

36 DEPOT STREET DP (SP-031200-2024): James Feeley, 8 Sheehan Drive, Shrewsbury, MA (01545) c/o Jack Herndon of Senie & Associates P.C., is seeking a Special Permit for the increase in footprint and height of a non-conforming structure that will extend lot coverage on a non-conforming lot that was the subject of a variance. The property is located in the Resort Residential (RR) Zoning District at 36 Depot Street, Dennisport, MA - 02639 (Assessor's Map 40, Parcel 89).



Zoning

Zoning (2024)

Large Wind Facility Overlay

Medium Wind Facility Overlay District

Seasonal Resort Community

Hotel Resort Districts

Scenic Corridors

Quivet Neck-Crowes Pasture Resrc Prot

Dist

Residential 60

Residential 40

Resort Residential

Limited Business

Extensive Business

Dennisport Village Center Area A

Dennisport Village Center Area B

General Commercial I

General Commercial II

General Commercial III

Medium & Large Wind Facility Overlay

Industrial

West Dennis Village Center

Marine Open Space

Mixed Use Marine

Residential-Commercial

Village Center Support

West Dennis Village Center

South Dennis Hist. Distr. (2024)

Old King's Highway Hist. Distr. (2024)

Base Maps

OpenStreetMap

Google Street Map

Google Hybrid Map

2021 MassGIS Orthos

2020 CCC Regional Aerial Photo

2019 MassGIS Aerial Photo

2014 MassGIS Aerial Photo

2012 MassGIS Aerial Photo

2009 MassGIS Aerial Photo

2005 MassGIS Aerial Photo

2001 MassGIS Aerial Photo

Layers

Find

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The map displays a coastal area with various colored overlays and numbers. The map is titled "Zoning (2024)" and includes a legend on the left side. The legend lists various zoning categories and their corresponding colors. The map also shows a network of roads and a coastline. The overall theme is land use planning and zoning.

Legend:

- Zoning (2024)
- Large Wind Facility Overlay
- Medium Wind Facility Overlay District
- Seasonal Resort Community
- Hotel Resort Districts
- Scenic Corridors
- Quivet Neck-Crowes Pasture Resrc Prot
- Dist
- Residential 60
- Residential 40
- Resort Residential
- Limited Business
- Extensive Business
- Dennisport Village Center Area A
- Dennisport Village Center Area B
- General Commercial I
- General Commercial II
- General Commercial III
- Medium & Large Wind Facility Overlay
- Industrial
- West Dennis Village Center
- Marine Open Space
- Mixed Use Marine
- Residential-Commercial
- Village Center Support
- West Dennis Village Center
- South Dennis Hist. Distr. (2024)
- Old King's Highway Hist. Distr. (2024)

Base Maps:

- OpenStreetMap
- Google Street Map
- Google Hybrid Map
- 2021 MassGIS Orthos
- 2020 CCC Regional Aerial Photo
- 2019 MassGIS Aerial Photo
- 2014 MassGIS Aerial Photo
- 2012 MassGIS Aerial Photo
- 2009 MassGIS Aerial Photo
- 2005 MassGIS Aerial Photo
- 2001 MassGIS Aerial Photo

Quick Zooms

Find Properties

Owner:

Enter Owner

Parcel ID:

Enter Parcel ID

Address:

DEPOT STREET

36

Clear

Condo/Cottage Colony:

Results Summary

Parcels

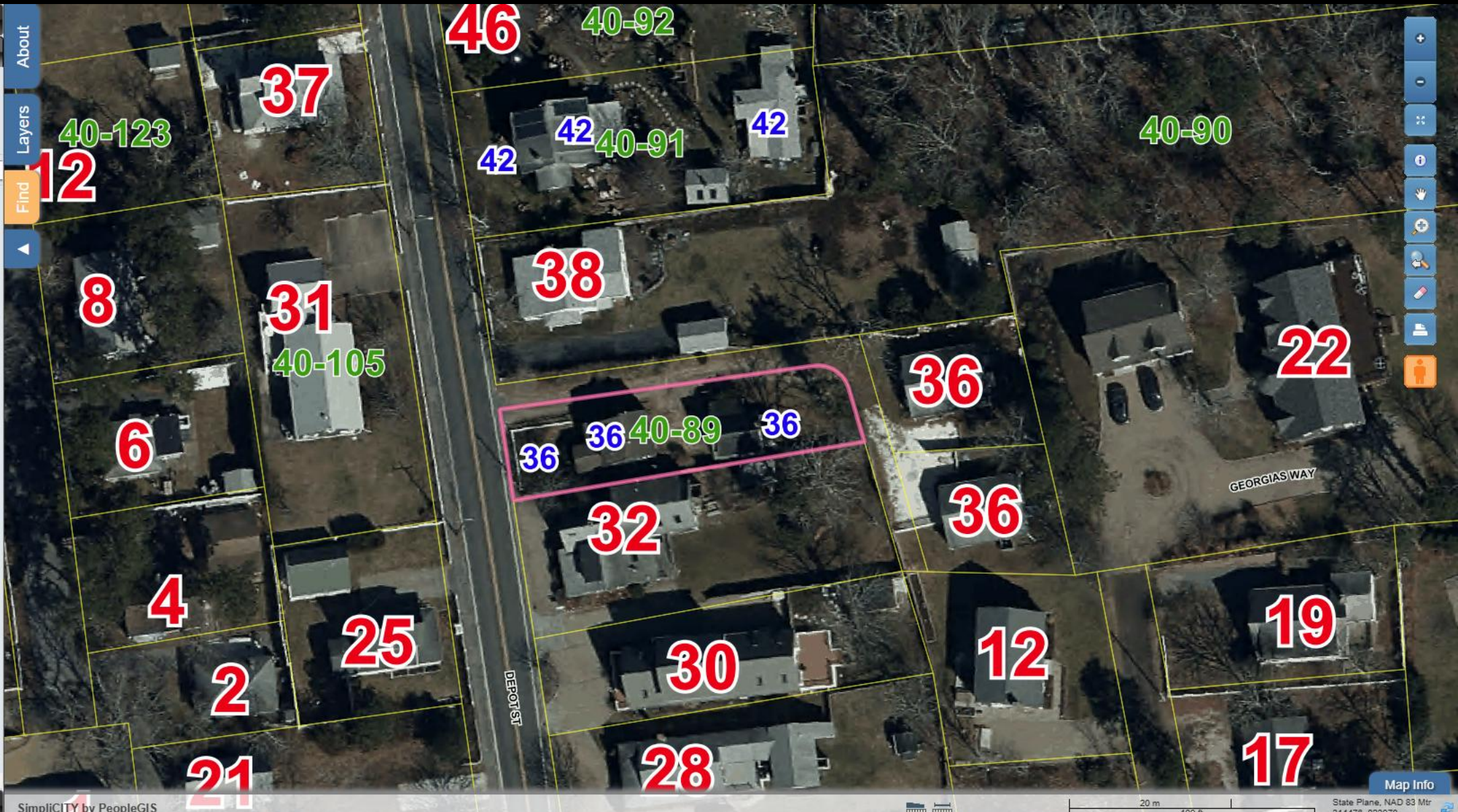
Parcel ID	Address	Village	Owner
40-88-0	36 DEPOT STF	DP	PECHINIS WIL
40-89-0	36 DEPOT STF	DP	FEELEY JAMES

Detail Information

Zoom To

Owner State	MA
Owner Zip	01545
Owner Country	
State Class #	1090
State Class Desc	MULTI HOUSES
Deed Date	04/07/22 00:00:00
Book	35032
Page	108
Certificate	
Last Sale Price	632500.0000
Total Value	\$580,000.00
Land Value	\$263,500.00
Building Value	\$316,500.00
Detached Building Value	\$0.00
Acres	0.11
Prev Year Total Value	\$527,300.00
Property Card	PK Field Card

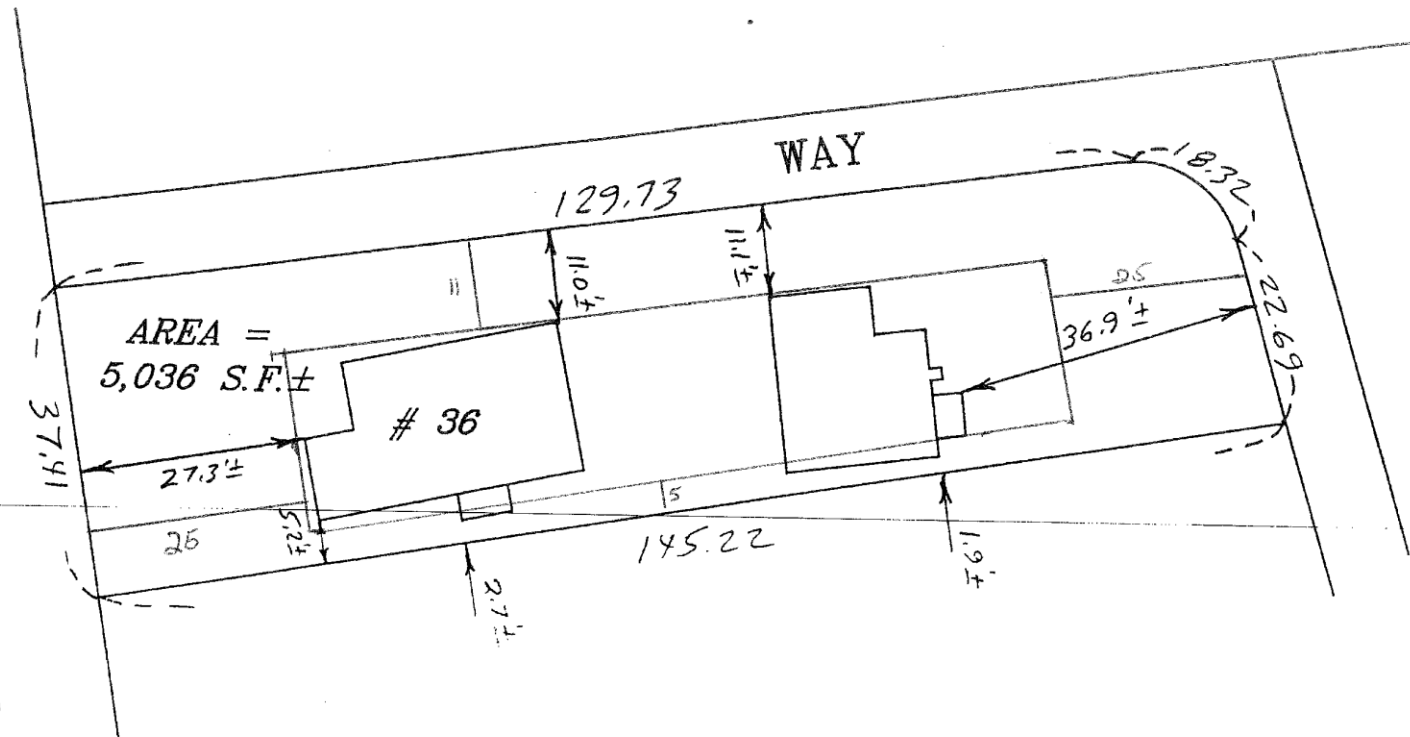
Find Abutters



40-89



DEPOT STREET



TO THE BEST OF MY INFORMATION,
KNOWLEDGE, AND BELIEF THE
STRUCTURES SHOWN ON THIS
PLAN HAS BEEN LOCATED ON THE
GROUND AS INDICATED.



1/19/99

DATE PROFESSIONAL LAND SURVEYOR

A MAP 40, PARCEL 89

"AS-BUILT" PLOT PLAN
DENNIS, MASS.
LOT 1, PL. BK. 278, PG. 34

DATE JAN. 19, 1999 SCALE 1" = 20'

JOB 1608-00 CLIENT CUSHING

SWEETSER ENGINEERING

235 GREAT WESTERN ROAD

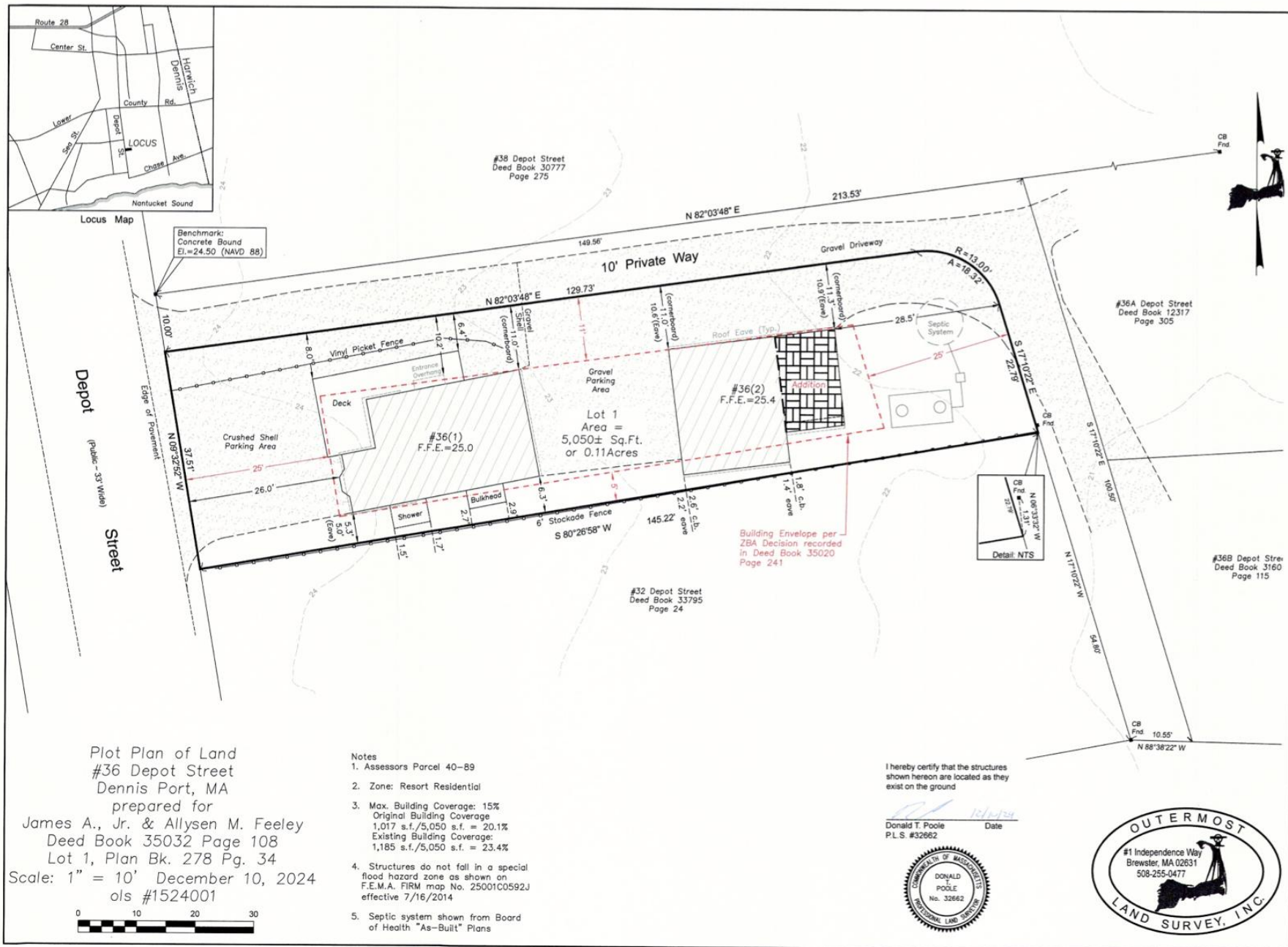
P.O. BOX 713

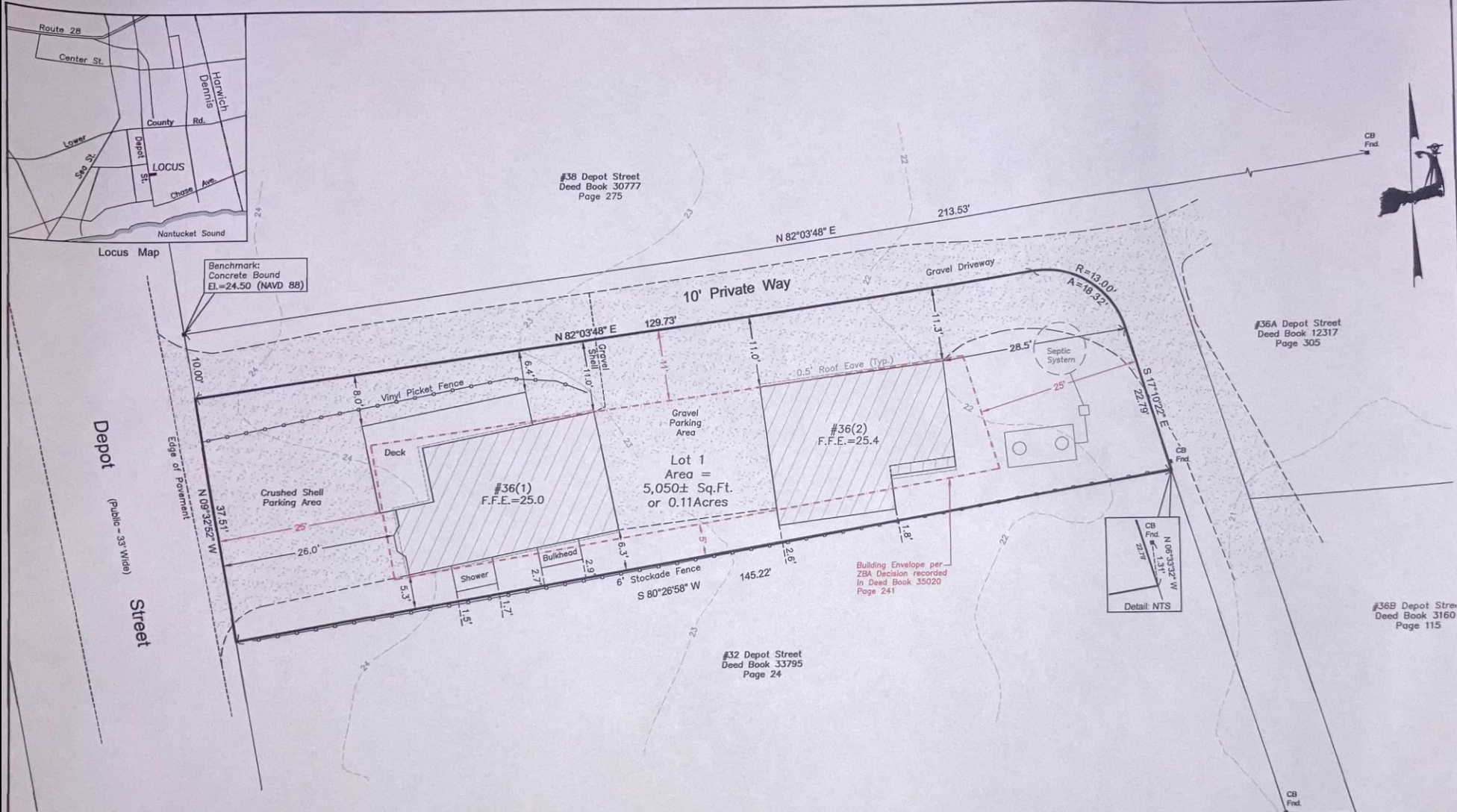
SOUTH DENNIS, MASS.

02660

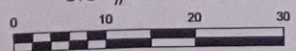
(FAX) 398-3063

398-3922





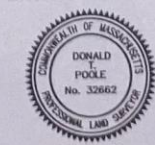
Plot Plan of Land
 #36 Depot Street
 Dennis Port, MA
 prepared for
 James A., Jr. & Allysen M. Feeley
 Deed Book 35032 Page 108
 Lot 1, Plan Bk. 278 Pg. 34
 Scale: 1" = 10' November 7, 2024
 ols #1524001



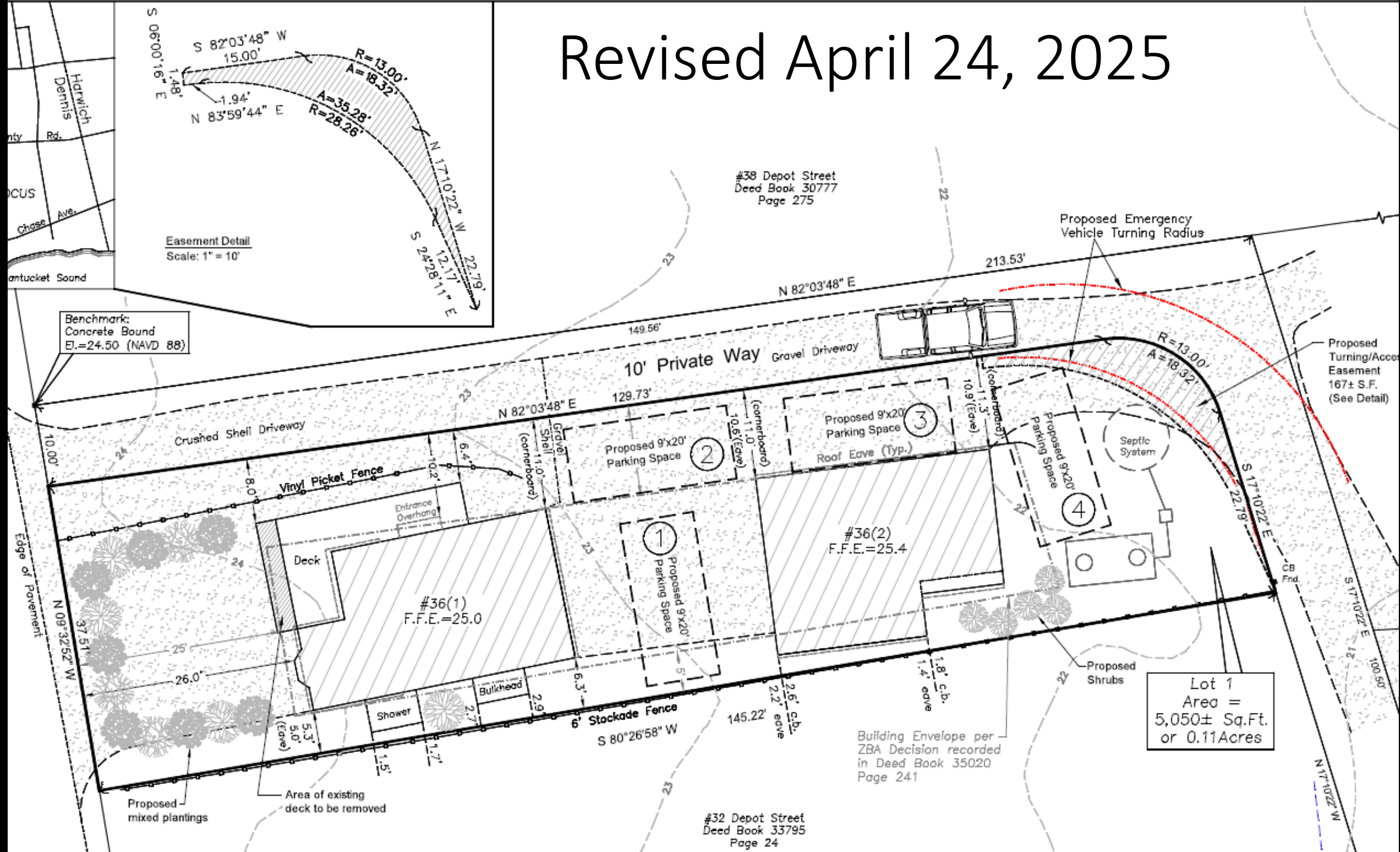
- Notes
1. Assessors Parcel 40-89
 2. Zone: Resort Residential
 3. Max. Building Coverage: 15%
 Existing Building Coverage:
 1,185 s.f./5,050 s.f. = 23.4%
 4. Structures do not fall in a special flood hazard zone as shown on F.E.M.A. FIRM map No. 25001C0592J effective 7/16/2014
 5. Septic system shown from Board of Health "As-Built" Plans

I hereby certify that the structures shown hereon are located as they exist on the ground

Donald T. Poole
 P.L.S. #32662
 Date 11/7/24



Revised April 24, 2025



FEELEY/ BACK
COTTAGE
RENOVATION

36 DEPOT ST
DENNIS PORT, MA

REVISION 3/
REDUCED LIVING SPACE
01.15.25

REVISION 2
07.24.24

REVISION 1
05.15.24

INITIAL ISSUE
04.19.24

CLIENT:

James Feeley
36 Depot Street
Dennis Port, MA
james.a.feeley@gmail.com

ENGINEERING:

Michèle Cudillo, P.E.
123 Cottonwood Lane
Centerville, MA 02632-1979
mcudillo@comcast.net
508-737-8521

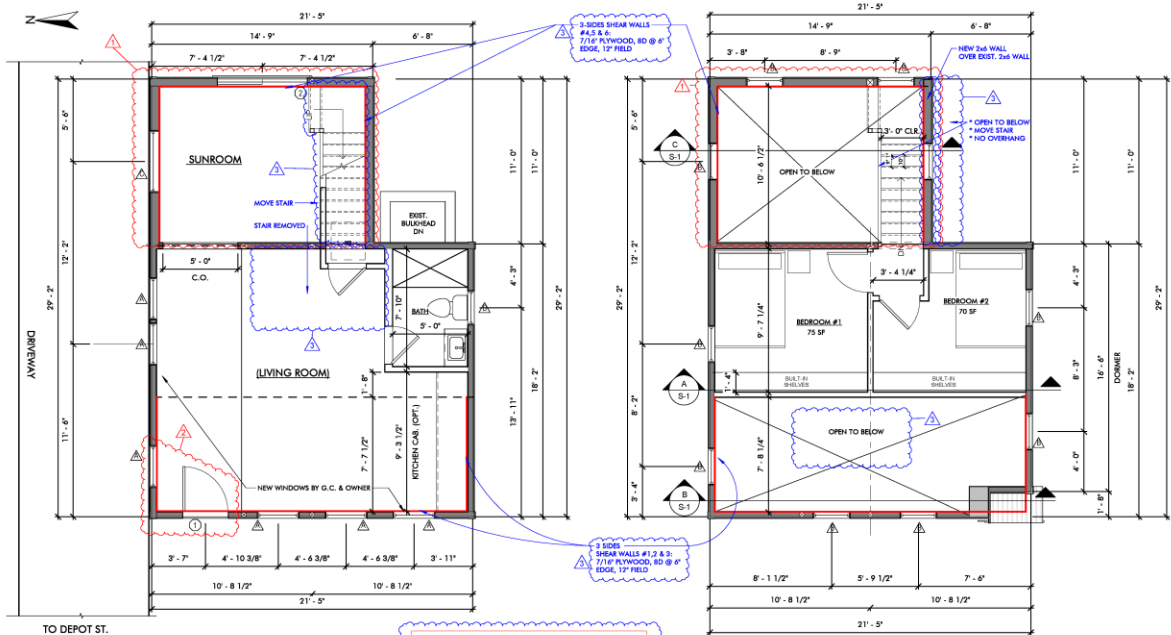
JOB # / 2023 - 294

ARCHITECTURAL &
STRUCTURAL DRAWINGS:

Yoana K. Guzman
5 Madison Ct
Nantucket, MA 02554
yoana.ackdesign@gmail.com
774-325-6705

FLOOR PLAN &
ELEVATIONS

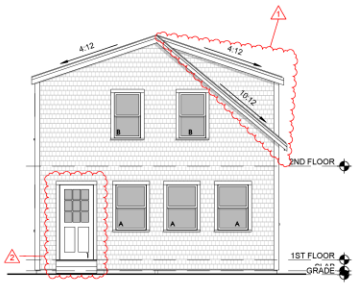
A-1



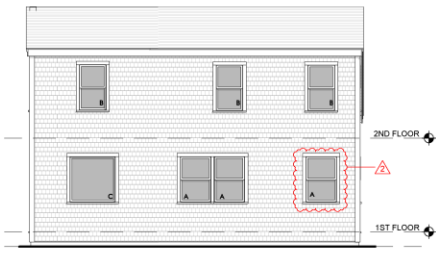
1 PROPOSED FIRST FLOOR
1/4" = 1'-0"

2 PROPOSED SECOND FLOOR
1/4" = 1'-0"

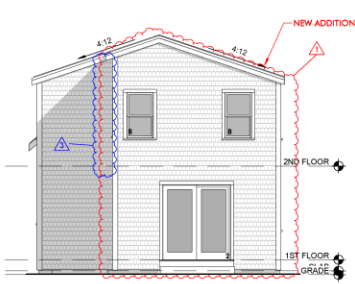
1ST FLOOR: 541 SF
2ND FLOOR: 151 SF
TOTAL BLDG #1: 692 SF
TOTAL BLDG #2: 822 SF
TOTAL BOTH BLDGS: 1514 SF (29.9%)
PROPERTY: 5050 SF



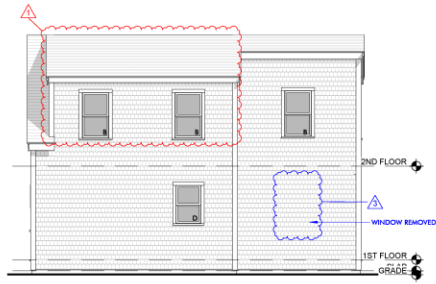
3 PROPOSED WEST ELEVATION
3/16" = 1'-0"



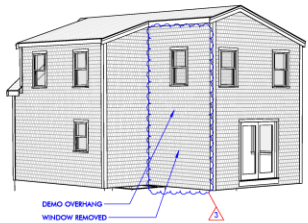
4 PROPOSED NORTH (DRIVEWAY) ELEVATION
3/16" = 1'-0"



5 PROPOSED EAST ELEVATION
3/16" = 1'-0"



6 PROPOSED SOUTH ELEVATION
3/16" = 1'-0"



EXTERIOR DOOR SCHEDULE						
DOOR	QUANTITY	WIDTH	HEIGHT	DESCRIPTION	MODEL	FINISH
1	1	3'-0"	6'-8"	SINGLE SWING	TBD	
2	1	3'-0"	6'-8"	DBL GLIDER	TBD	

WINDOW SCHEDULE						
WINDOW	QUANTITY	WIDTH	HEIGHT	DESCRIPTION	MODEL	FINISH
A	6	2'-8"	4'-0"	SH	TBD	
B	15	2'-4"	4'-0"	SH	TBD	
C	1	4'-0"	4'-0"	PH	TBD	
D	1	2'-2"	3'-4"	SH	TBD	TBD

NOTES:

- Contractor to Verify ALL Rough Openings Per Manufacturer Specification PRIOR to Framing
- ALL Doors & Windows to be Installed Per Manufacturer Specification
- It is the Contractor's Responsibility to Ensure that at Least One Window in Each Bedroom has An Egress Window
- Provide Tempered Glass in All Locations Required by Code
- All Ganged Window Units to be Constructed w/ Stud Pockets Between Units

FEELEY/ BACK COTTAGE RENOVATION

36 DEPOT ST
DENNIS PORT, MA

REVISION 3/
REDUCED LIVING SPACE
01.15.25

REVISION 2
07.24.24

REVISION 1
05.15.24

INITIAL ISSUE
04.19.24

CLIENT:

James Feeley
36 Depot Street
Dennis Port, MA
james.a.feeley@gmail.com

ENGINEERING:

Michele Cudillo, P.E.
123 Cottonwood Lane
Centerville, MA 02632-1979
mcudillo@comcast.net
508-737-8521



FOR STRUCT. ONLY 01.15.25

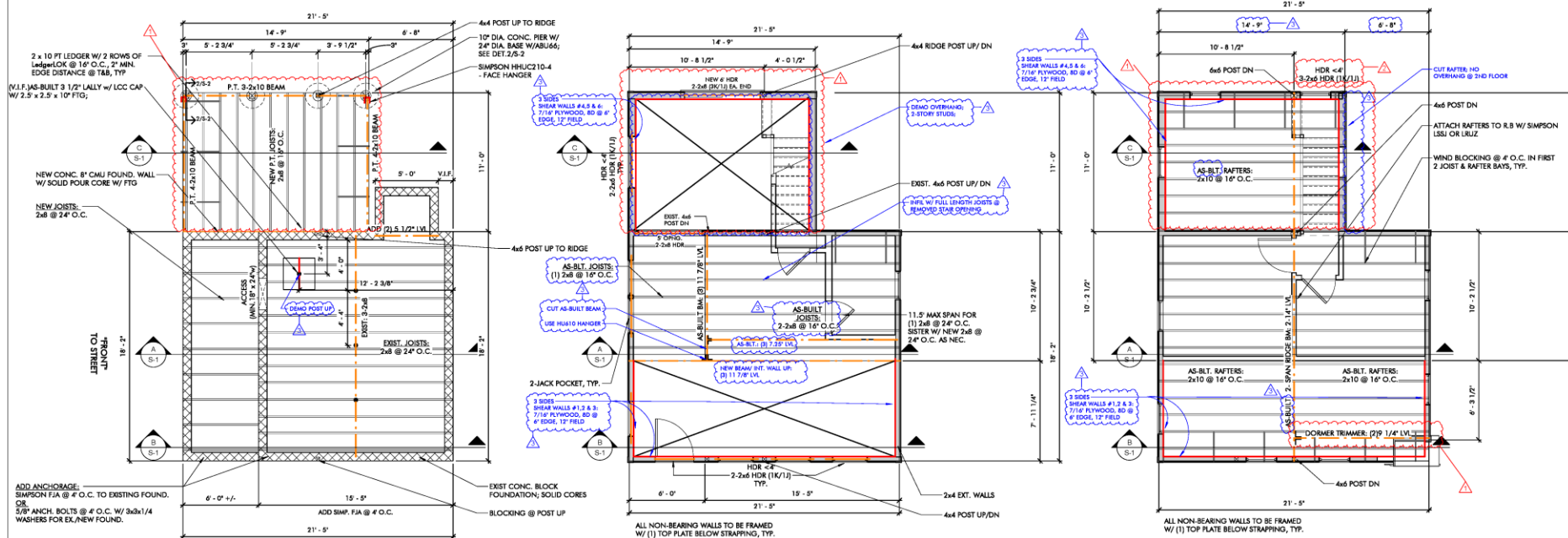
JOB# / 2023 - 294

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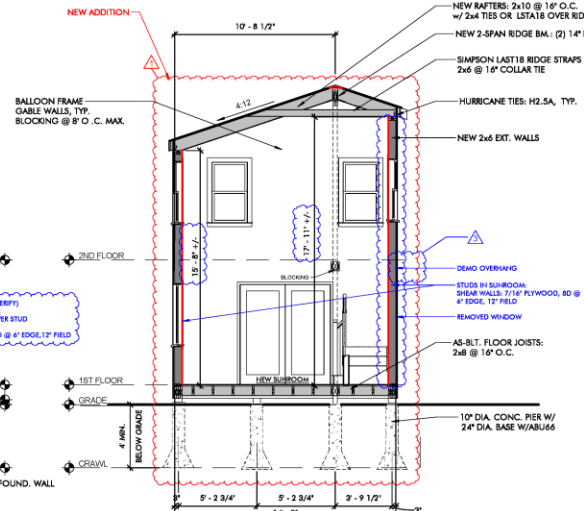
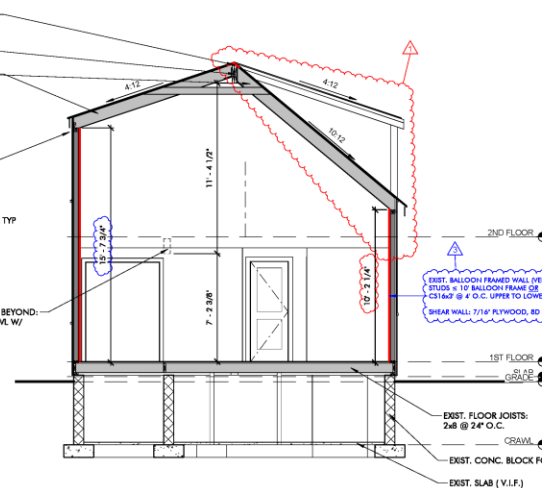
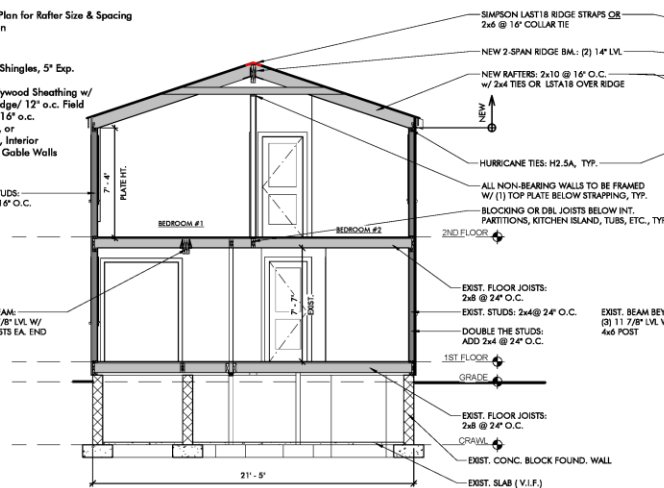
FRAMING PLANS
& SECTIONS

S-1

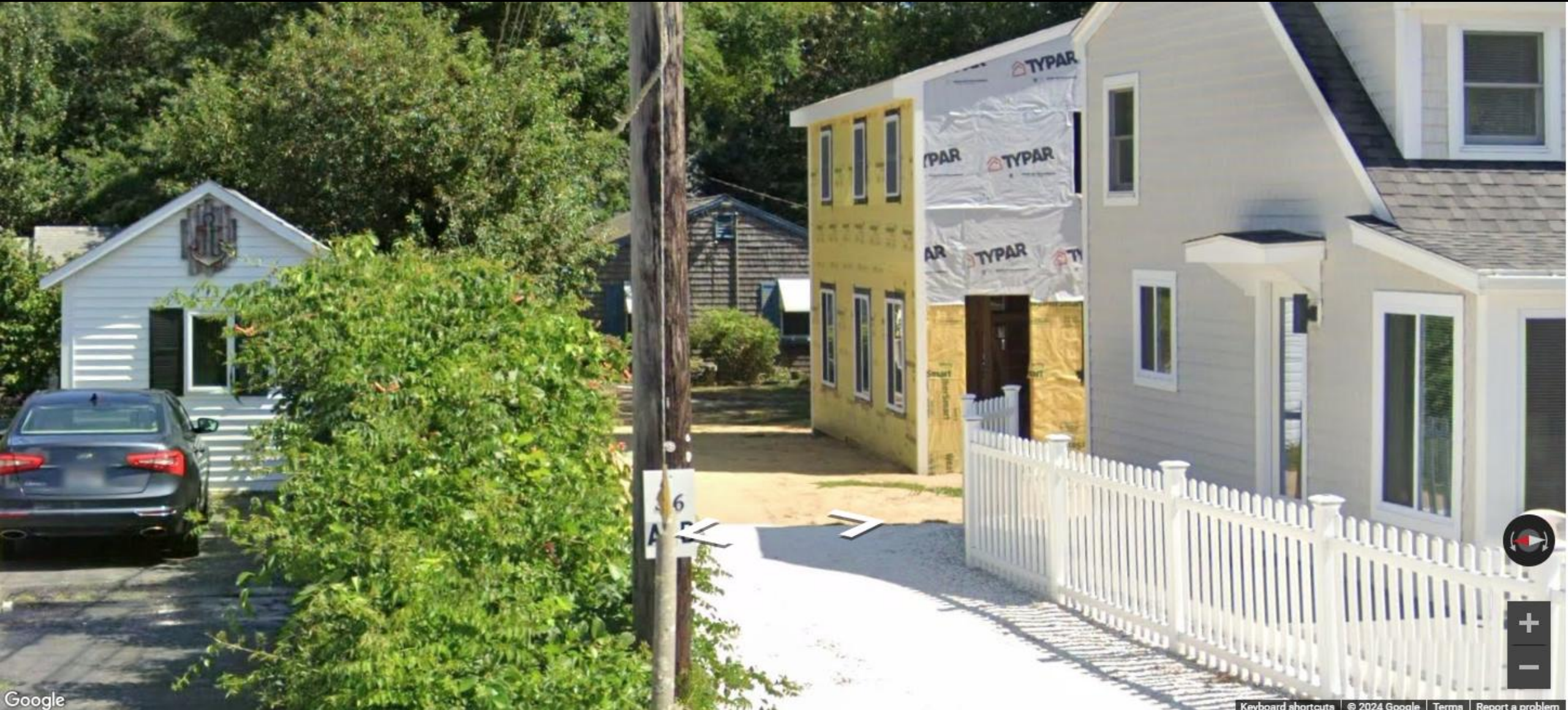


ROOF:
- Asphalt Shingles, 5" Exp.
- 30 Lb. Felt
- 7/16" Plywood Sheathing w/ BD @ 6" o.c. Edge,
6" o.c. Field
- See Framing Plan for Rafter Size & Spacing
- R49 Insulation

WALL:
- White Cedar Shingles, 5" Exp.
- 30 Lb. Felt
- Vert. 7/16" Plywood Sheathing w/
BD @ 2" o.c. Edge/ 12" o.c. Field
- 2x4 Studs @ 16" o.c.
- R21 Insulation, or
- 1/2" Gypsum, Interior
Balloon Frame Gable Walls







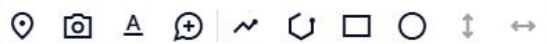
36 Depot St
Dennis, Massachusetts
[View on Google Maps](#)



Google



Search



Workspace

PF

SHARE



Nearmap

Imagery © 2025 Nearmap, HERE

10 ft

Vertical

< Sun Sep 19 2021 >





Search



Workspace

PF

SHARE

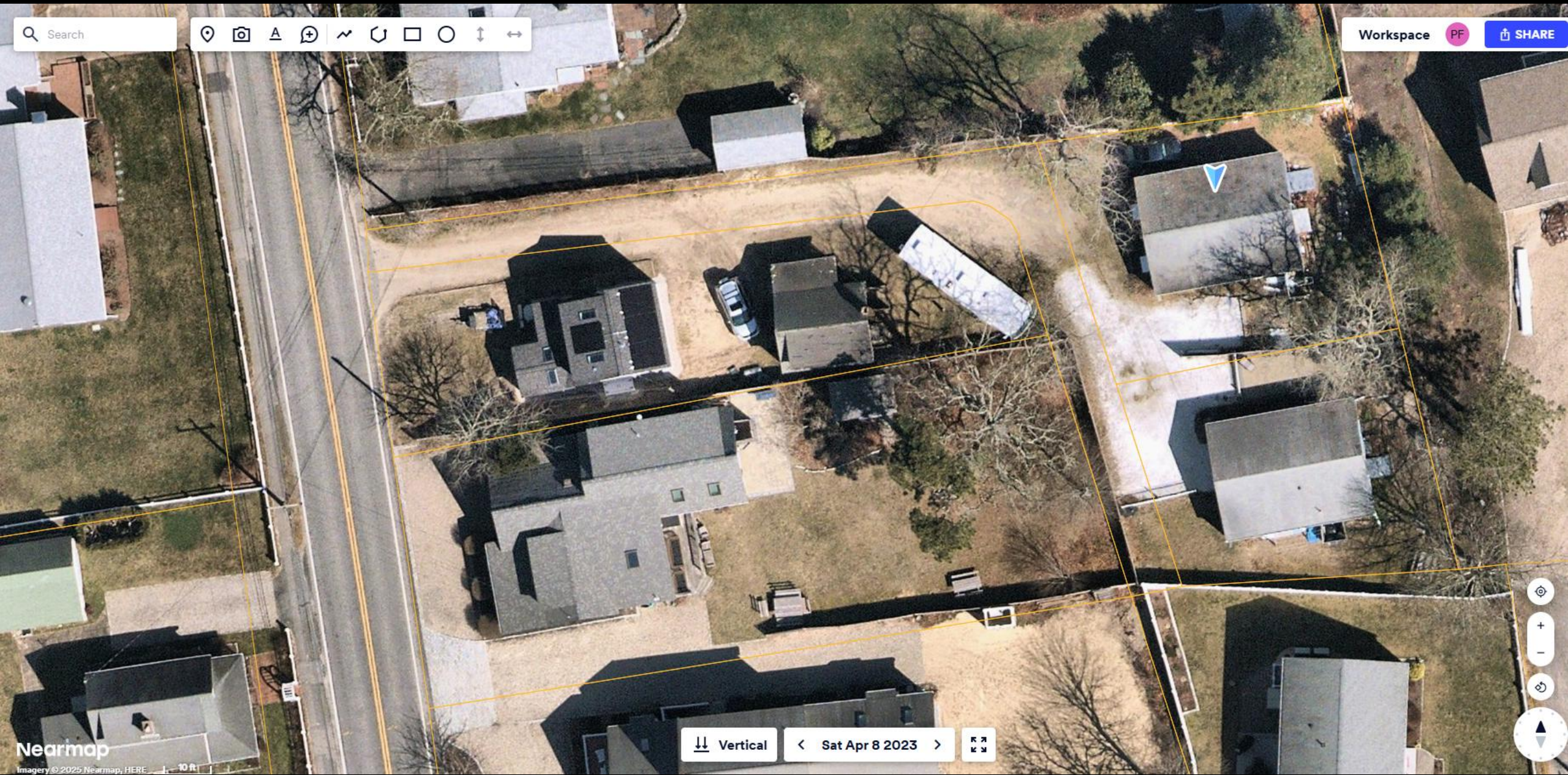
Nearmap

Imagery © 2025 Nearmap, HERE 10 ft

Vertical

< Thu Apr 21 2022 >





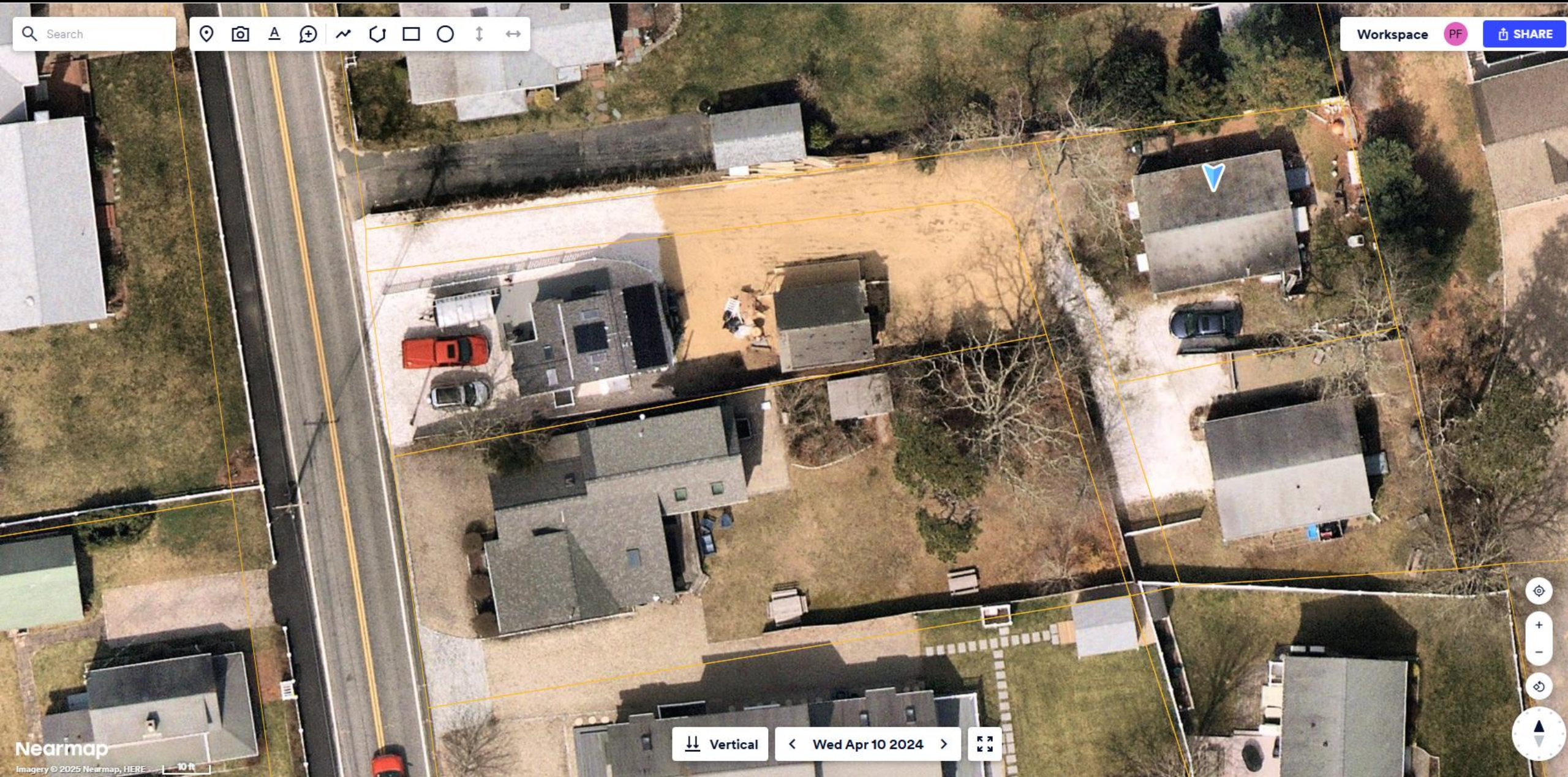
Search

Workspace PF SHARE

Nearmap
Imagery © 2025 Nearmap, HERE

Vertical < Sat Apr 8 2023 >





Search



Workspace

PF

SHARE

Nearmap

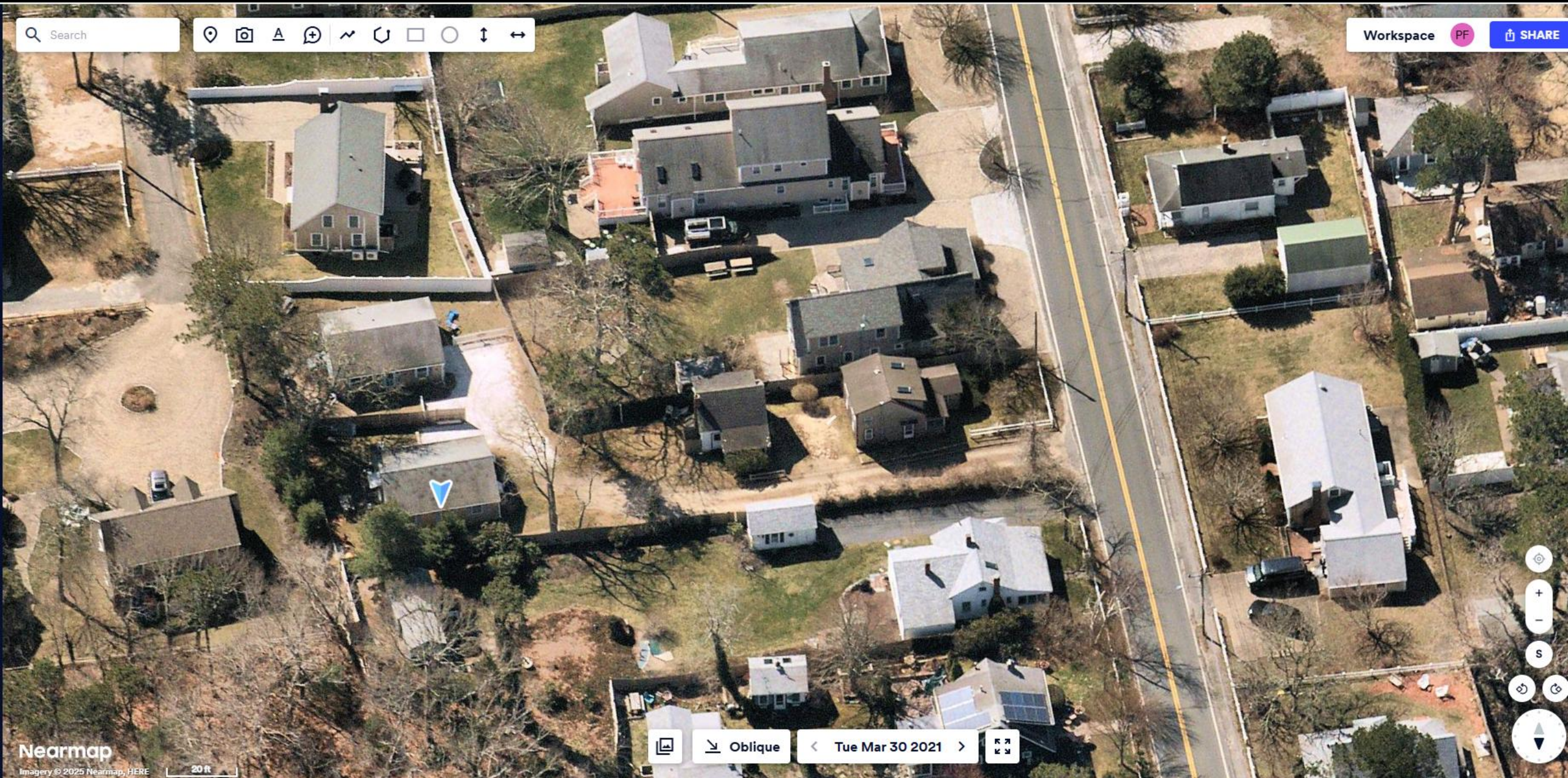
Imagery © 2025 Nearmap, HERE

10 ft

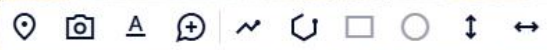
Vertical

< Wed Apr 10 2024 >





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Nearmap

Imagery © 2025 Nearmap, HERE

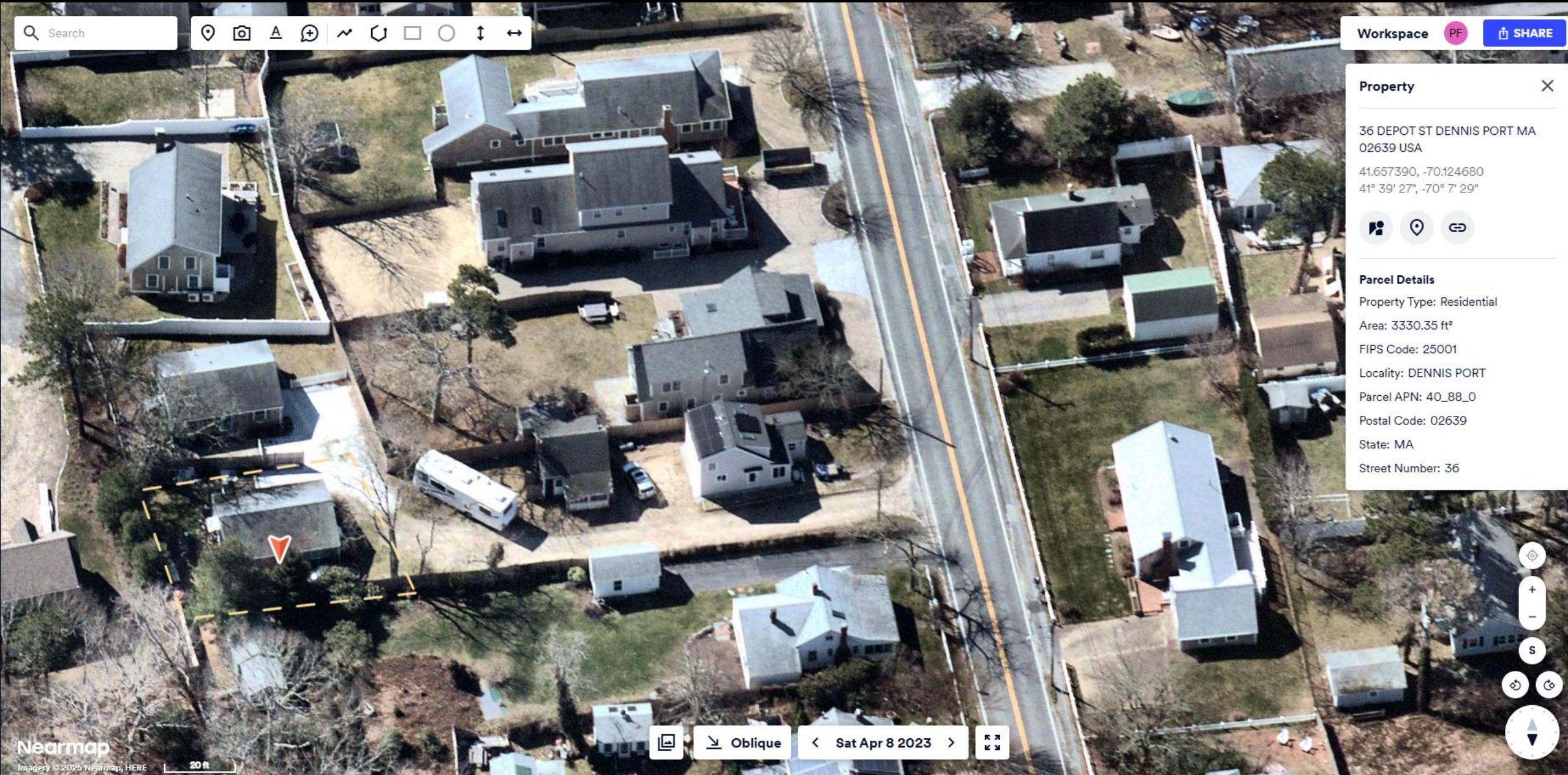
20 ft



Oblique

< Tue Mar 30 2021 >





Search



Workspace PF [SHARE](#)

Property

36 DEPOT ST DENNIS PORT MA
02639 USA

41.657390, -70.124680
41° 39' 27", -70° 7' 29"



Parcel Details

Property Type: Residential

Area: 3330.35 ft²

FIPS Code: 25001

Locality: DENNIS PORT

Parcel APN: 40_88_0

Postal Code: 02639

State: MA

Street Number: 36

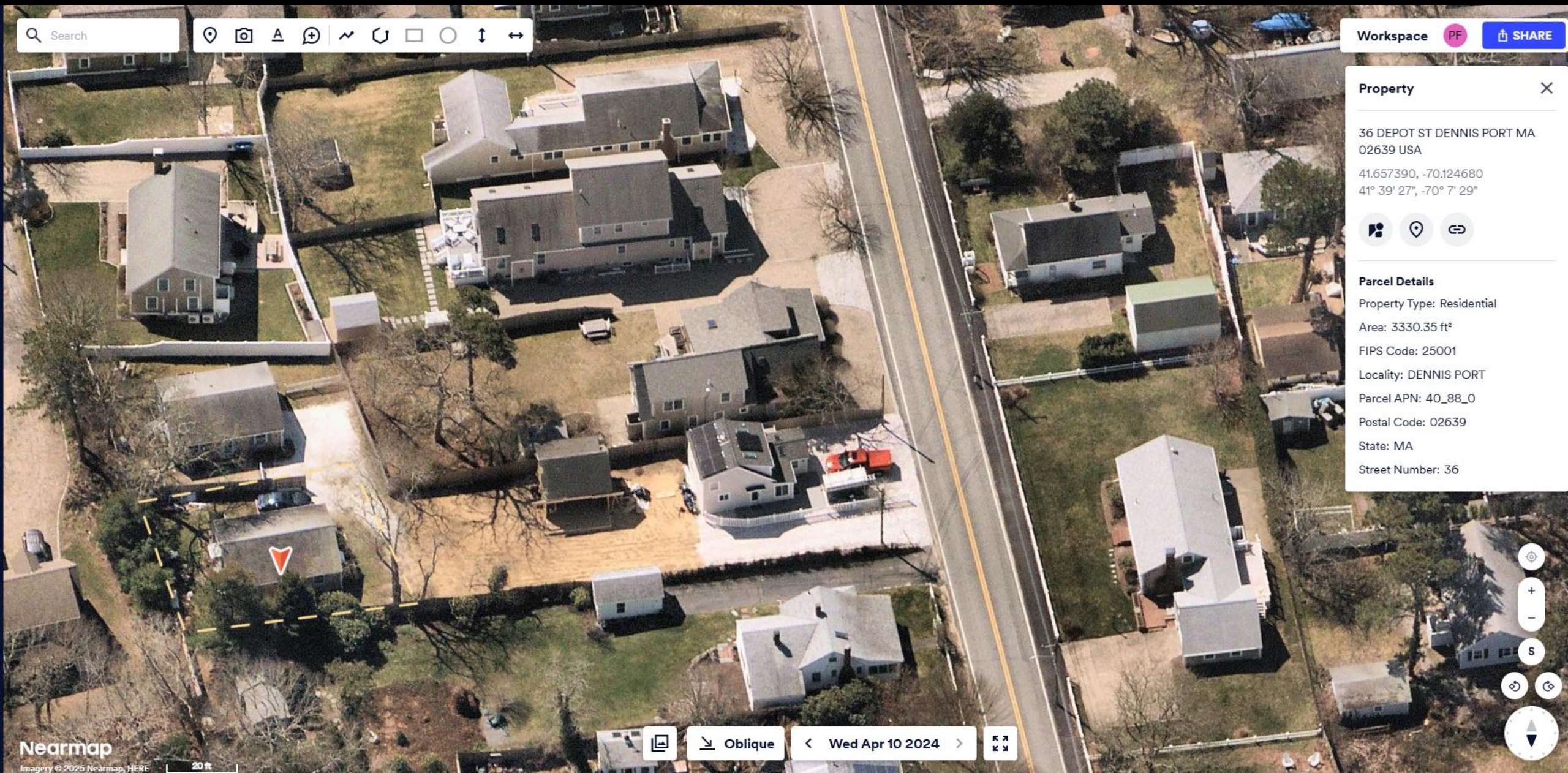
Nearmap

Imagery © 2025 Nearmap, HERE

20 ft

Oblique < Sat Apr 8 2023 >





Search



Workspace

PF

SHARE

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41.657390, -70.124680
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Postal Code: 02639

State: MA

Street Number: 36



Nearmap

Imagery © 2025 Nearmap, HERE

20 ft



Oblique

< Wed Apr 10 2024 >



DECISION

APPLICANT	Marianne Colanduno representing the Estate of Nancy J. Cushing
CASE NUMBER	ZBA 40-89
ZONING DISTRICT	RR

REGISTRY OF DEEDS REQUIRED INFORMATION (Must be filled out by applicant)			
Current Property Owners:		Marianne Colanduno representing the Estate of Nancy J. Cushing	
Property Address:		36 Depot Street, Dennis Port	
Registry of Deeds Title Reference		Book: 11891	Page 326
or Certificate of Title #		And Land Ct Lot	And Plan #
Town Map #	11891	Parcel	326

HEARING DATE	February 28, 2022
REQUEST	seeking a Variance pursuant to Bylaw Section 2.4.1.2 to grant lawful status to Lot 1 on a plan recorded at Book 278 Page 34 from 1973 and allow for potential future expansion within a designated building envelope, with potential upward expansion for either two single family units or one two-family unit by Special Permit

PLANS	
PLOT PLAN	"As-Built" Plot Plan by Sweetser Engineering dated 1/19/1999 as modified by Attorney Paul Tardif to represent future building envelope and attached hereto.

FINDINGS	The Board of Appeals found that the site is substandard in every dimensional aspect due to the use of Chapter 81 Section 81L to divide the property into "lots with structures that were in existence at the time Subdivision Control was adopted in the Town of Dennis". Further the Board found: Hardships • The current property owners were not a party to the division of the land. • The current property owners acquired by individuals with no knowledge of the underlying zoning violations.
----------	---

APPLICANT	Colanduno	Page 2
CASE NUMBER	ZBA 40-89	

	- The "81L" Plan that divided this cottage colony was based upon the incorrect assumption that the cottages stood on the site in 1935 when Dennis adopted Subdivision Control. - None of the lots created by the "81L" plan met lot area requirements for this part of Dennis Port in 1973. - The land in question has no legal zoning status. - The structures, based upon case law regarding "81L" plans; the required 7,500 sf per dwelling required in Dennis Port prior to November 15, 1973; and the fact that the plan history illustrates two of the structures that were part of the "81L" plan were not in existence in 1935, are not lawfully pre-existing non-conforming. - The lack of legal zoning status could result in the total loss of investment to the unit owners should a disaster occur.
VOTE	The Board voted unanimously to approve the Variance with conditions (Oliveira [Chair], Kyrimes, E Ridley, Carrick and A Ridley [alt])

CONDITIONS	- The lot is granted variance from minimum lot size requirements and is allowed to remain in its current size. - The property may continue to be used for residential purposes without the need for further Variance relief. - The property may have the residences altered or replaced with a new structure(s) as long as the structure(s) are located within the building envelope on the plan accompanying this decision. - New structure(s) on the property may either be two single family dwellings or one two-family dwelling. - Future changes on the site shall be subject to normal Dennis Site Plan or Special Permit review processes as appropriate as long as condition 3 and 4 are complied with.
------------	--

Details of the hearing and decision are on file in the Planning and Appeals Office at the Dennis Town Offices as File ZBA 40-89. Appeal from this decision may be made pursuant to Massachusetts General Laws Chapter 40A, Section 17, within 20 days of filing with the Town Clerk. This Special Permit shall lapse if substantial use or construction has not commenced without good cause within one year from the date issued.

I certify that a copy of the original decision has been filed with the Town Clerk.

DATE: April 1, 2022

I certify that this decision was filed on March 11, 2022, and no appeal was filed within 20 days after date of filing.

Ernie Oliveira
Ernie Oliveira, Chair

Sarah P. McDonald
Dennis Town Clerk

#17202
1:37p

CLERK
11 AM 10:30

15

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Ang

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(Angie)

IC

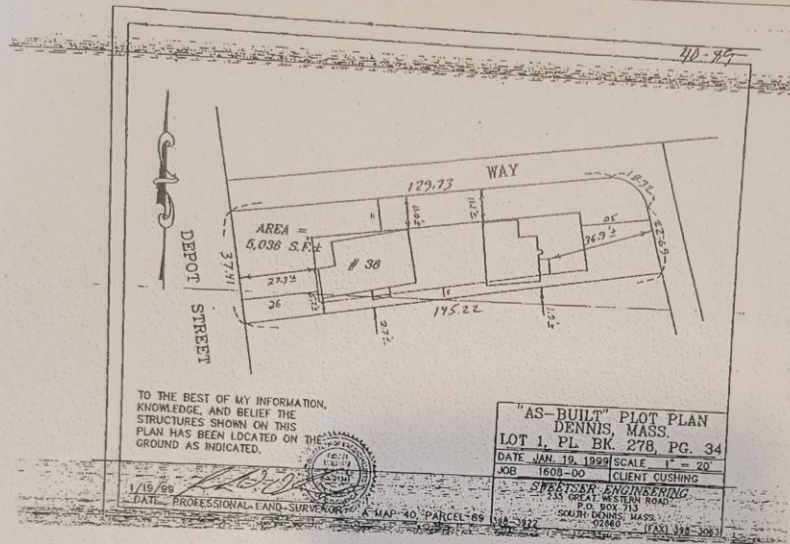
29

2000 + 2000 = 4000
2000 on LAY

960

APPLICANT	Colanduno
CASE NUMBER	ZBA 40-89

Page 3



JOHN F. MEADE, REGISTER
 BARNSTABLE COUNTY REGISTRY OF DEEDS
 RECD 11/19/99 11:00 AM

ter protection • railing • fencing • fiber cement • deck

#17202
 37p

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 AM 10:35

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(Angle)

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2000 LAMINAR
 20000 LAM

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1000

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43

OCTOBER							NOVEMBER			
S	M	T	W	T	F	S	S	M	T	W
1	2	3	4	5	6	7				
8	9	10	11	12	13	14	1	2	3	4
15	16	17	18	19	20	21	5	6	7	8
22	23	24	25	26	27	28	12	13	14	15
29	30	31					19	20	21	22



SUBMITTAL SUMMARY REPORT (BLDR-024956-2024)
FOR TOWN OF DENNIS

PERMIT ADDRESS: 36 DEPOT STREET
DP, MA 02639
PARCEL: 40-89-0
APPLICATION DATE: 01/12/2024
SQUARE FEET: 995
EXPIRATION DATE: 01/12/2024
VALUATION: \$135,000.00
DESCRIPTION: Renovation of total house including walls, insulation, windows, siding, etc.

CONTACTS	NAME	COMPANY	ADDRESS
Applicant	Michael Woessner	Michael Woessner	102 Skaket Beach Road Orleans, MA 02653
Owner	James Feeley		

SUBMITTAL	STARTED	DUE	COMPLETE	STATUS
Building Review v.1	01/16/2024	02/06/2024		In Review

SUBMITTAL DETAILS				
Building Review v.1				
ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Building (Building)	John Mushinsky	02/06/2024		More Info Required
Comments	emailed applicant			
Health (Health)	David Coakley	02/06/2024		More Info Required
Natural Resources (Conservation - DNR)	Erin Burnham	02/06/2024	01/30/2024	Complete
Zoning (Building)	Paul Fowler	01/16/2024		Pending Board Approval
Comments	Special Permit required per 2.4.1.2 for the increase in footprint and height of a non-conforming structure that will extend lot coverage on a non-conforming lot. Please reference ZBA 40-89 March 11, 2022			

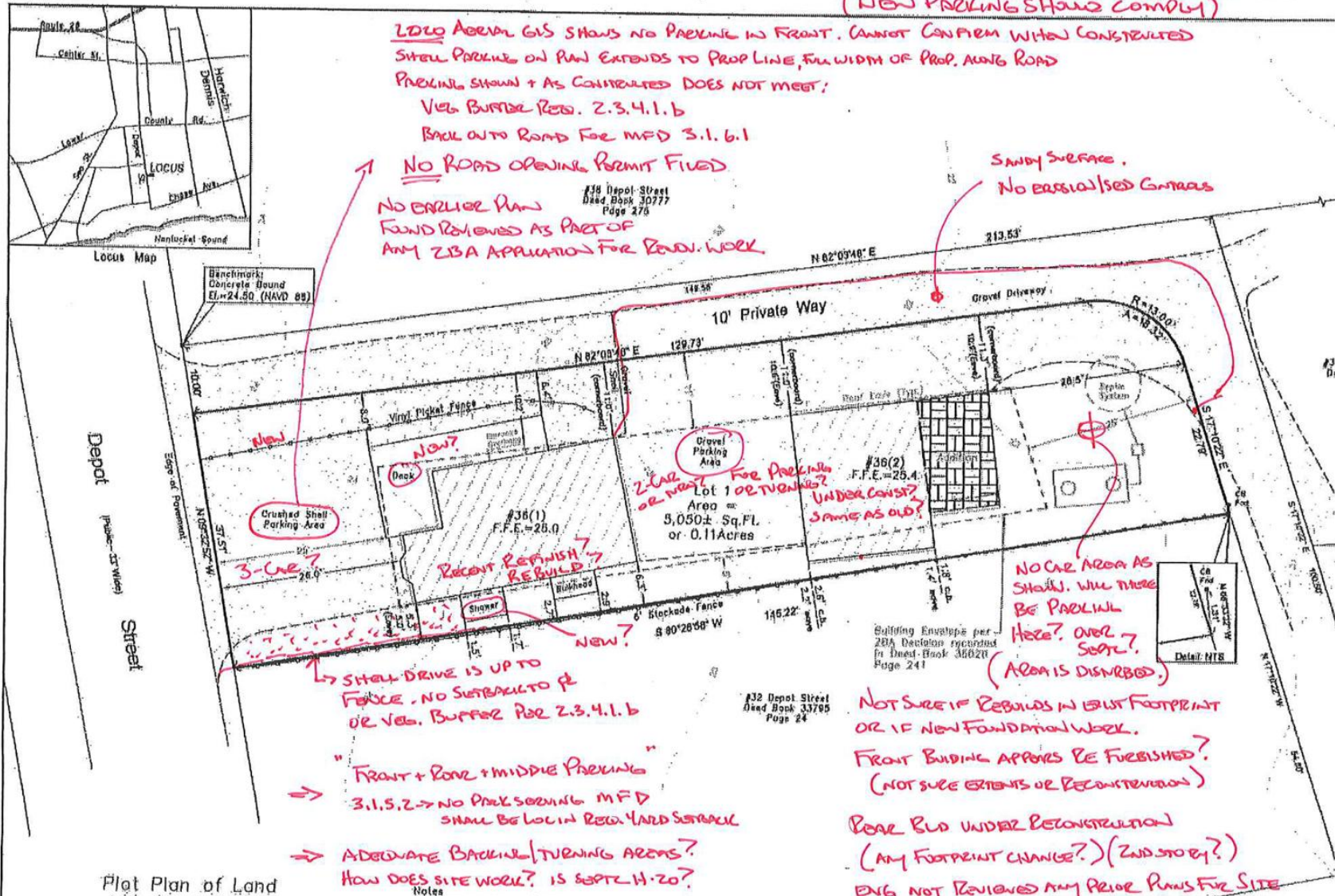
DOES 3.1.2 APPLY AS THIS IS EXISTING USE, IS ANYTHING BEING PROPOSED OR CONSTRUCTED?
CHANGE ENOUGH TO REQ. ZONING COMPLIANCE?
(NEW PARKING SHOULD COMPLY)

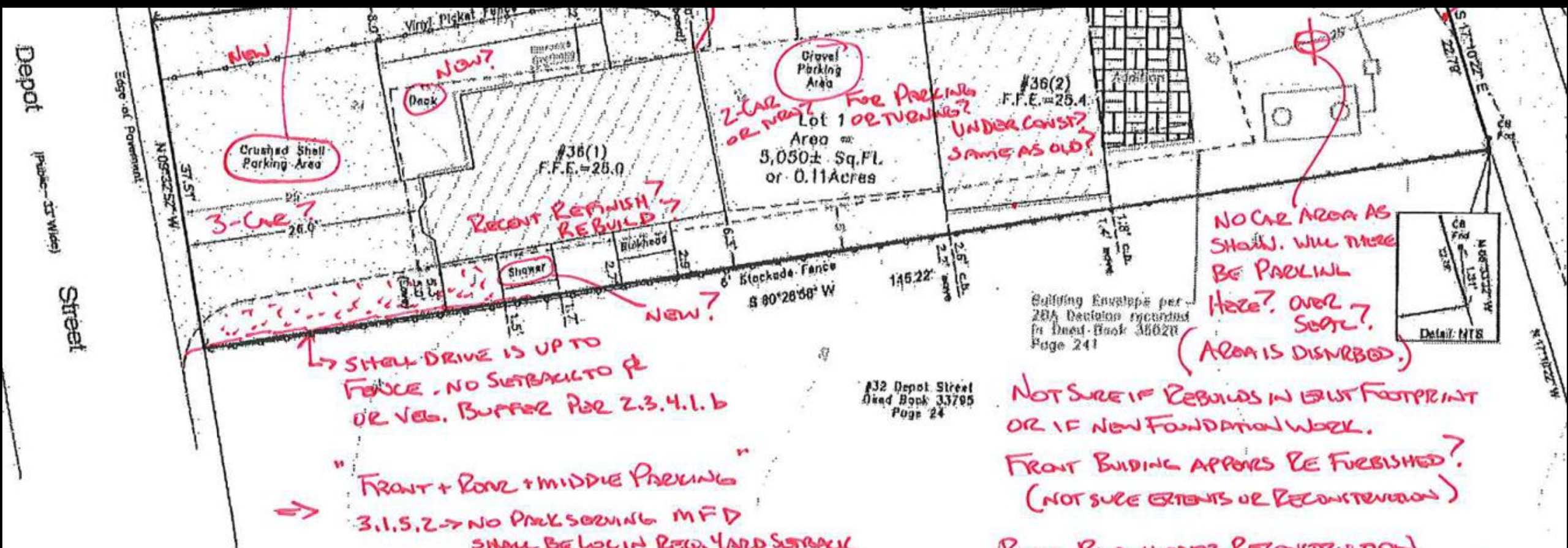
2020 Aerial GIS SHOWS NO PARKING IN FRONT. CANNOT CONFIRM WHEN CONSTRUCTED
STREET PARKING ON R/W EXTENDS TO PROP. LINE, FULL WIDTH OF PROP. ALONG ROAD
PARKING SHOWN + AS CONSTRUCTED DOES NOT MEET:
VEH. BUFFER REQ. 2.3.4.1.1
BACK ON TO ROAD FOR MFD 3.1.6.1

NO ROAD OPENING PERMIT FILED

NO EARLIER PLAN
FOUND REVIEWED AS PART OF
ANY ZBA APPLICATION FOR REDEV. WORK

SANDY SURFACE.
NO PAVED/SEALING GRASS





Plot Plan of Land
#36 Depot Street
Dennis Port, MA
prepared for
A., Jr. & Allysen M. Feeley

- Notes
1. Assessor's Parcel 40-88
 2. Zone: Resort Residential
 3. Max. Building Coverage: 15%
Original Building Coverage
1,017 s.f./8,050 s.f. = 20.1%

~~IS FRONT SIDE DRIVE?~~
~~IF TOTAL 3 UNITS, NEED 6 SPACES~~

NOT SURE IF REBUILDS IN EXIST FOOTPRINT OR IF NEW FOUNDATION WORK.
FRONT BUILDING APPEARS RE FURNISHED?
(NOT SURE EXTENTS OR RECONSTRUCTION)
REAR BLD UNDER RECONSTRUCTION
(AM FOOTPRINT CHANGE?)(2ND STORY?)
ENG NOT REVIEWED ANY PRIOR PLANS FOR SITE

I hereby certify that the structures shown hereon are located as they exist on the ground

Donald T. Poole
P.L.S. #37882
Date: 10/1/04

DOES 3.1.2 APPLY AS THIS IS EXISTING USE, IS ANYTHING BEING PROPOSED OR CONSTRUCTED?
CHANGE ENOUGH TO REQ. ZONING COMPLIANCE?
(NEW PARKING SHOULD COMPLY)

2020 Aerial GIS SHOWS NO PARKING IN FRONT. CANNOT CONFIRM WITH CONSTRUCTED
SMALL PARKING ON PLAN EXTENDS TO PROP LINE, FULL WIDTH OF PROP. ALONG ROAD
PARKING SHOWN + AS CONSTRUCTED DOES NOT MEET;

VEG BUFFER REQ. 2.3.4.1.b

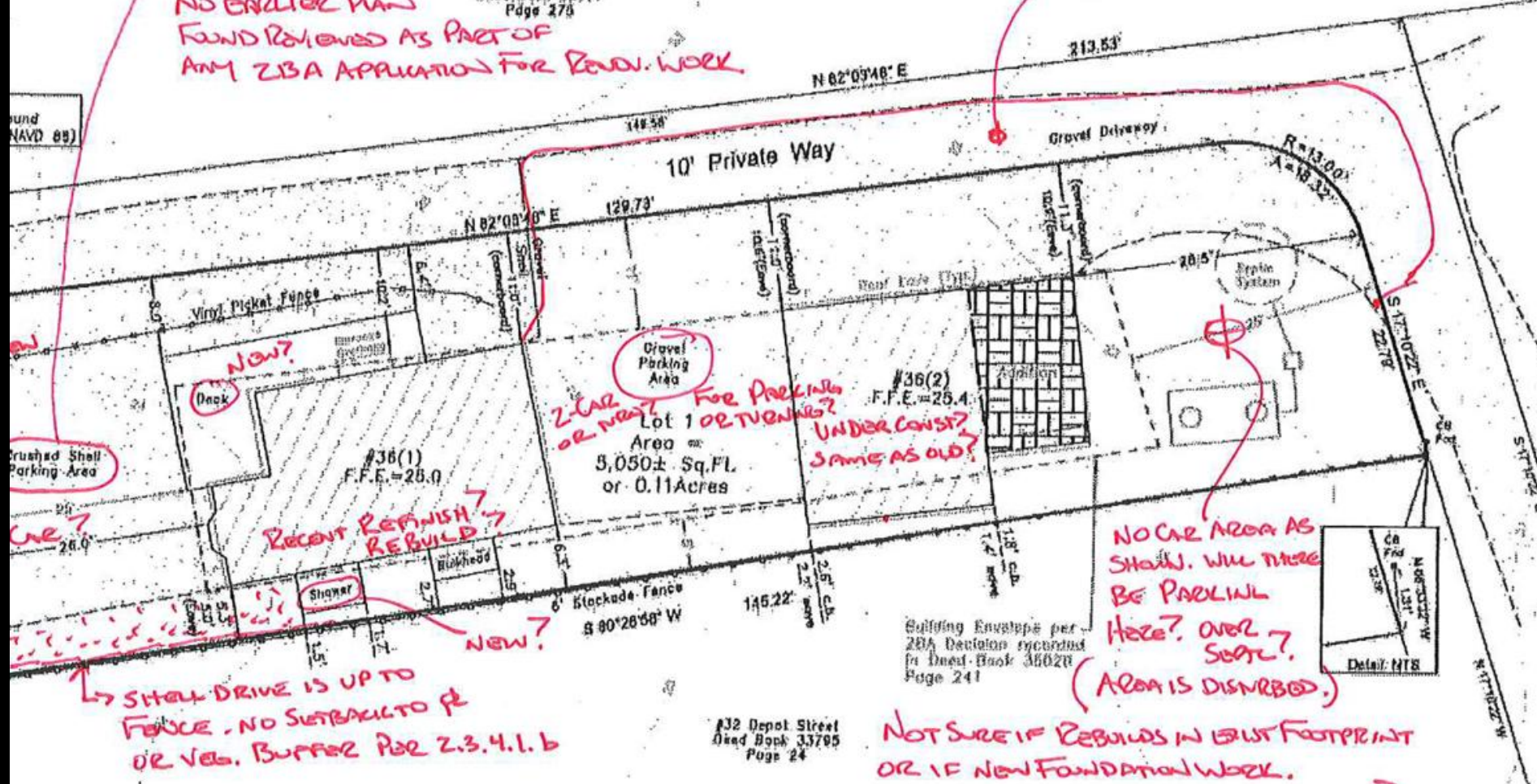
BACK OUT TO ROAD FOR MFD 3.1.6.1

↑ NO ROAD OPENING PERMIT FILED

NO EARLIER PLAN
FOUND REVIEWED AS PART OF
ANY ZBA APPLICATION FOR REDEV. WORK.

#18 Depot Street
Aired Book 30777
Page 278

SANDY SURFACE.
NO SPECIALISED GRASSES



#32 Depot Street
Aired Book 33785
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NOT SURE IF REBUILDS IN EXIST FOOTPRINT
OR IF NEW FOUNDATION WORK.