 385-7703
632 Route 6A, Dennis
Offering Swedish, deep tissue, sports & pregnancy massage, and ear coning.
Contact: Brenda Mullen bmmullen@hotmail.com
- **Dennis Conservation Trust**
Phone: (508) 394-1215
P.O. Box 67
Dennis, MA 02641
Contact: Richard Johnston, President, Board of Trustees
 info@dennisconservationtrust.org
- **Dennis Union Church**
Phone: (508) 385-3543 Fax: (508) 385-3219
713 Main Street, P.O. Box 2020, Dennis, MA 02638
Contact: Dale B. Rosenberger, Sr. Pastor
- **Evolution**
Phone: (508) 385-4158
Located at Dennis Commons II, 766 Route 6A
T-shirts, sweats, kites and gifts.
Contact: Jody Sylvia and Pam Chase
- **Four Seasons Hair Care**
Phone: (508) 385-9019
567 Main Street (6A), Dennis, MA 02638
P.O. Box 1038, East Dennis, MA 02641
Contact: Avis Carter
- **Grose Gallery & Studio**
Phone: (508) 385-3434
PO Box 2014
524 Route 6A
Dennis, MA 02638
Contact: David & Margit Grose



- **Isaiah Hall Bed & Breakfast**
Phone: (508) 385-9928 Fax: (508)385-5879
152 Whig Street, Dennis, MA 02638
After a great breakfast it's a short walk to Corporation Beach, the Cape Playhouse and the Museum of Art. Also a short walk to the village center and the location is on historic Whig Street, great for a stroll.
WiFi-internet access
Season: Year-round
Contact: Jerry and Judy Neal ✉ info@isaiahhallinn.com
- **Janine B. Sportfishing**
508-385-4404
9 Meadow Lane, Dennis, MA 02638
Contact: Wayne Bergeron ✉ wayne.bergeron@comcast.net
- **Kitchen Capers Personal Chef Service**
Phone: (508) 776-8044
Dennis, MA
Contact: Debby Grant ✉ anotherhelping@aol.com
- **Local Color-House Painting**
Phone: (508) 385-2217
PO Box 235, Dennis, MA 02638
Highest quality interior/exterior painting at the fairest possible price
Contact: David T. Pullen
- **Lomenzo Properties**
Phone: (508) 385-4944 Fax: (508) 385-5330
623 Main St. (Route 6A), Dennis, MA 02638
Contact: Peter & Elaine Lomenzo ✉ info@LomenzoProperties.com
- **Mashantum Tennis Club**
508-385-7043 Fax 508-385-7043
135 Nobscusset Road, P.O. Box 125, Dennis, MA 02638
Offering children's classes, adult memberships and private lessons.
Contact: Lucy Shepard
- **Mill Stone Pottery**
Phone: (508) 385-4214 Fax: 508-896-8329
766 Main Stree
P.O. Box 120
Dennis, MA 02638
Contact: Gail Turner
- **New Pensmith**
Phone: (508) 385-4060
472 Main Street (Rte. 6A)
Dennis, MA 02638
Resumes, Word Processing, Letters, Manuscripts, Transcription, and more.
- **Ocean Vista On The Beach**
Phone: (508) 385-3029 (in season only)
Phone: (954) 430-6042 (off season only)
Mandigo Road, Dennis
1,2,3, or 4 bedroom units, every unit has wall-to-wall carpeting, complete modern kitchens with refrigerators and microwaves, ceramic tiled full baths, outside enclosed showers, large sundecks for outdoor living, color cable TV, video players, and a spectacular views. Private beach.
Season: June to October
Contact: Bob Gingras
- **On Cape Publications**

508-385-2108 Toll Free: 877-662-5839 Fax: 508-385-3783
Street Address: 41 Janall Drive, Dennis, MA 02638
Mailing Address: P.O. Box 218, Yarmouth Port, MA 02675
Contact: Gretchen Putone ✉ gretchen@oncapepublications.com

● **Paul W. Sullivan Associates**

Phone: (508) 385-3131
744-Main Street, Route 6A, PO Box 1011, Dennis, MA 02638-1011
Specializes in northside rentals near Mayflower and Corporation
Beaches.
Contact: Paul Sullivan

● **Peter McDowell Associates**

Phone: (508) 385-9114 or (888) 385-9114
585 Route 6A, Dennis, MA 02638
Lots of summer rentals to choose from.
Contact: Peter McDowell

● **Photoglow**

508-385-9673
152 Whittier Drive, Dennis, MA 02638
Backlit picture frames and digital images
Contact: Ed Sinofsky ✉ ed@photoglow.com

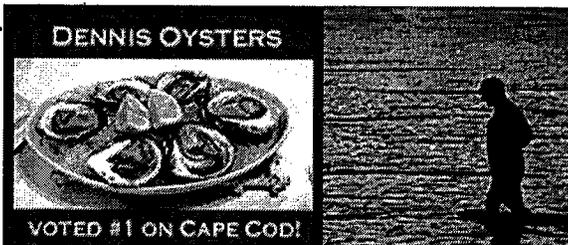
● **Red Pheasant**

Phone: (508) 385-2133 Fax: (508) 385-2112
905 Main Street (Route 6)
P.O. Box 486, Dennis, MA 02638-0486
Classic and creative cuisine.
Contact: Denise Atwood ✉ info@redpheasantinn.com

Viewing listings 21-40 of 51 Page: ≤ 1 2 3 ≥



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- [Historic Dennis](#)
- [Calendar of Events](#)
- [Photo Gallery](#)
- [Weddings & Event Planning](#)
- [Real Estate](#)
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- [Town Information](#)
- For Chamber Members**
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- [Chamber Photo Gallery](#)
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Main Index : [Area](#) : [Dennis \(Proper\)](#)

Filter by Category: [Show all Categories](#)

Viewing listings 41-51 of 51 Page: [<](#) [1](#) [2](#) [3](#)

- **Rose's Cottages**
 Phone : (508) 385-9703
 16 Black Flats Road, Dennis, MA 02638
 Well maintained 2BR bungalows just a short walk from the water of Cape Cod Bay beaches.
 Season: Mid May to October
 Contact: Esther Stocchetti
- **Salt Shaker Sportfishing**
 Phone: (508) 221-5593
 P.O. Box 236
 Dennisport, MA 02639
 Contact: Capt. Dan Hannon [✉ info@salt-shaker.net](mailto:info@salt-shaker.net)
- **Scargo Cafe**
 Phone: (508) 385-8200 Fax: (508) 385-6977
 799 Route 6A, P.O. Box 1025, Dennis, MA 02638-1025
 "Discover the Legend of Scargo Cafe"
 Food is elegant, fun, and enhanced with variety.
 Contact: David Troutman [✉ office@scargocafe.com](mailto:office@scargocafe.com)
- **Scargo Lake Waterfront**
 Phone: (508) 850-9722 or (508) 612-7364
 939 Main Street, Route 6A, Dennis
 This 4 bedroom home is located on beautiful Scargo Lake in Dennis.
 Great rental for larger groups.
 Season: May to October
 Contact: Bill & Trisha Walker [✉ walkerbbbt@comcast.net](mailto:walkerbbbt@comcast.net)
- **Scargo Stoneware Pottery**
 30 Dr. Lords Road
 Dennis, MA 02638
 Contact: Kim Holl
- **Secure Future Financial Services**
 Phone: (508) 385-2136 Fax: (508) 385-2137



811 Route 6A, #2
P.O. Box 1067
Dennis, MA 02638
Contact: Christina Kemprecos

- **Showtime Pizza, Pasta and Deli**

Phone: (508) 385-7121 Fax: (508) 385-9585
614 Main Street
Dennis, MA 02638
We Deliver!
Contact: Mark Julian ✉ showtimepizza@aol.com

- **Sydney, LLC**

22 Wades Way
Dennis, MA 02641
Contact: Raymond Levesque

- **TD Banknorth**

Dennis Branches:
Phone: (508) 398-0156
519 Route 134
South Dennis, MA 02660
Contact: Tina Maillet
email: tina.maillet@tdbanknorth.com

Route 6A
Dennis, MA

Hyannis Branch:
Phone: (508) 862-6452 Fax: (508) 771-4821
307 Main Street
Hyannis, MA 02601
Marlene Weir
email: mweir@banknorth.com

- **The Artists Gallery**

Phone: (508) 385-4600 Fax: (508) 861-0107
593 Route 6A, Dennis, MA 02638
Fine Art by award-winning Cape Cod artists, employing a variety of media and a diversity of styles.

- **Yarmouth-Dennis Red Sox Baseball**

Phone: (508) 394-9833
PO Box 814, South Yarmouth, MA 02664

Phone: (508) 385-4422
8 Heegeon Drive, Dennis, MA 02638
Contact: Robert Mayo and Nancy Woodworth

Viewing listings 41-51 of 51 Page: < 1 2 3



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