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Community raises Constitutional questions about church

ORLEANS, Mass. (AP) — Townsfolk trying to block construction of a church on historic Rock Harbor say the dispute has nothing to do with religious freedom — they just don't want the church's tower ruining the skyline.

"What we've got here is a quaint seaside community, and this church would be at least 30 or 40 feet taller than anything else in town. It would overpower everything around it,"

In the News

Fourth child

says Chris Minor, who lives in this town on Cape Cod Bay.

The Community of Jesus, a non-denominational Christian group, presented plans for the 104-foot-tall, gothic-style church to five town and regional boards. So far, four have rejected the plans, including the Old Kings' Highway Historic District Committee, which Minor chairs.

Town zoning laws prohibit buildings more than 30 feet tall without special permission. But the congregation says zoning laws shouldn't apply to its planned Chapel of the Holy

Paraclete, or to any church.

"If the state can choose the design, maybe they'd like to write the prayer book or choose the hymnal," said Orleans attorney Richard Laraja, a church member and spokesman.

Laraja said the boards violated the Constitution by denying church members freedom of religion, freedom of association and freedom of speech, because a church's exterior makes a statement.

"The height symbolizes the relationship between man and God, of lifting the heart to God in mind and prayer," he said.

The boards disagree. Minor's committee said its reasons for rejecting the design were purely aesthetic. Most of the town's homes are traditional clapboard houses, some with widow's walks.

"It was just really significantly larger and more massive than anything else in Rock Harbor," Minor said.

Another board cited environmental concerns. The Conservation Commission said the 540-seat granite, limestone and slate structure would be too close to area wetlands.

The 325-member con-

gregation says it has outgrown the 240-seat church on its coastal compound. Eighty members live on the 10-acre compound and most other members live within walking distance from the church.

Many of the town's 6,500 residents oppose the new church. The Cape Cod Times has been flooded with letters of protest, as have several smaller papers in the region.

The Cape Cod Commission, a land-use and regulatory agency, is reviewing the proposal.

"The question for us is not

really the fact that it's a church ... it's the size of the building and its location," said Sumner Kaufman, chairman of the commission subcommittee investigating the church's impact on the region.

He said the Commission could approve the project, set conditions, or reject it.

If the commission rejects the proposal, the Community of Jesus likely will take the issue to court, Laraja said.

"Subjecting a church to a design review is an excessive entanglement of government and the church," he said.

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