

**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).

**Hurricane SLOSH**

- Category 1
- Category 2
- Category 3

**FEMA Flood Zones**

- FEMA Flood Zone 2014 - 0.2%
  - 0.2% Chance
- FEMA Flood Zone 2014 - AE
  - AE
- FEMA Flood Zone 2014 - VE
  - VE

**Voting Precincts**

- Voting Precincts 2020 - Labels
- Voting Precincts 2020 (updated 2024)
  - 1
  - 2
  - 3
  - 4
  - 5

**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

**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:

Parcel ID:

Address:   [Clear](#)

Condo/Cottage  
Colony:

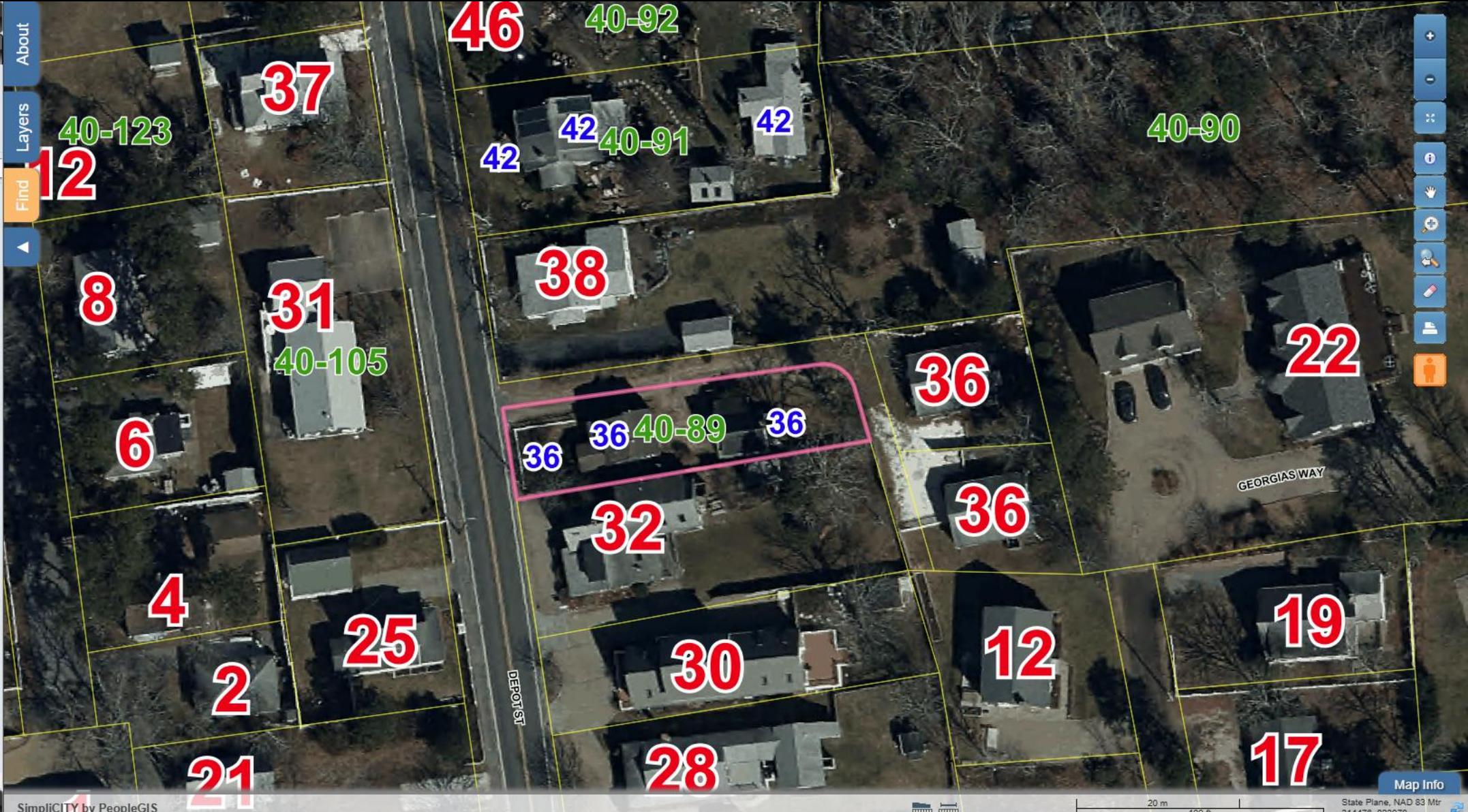
Results Summary

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	<a href="#">PK Field Card</a>

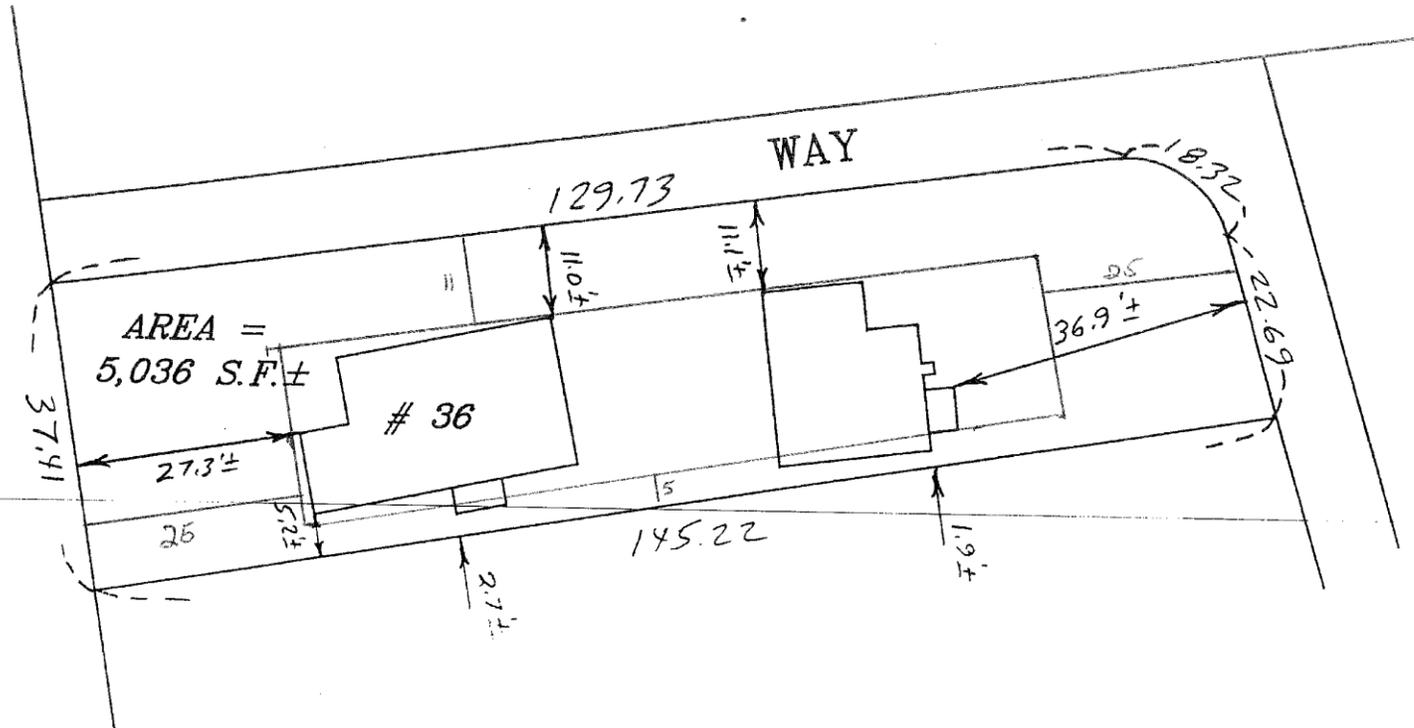


40-89



DEPOT STREET

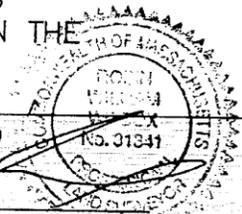
WAY



AREA =  
5,036 S.F. ±

# 36

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

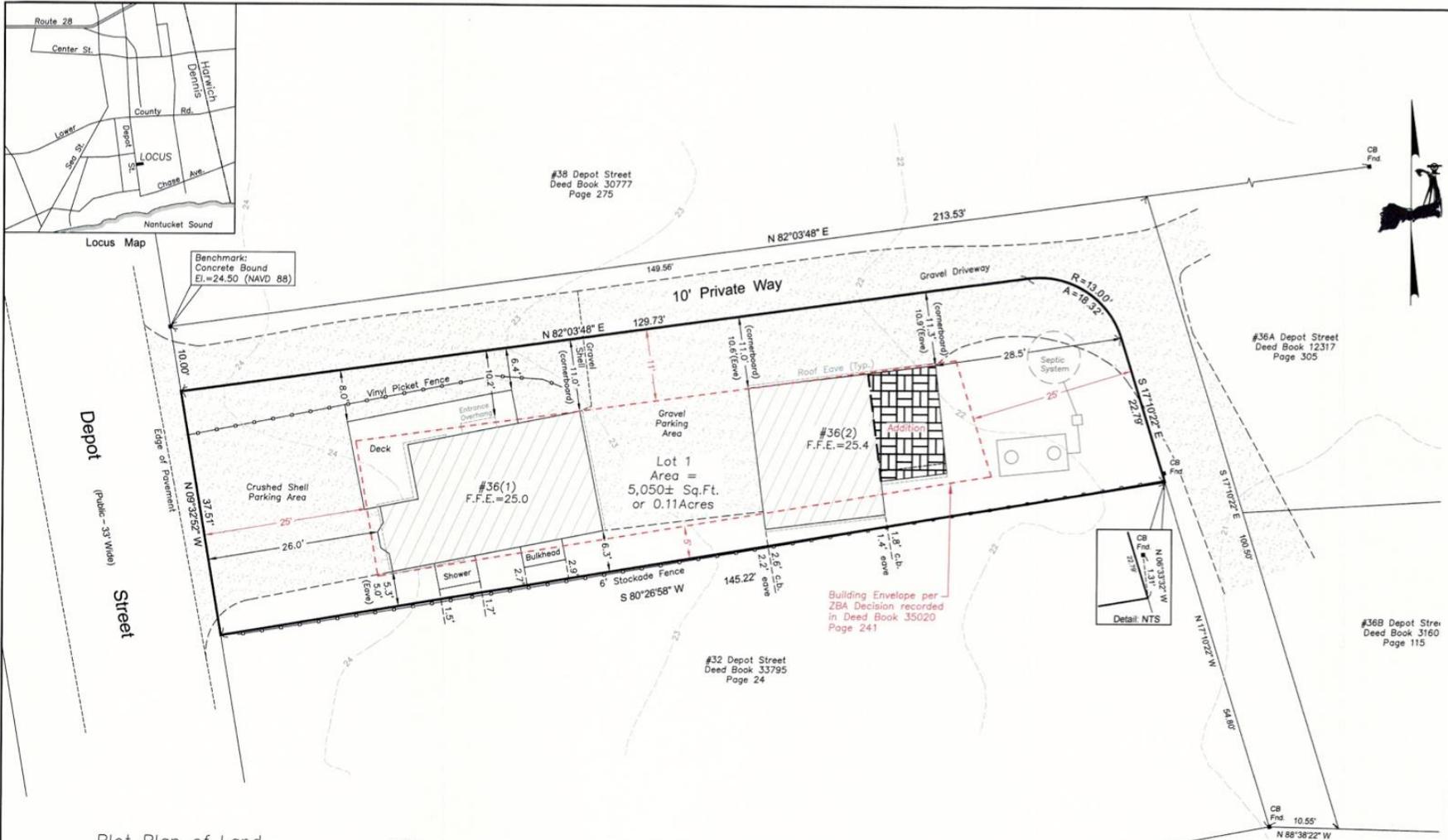
DATE JAN. 19, 1999	SCALE 1" = 20'
JOB 1608-00	CLIENT CUSHING

**SWEETSER ENGINEERING**  
235 GREAT WESTERN ROAD  
P.O. BOX 713  
SOUTH DENNIS, MASS.

398-3922 02660 (FAX) 398-3063

## CONDITIONS

1. The lot is granted variance from minimum lot size requirements and is allowed to remain in its current size.
2. The property may continue to be used for residential purposes without the need for further Variance relief.
3. 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.
4. New structure(s) on the property may either be two single family dwellings or one two-family dwelling.
5. 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.



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' December 10, 2024  
 o/s #1524001

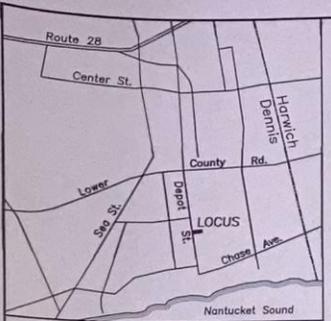


- Notes
1. Assessors Parcel 40-89
  2. Zone: Resort Residential
  3. Max. Building Coverage: 15%  
 Original Building Coverage  
 1,017 s.f./5,050 s.f. = 20.1%  
 Existing Building Coverage:  
 1,185 s.f./5,050 s.f. = 23.4%
  4. Structures do not fall in a special flood hazard zone as shown on F.E.M.A. 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

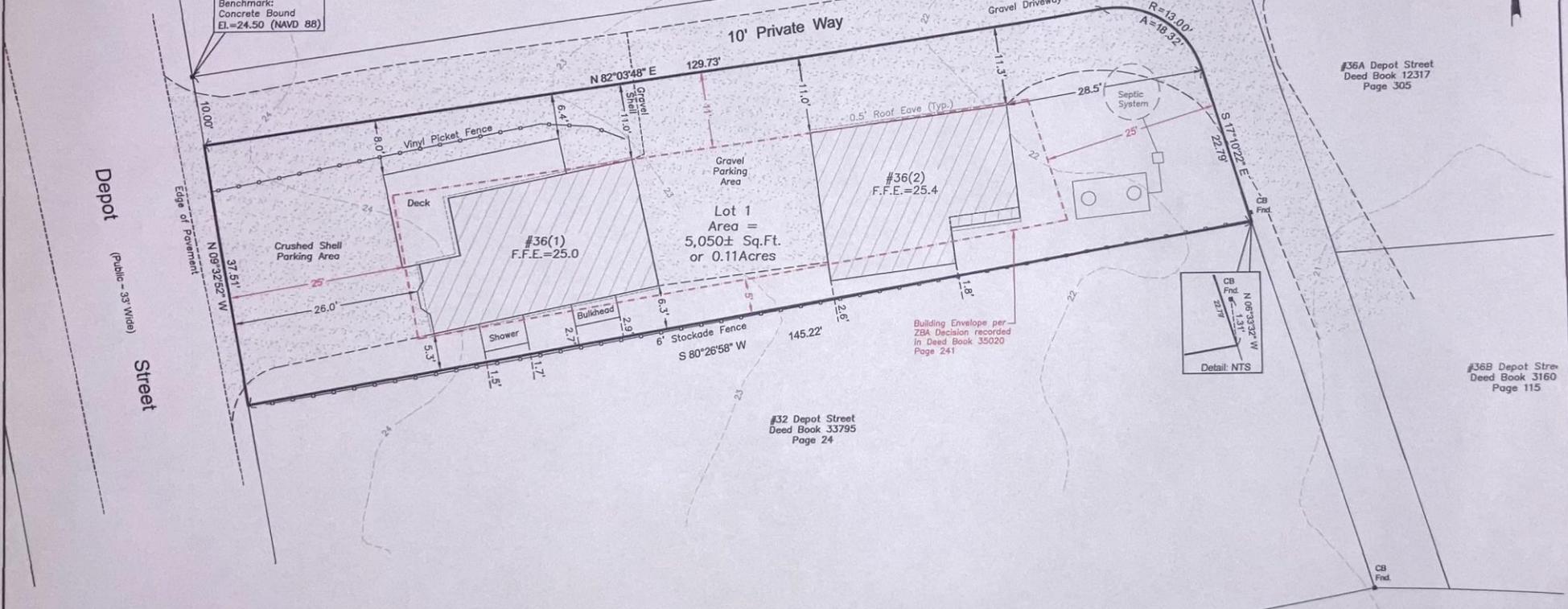
*Donald T. Poole* Date  
 Donald T. Poole  
 P.L.S. #32662





Locus Map

Benchmark:  
Concrete Bound  
E.L.=24.50 (NAVD 88)

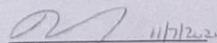


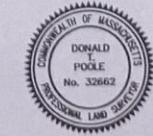
Plot Plan of Land  
#36 Depot Street  
Dennis Port, MA  
prepared for  
James A., Jr. & Allysen M. Feeley  
Deed Book 35032 Page 108  
Lot 1, Plan Bk. 278 Pg. 34  
Scale: 1" = 10' November 7, 2024  
ols #1524001



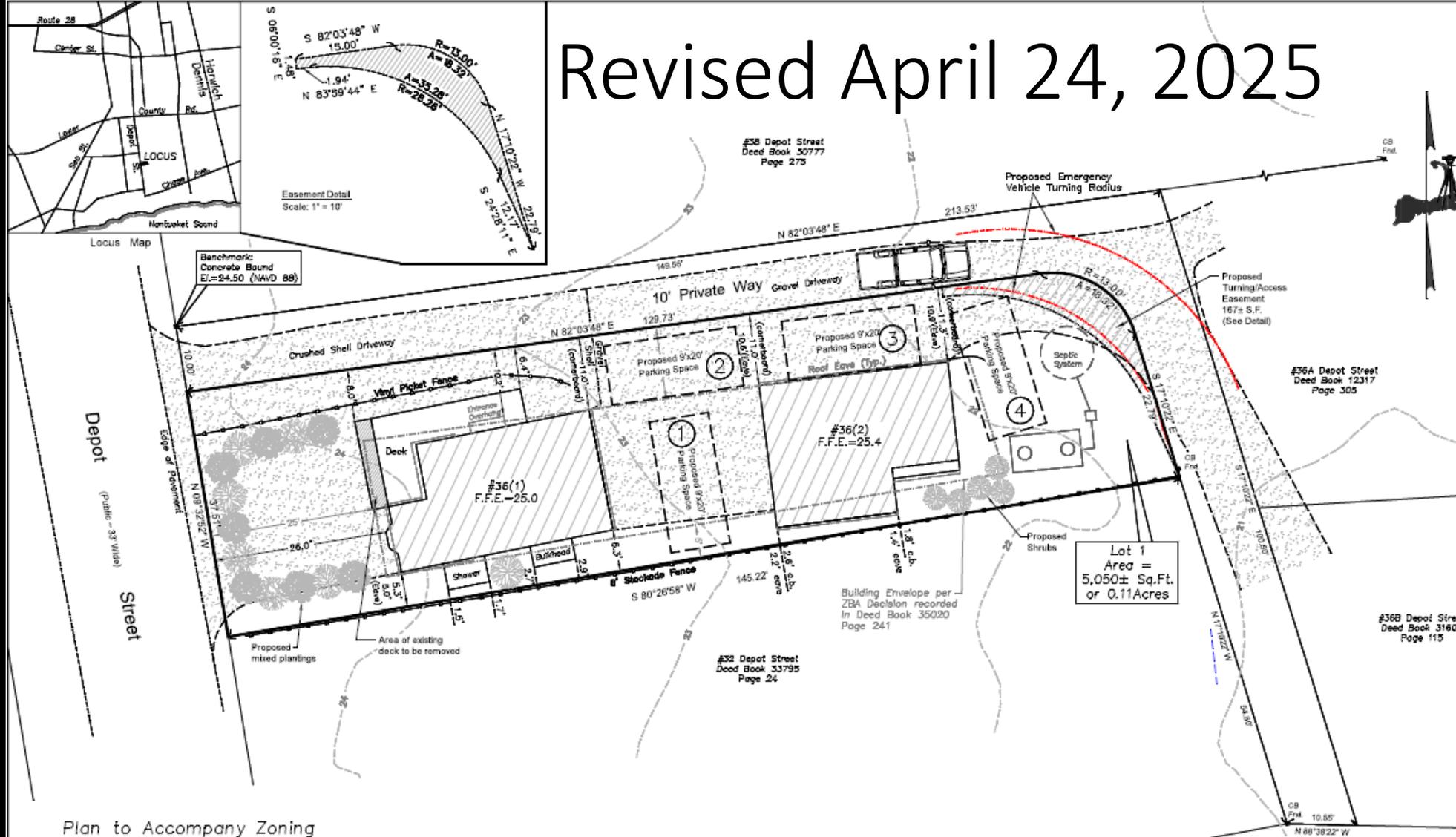
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  5. Septic system shown from Board of Health "As-Built" Plans

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

  
Donald T. Poole Date 11/7/2024  
P.L.S. #32662



# Revised April 24, 2025



Plan to Accompany Zoning Board of Appeals Application #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' March 20, 2025 ols #1524001

- Notes**
- Assessors Parcel 40-89
  - Zone: Resort Residential
  - Max. Building Coverage: 15%  
Original Building Coverage 1,017 s.f./5,050 s.f. = 20.1%  
Existing Building Coverage: 1,185 s.f./5,050 s.f. = 23.4%
  - 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
  - Septic system shown from Board of Health "As-Built" Plans

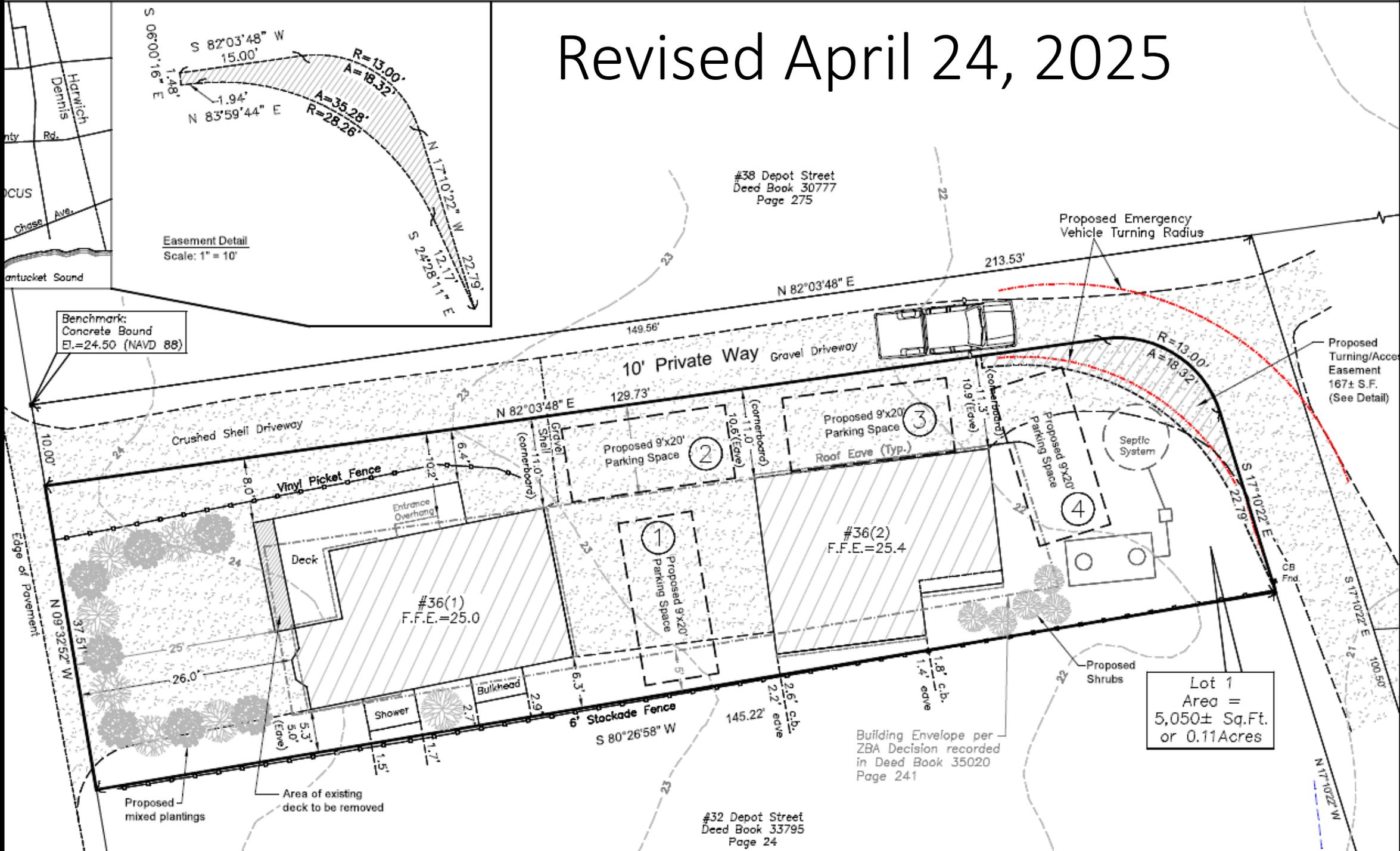
Basic Site Data	Required/Allowed	Existing	Proposed
Frontage	50'	37.51'	no change
Front Setback	25'	24.2'	26.0'
Right Side Setback	15'	1.5'	no change
Left Side Setback	15'	6.4'	no change
Rear Setback	25'	28.5'	no change
Lot Area	40,000 s.f.	5,050 s.f.	no change
Lot Width	100'	36.81'	no change
Non-conforming floor space within setbacks		117 s.f.	no change
Cumulative lot coverage (footprint) percent for all (Bldg. Coverage)	15%	26.1%	25.4%
Cumulative floor space of all structures (FAR)		1,873 s.f.	1,514 s.f.
Cumulative floor space to lot area % all structures		37.0%	29.9%

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

Donald T. Poole Date  
P.L.S. #32662



# Revised April 24, 2025



Easement Detail  
Scale: 1" = 10'

Benchmark:  
Concrete Bound  
Ei.=24.50 (NAVD 88)

#38 Depot Street  
Deed Book 30777  
Page 275

#32 Depot Street  
Deed Book 33795  
Page 24

Lot 1  
Area =  
5,050± Sq.Ft.  
or 0.11 Acres

Building Envelope per  
ZBA Decision recorded  
in Deed Book 35020  
Page 241

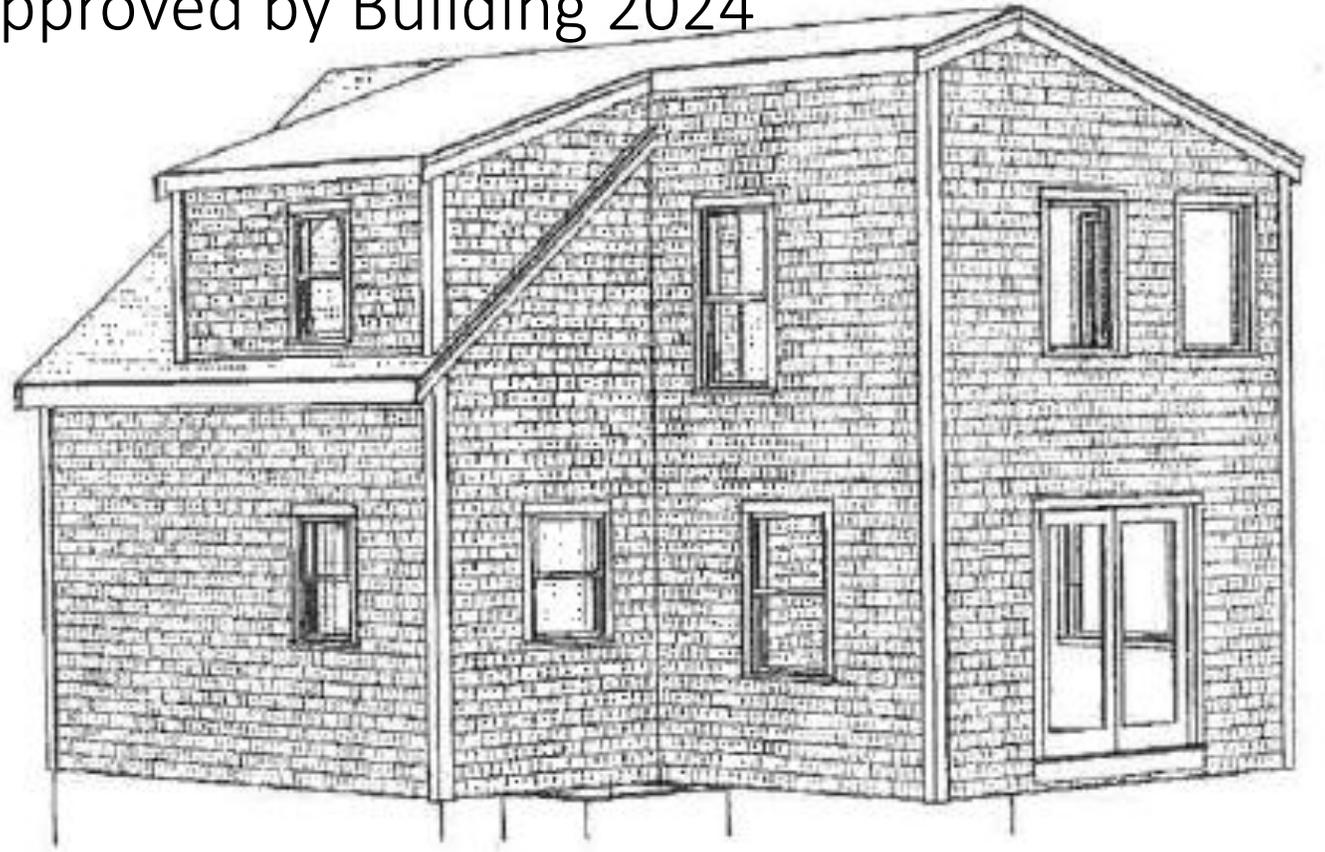
Proposed  
Turning/Access  
Easement  
167± S.F.  
(See Detail)



Built

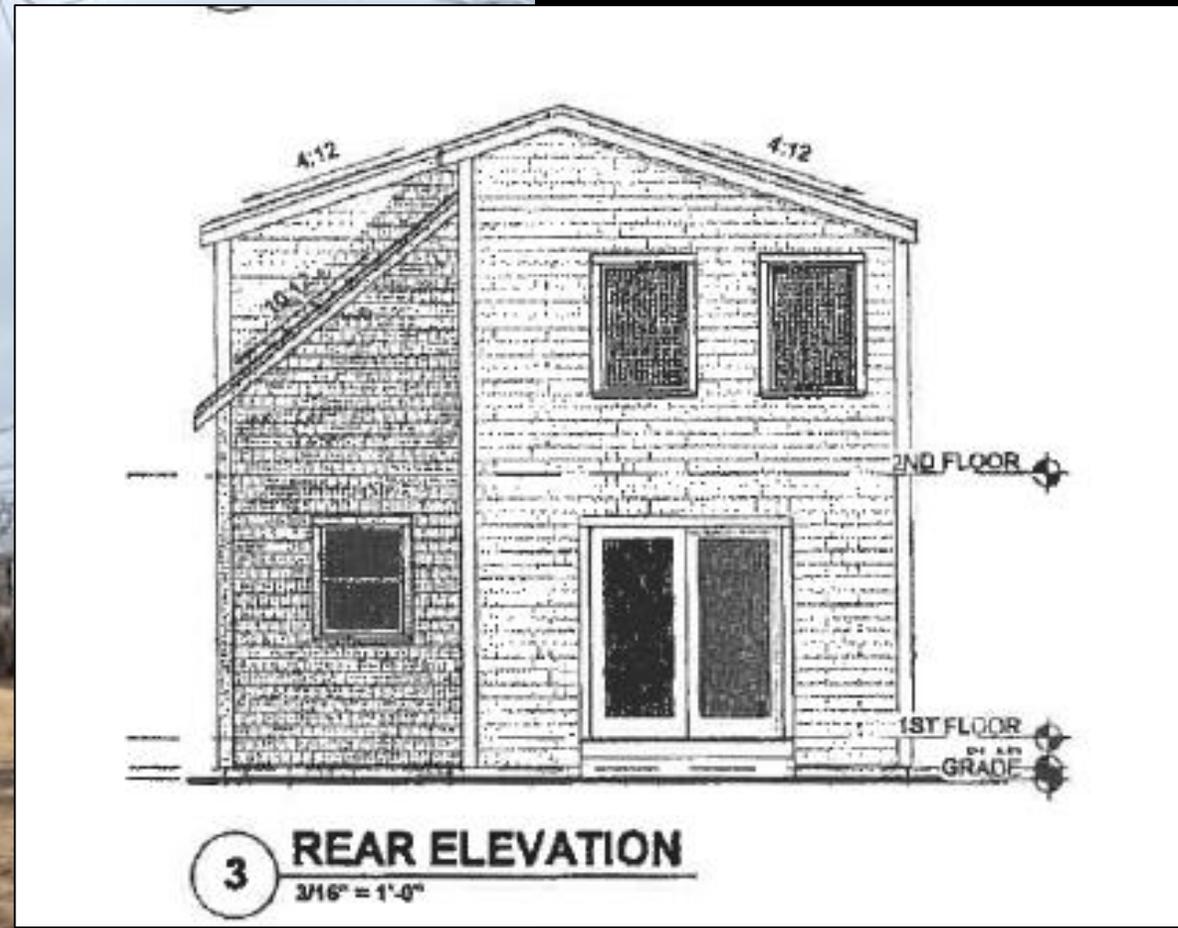


Approved by Building 2024

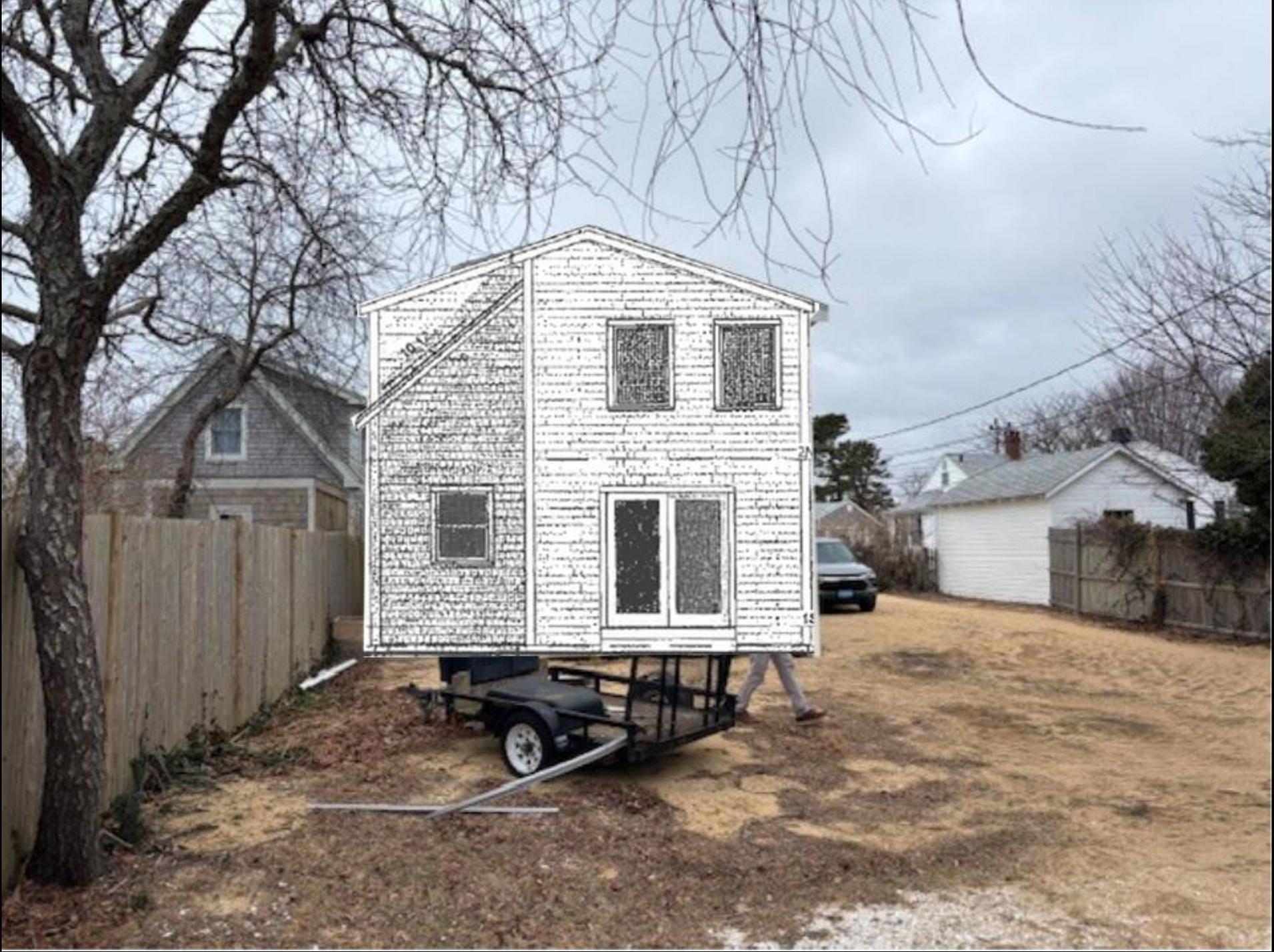


2 3D VIEW #2



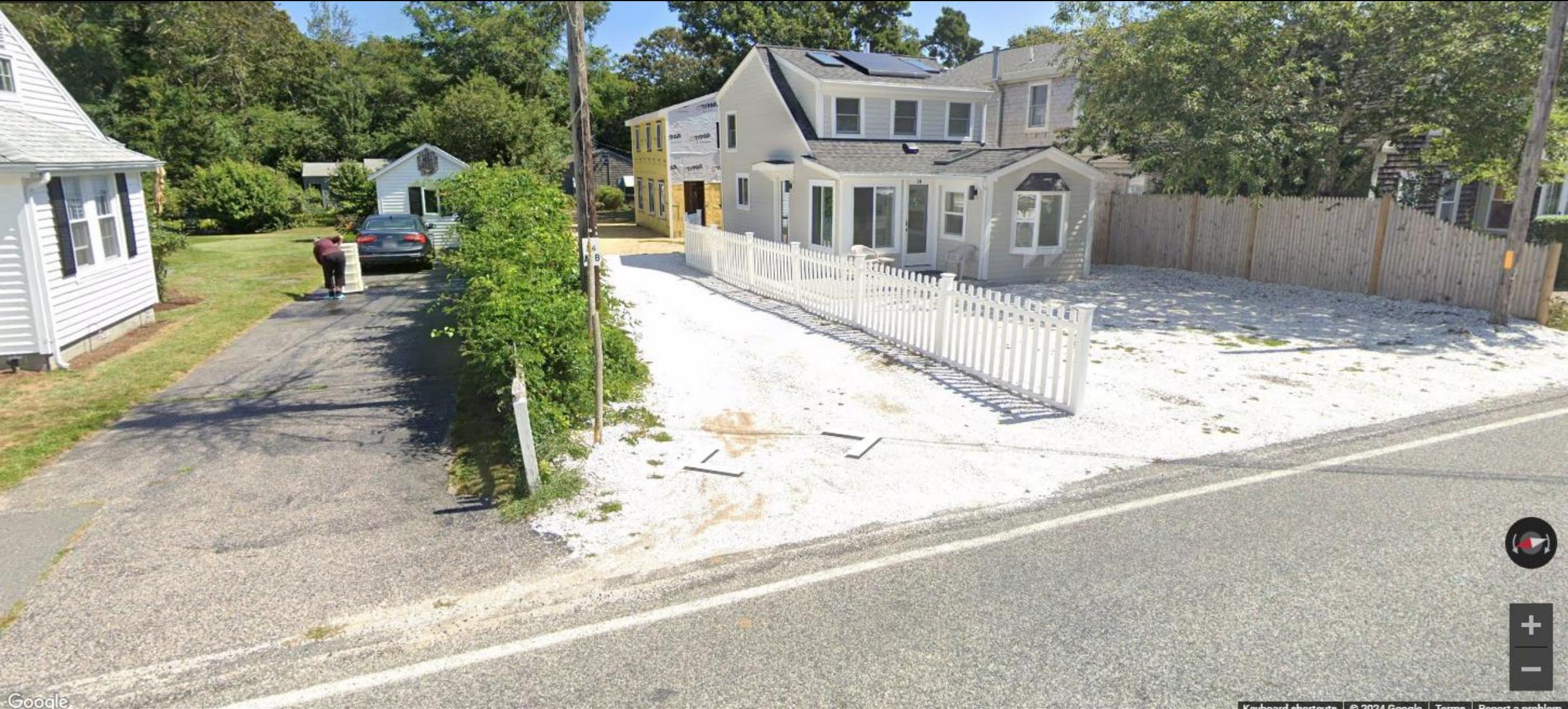


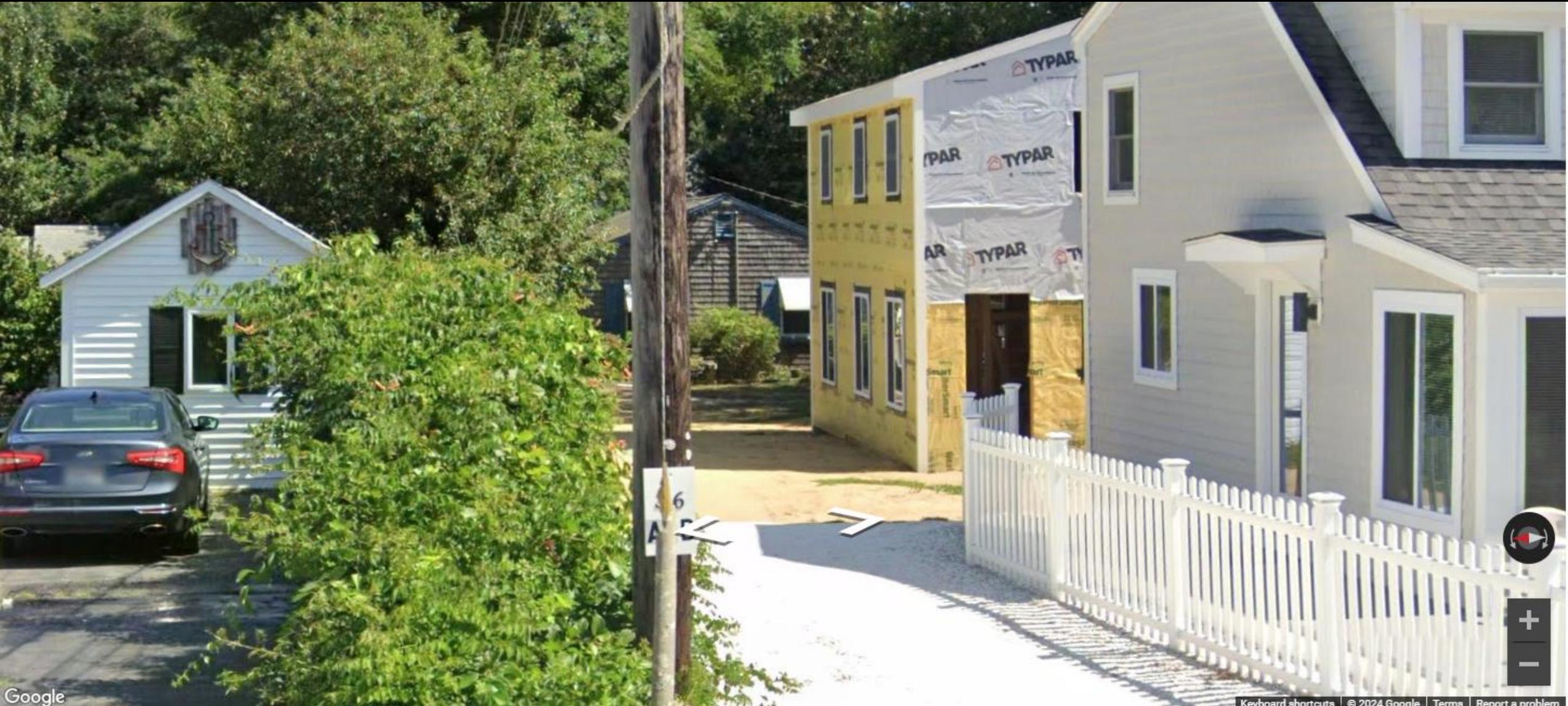


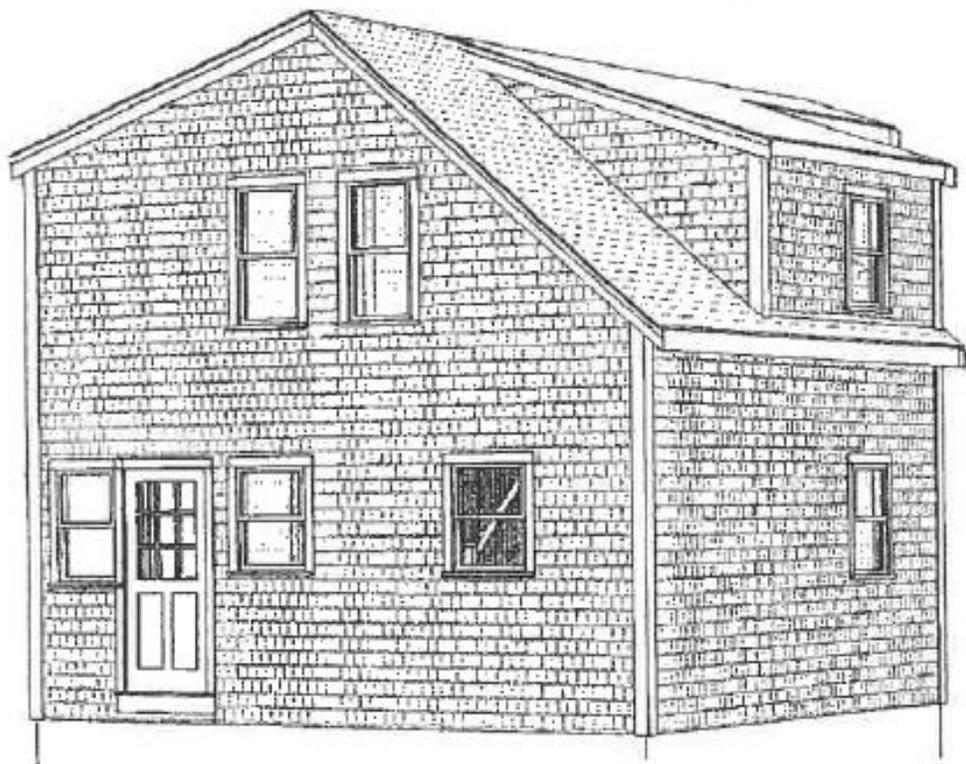












1 3D VIEW #1



# Revised May 14, 2025

## FEELEY/ BACK COTTAGE RENOVATION

36 DEPOT ST  
DENNIS PORT, MA

REVISION 4/  
05.14.25  
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 Cudlo, P.E.  
123 Cottonwood Lane  
Centerville, MA 02632-1979  
mudlo@comcast.net  
508-737-8521

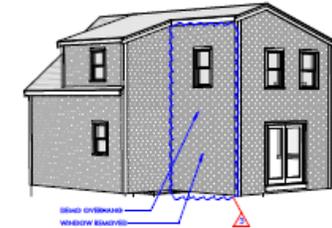
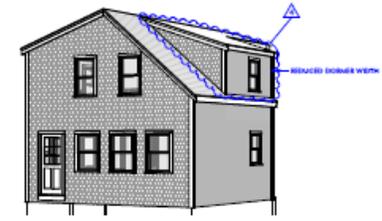
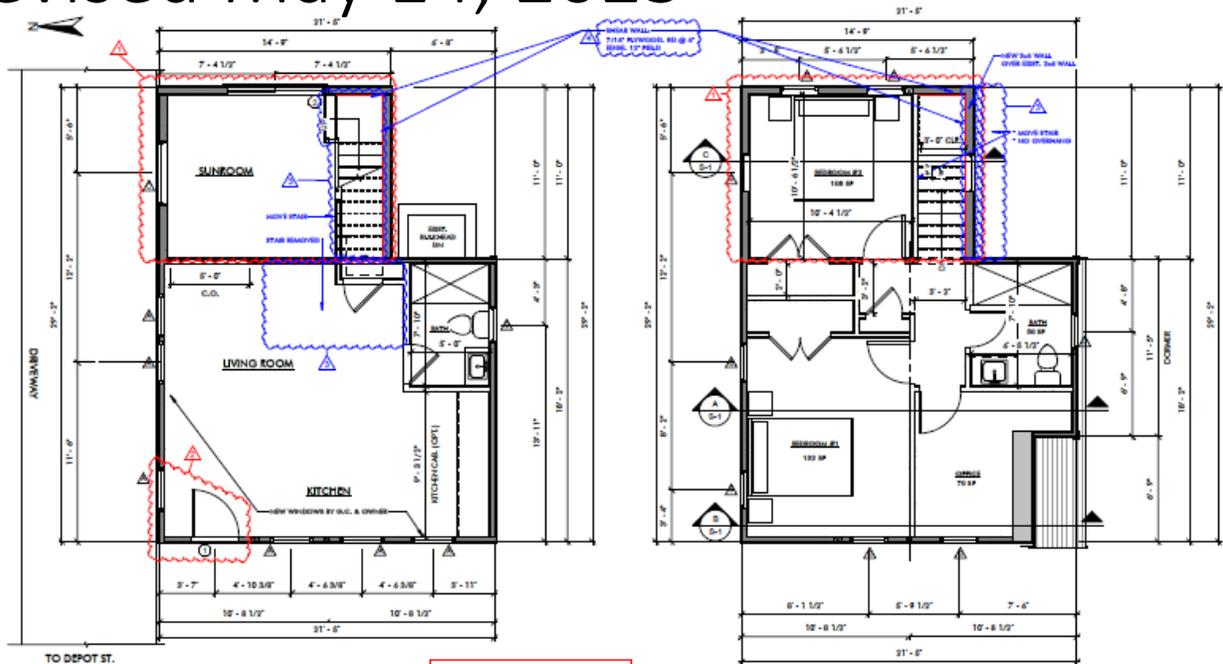
JOB# / 2023 - 284

### ARCHITECTURAL & STRUCTURAL DRAWINGS:

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

### FLOOR PLAN & ELEVATIONS

# A-1



EXTERIOR DOOR SCHEDULE						
DOOR	QUANTITY	WIDTH	HEIGHT	DESCRIPTION	MODEL	FINISH
1	1	3'-0"	6'-8"	STRIKE SWING	YES	
2	1	3'-0"	6'-8"	DEL. GLIDER	YES	

WINDOW SCHEDULE						
WINDOW	QUANTITY	WIDTH	HEIGHT	DESCRIPTION	MODEL	FINISH
A	8	2'-0"	4'-0"	OH	YES	
B	2	2'-0"	4'-0"	OH	YES	
C	2	4'-0"	4'-0"	PC	YES	
D	2	2'-0"	4'-0"	OH	YES	

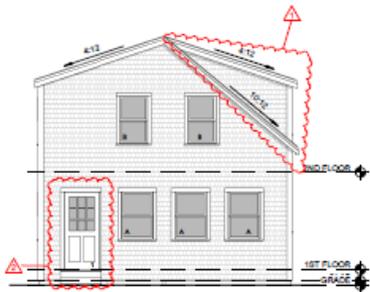
- NOTES:**
- Contractor to Verify ALL Rough Openings Per Manufacturer Specification PRIOR to Framing
  - All Doors & Windows to be Installed Per Manufacturer Specification
  - It is the Contractor's Responsibility to Ensure that at Least One Window in Each Bedroom has An Egress Window
  - Provide Tempered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

1 PROPOSED FIRST FLOOR  
31'-0" x 31'-0"

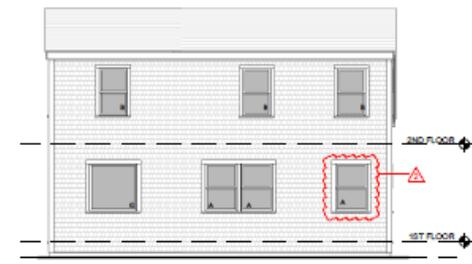
2 PROPOSED SECOND FLOOR  
31'-0" x 31'-0"

**BUILDING #2**  
1ST FLOOR: 341 SF  
2ND FLOOR: 485 SF  
TOTAL BLDG#2: 1026 SF

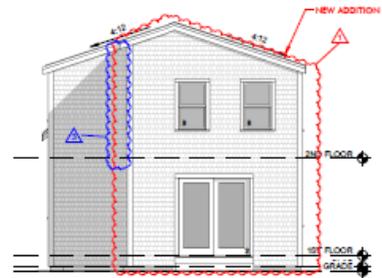
**TOTAL BLDG #1: 822 SF**  
**TOTAL BOTH BLDGS: 1848 SF**  
**PROPERTY: 5050 SF**



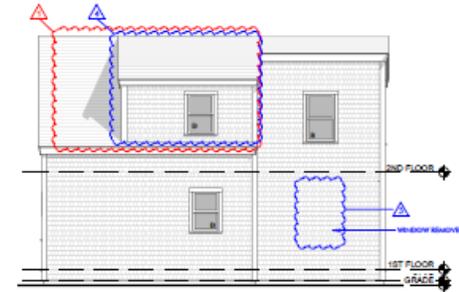
3 PROPOSED WEST ELEVATION  
31'-0" x 1'-0"



4 PROPOSED NORTH (DRIVEWAY) ELEVATION  
31'-0" x 1'-0"

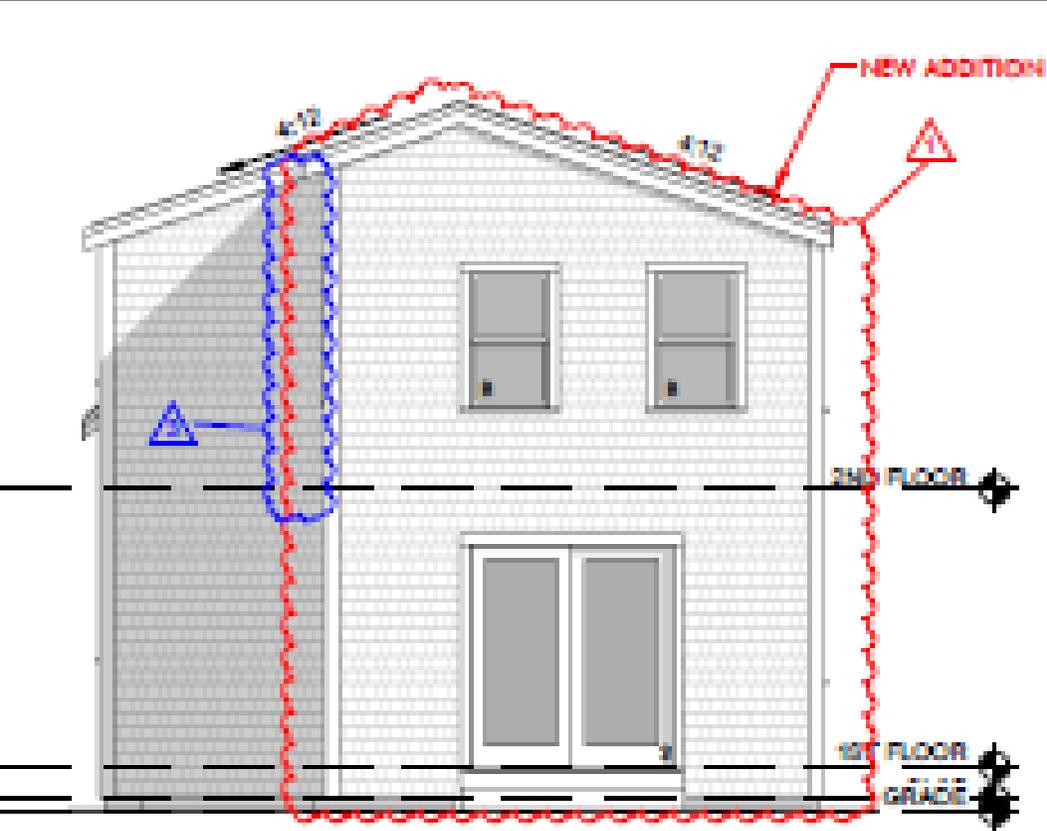


5 PROPOSED EAST ELEVATION  
31'-0" x 1'-0"

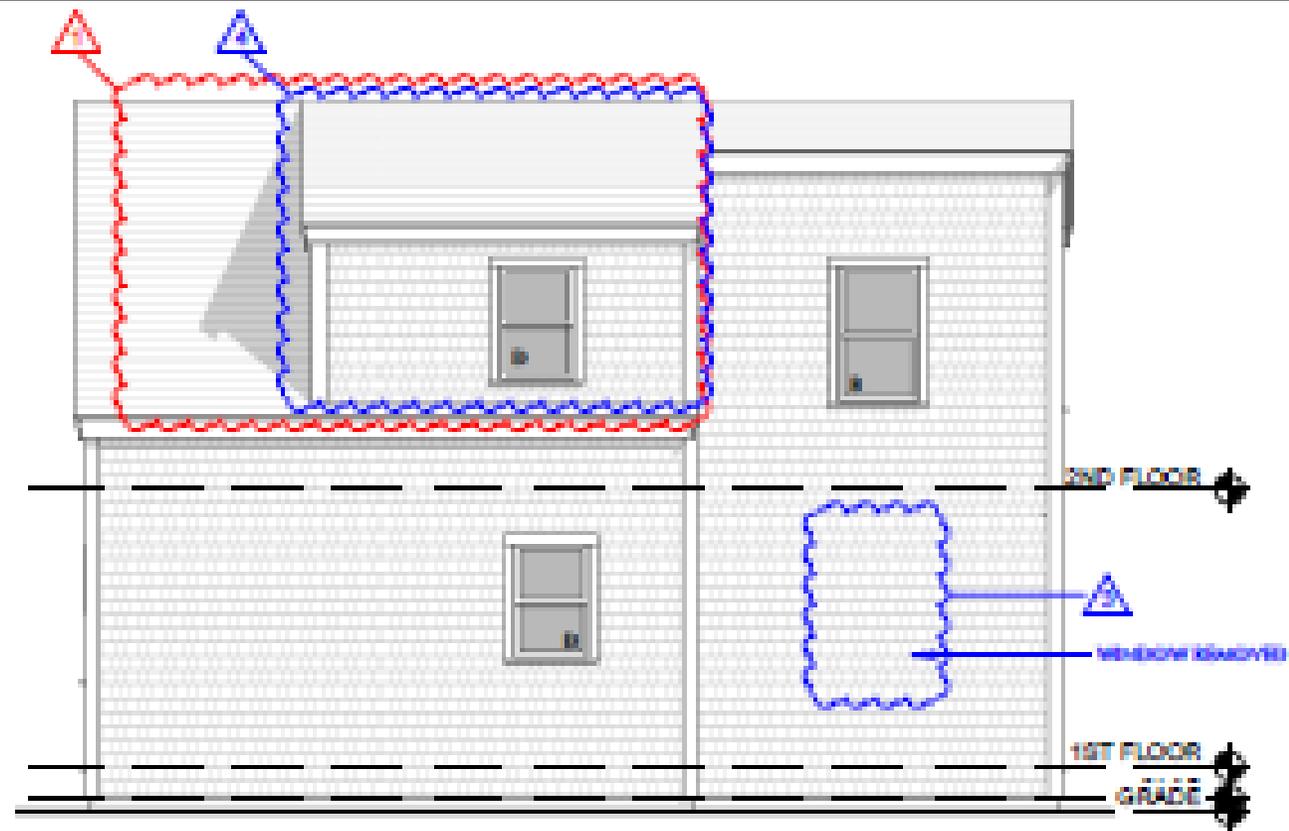


6 PROPOSED SOUTH ELEVATION  
31'-0" x 1'-0"

Revised May 14, 2025

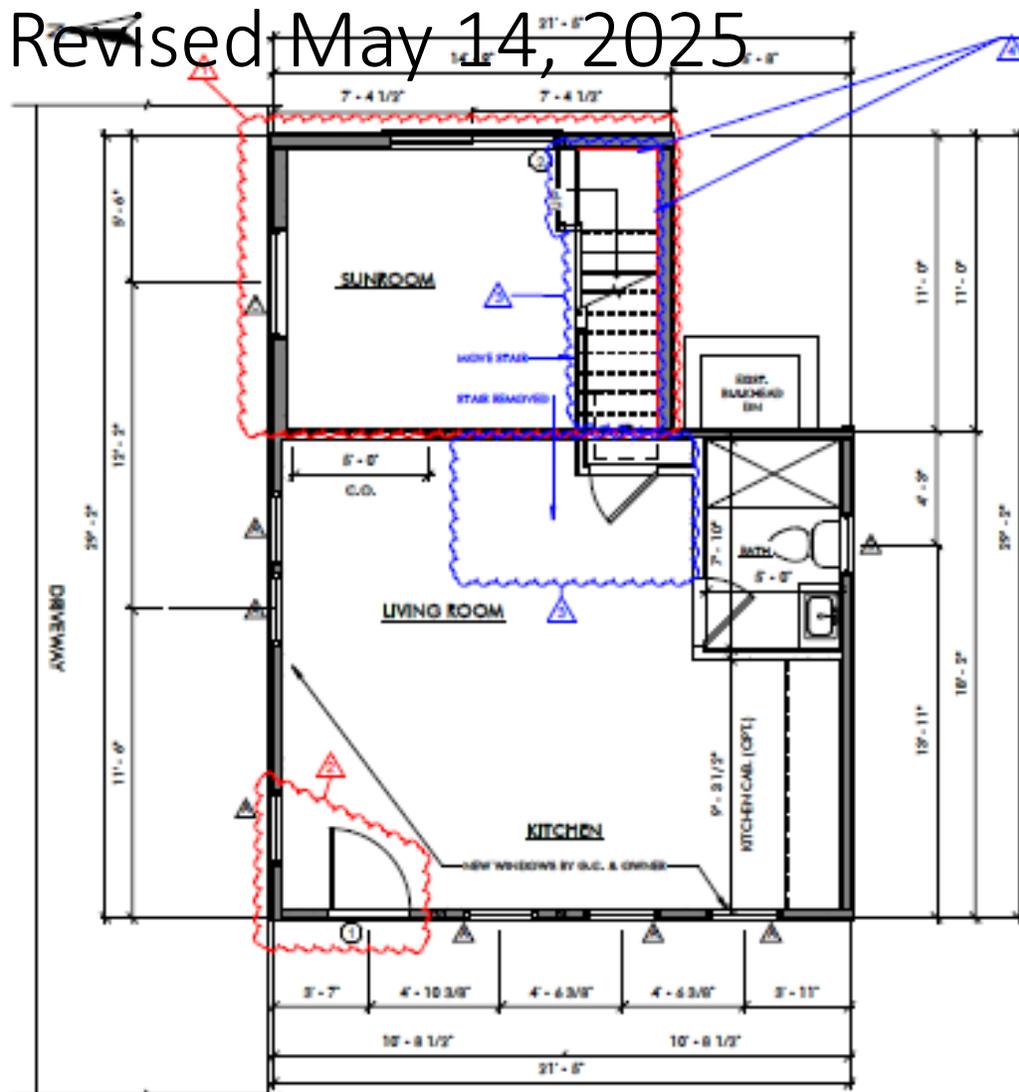


**5** PROPOSED EAST ELEVATION  
3/16" = 1'-0"

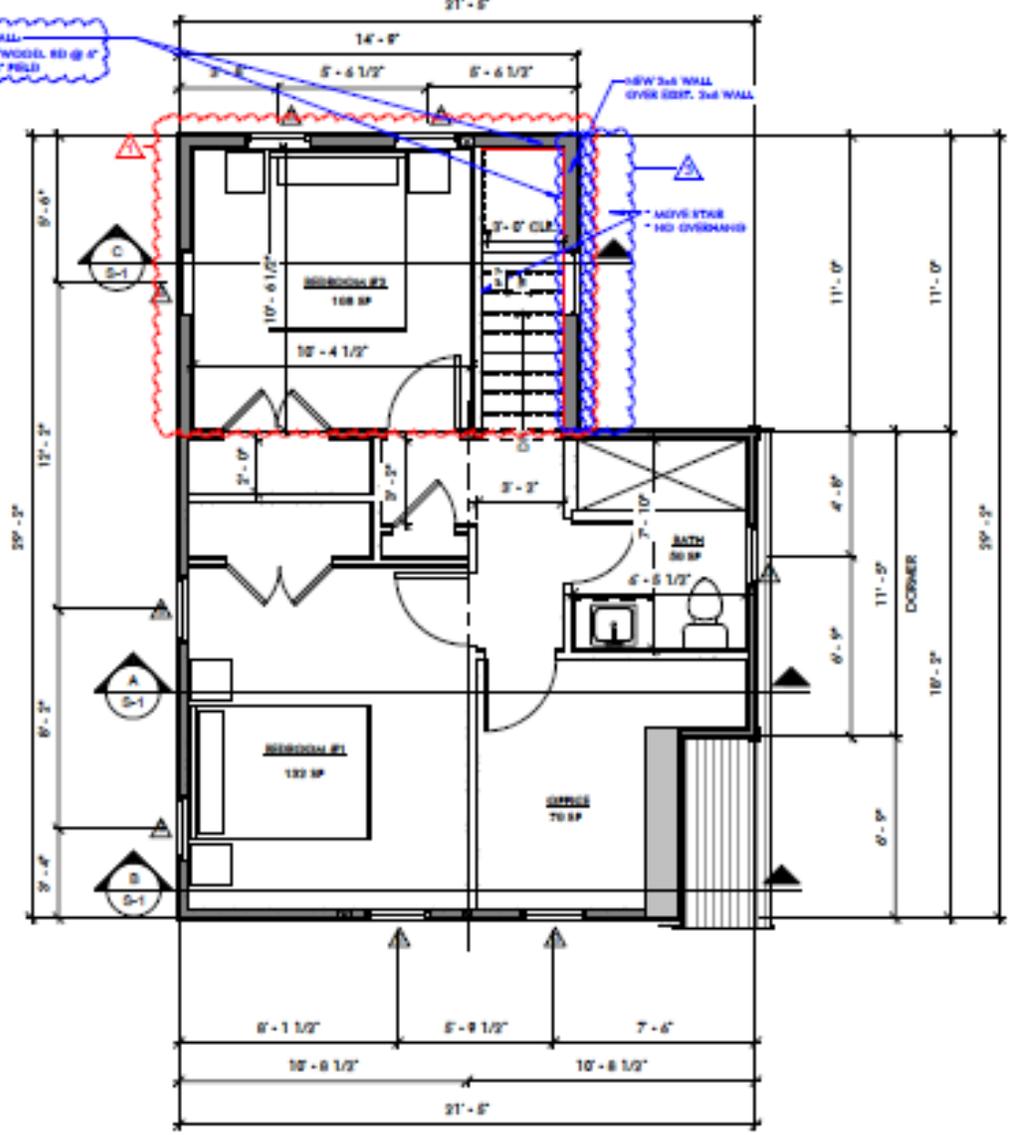


**6** PROPOSED SOUTH ELEVATION  
3/16" = 1'-0"

Revised May 14, 2025



1 PROPOSED FIRST FLOOR  
14' x 14'

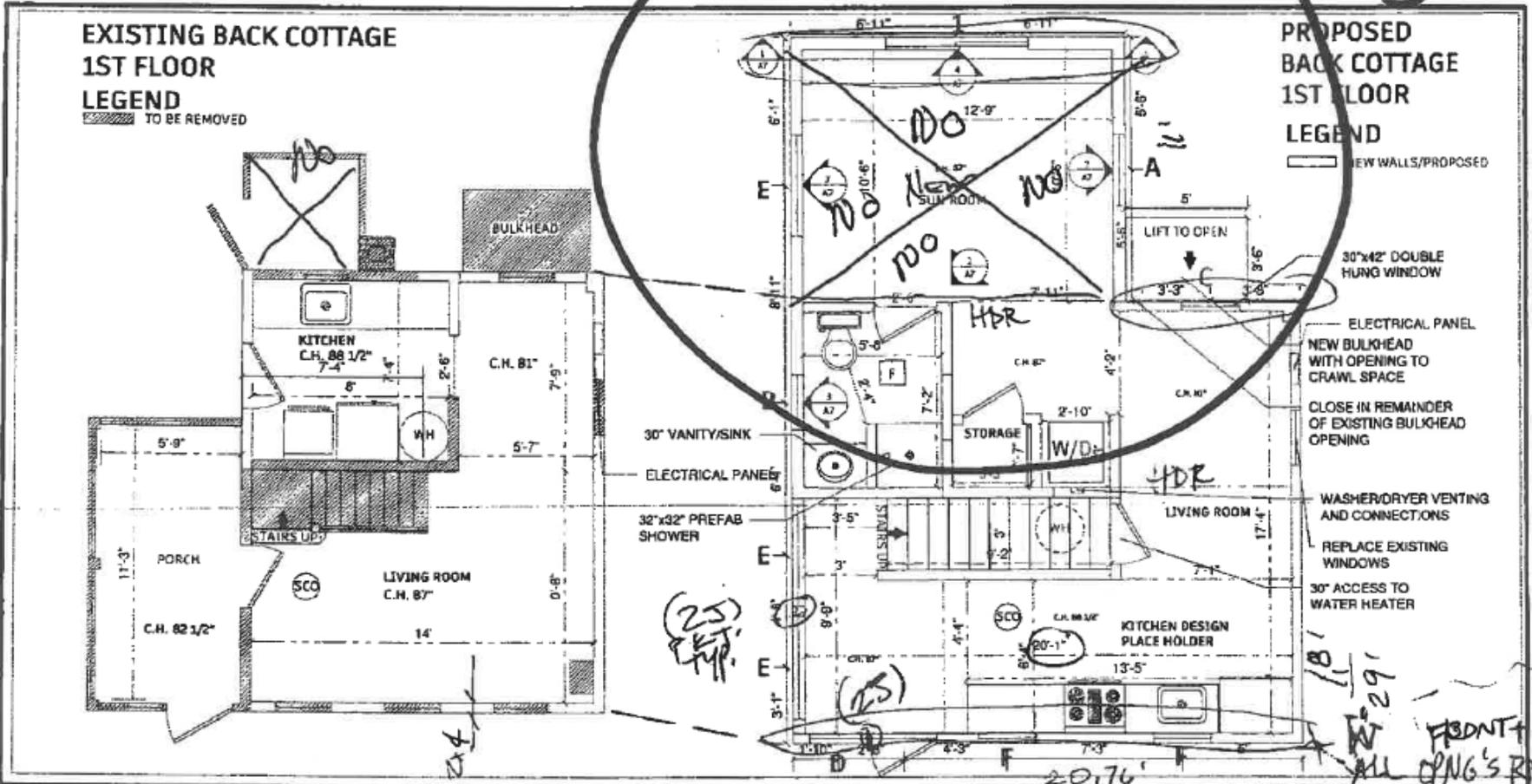


2 PROPOSED SECOND FLOOR  
14' x 14'

<b>BUILDING #2</b>	
1ST FLOOR:	341 SF
2ND FLOOR:	485 SF
TOTAL BLDG#2:	1026 SF
TOTAL BLDG #1:	822 SF
TOTAL BOTH BLDGS:	1848 SF
PROPERTY:	5050 SF

*change*

*REAR* ↑



**Cape CAD Design**  
 969 MAIN STREET  
 OSTERVILLE, MA  
 508-260-7074  
 Designer: Patrick Rimington

**BACK COTTAGE RENOVATION FOR:  
 FEELEY RESIDENCE  
 34 DEPOT STREET, LOT 1  
 DENNIS, MA**

THIS PLAN IS CONSIDERED THE FINAL PLANS AND REPLACE ALL OTHER VERSIONS OF THE PLAN. THE PLAN HAS BEEN PRINTED ACCORDING TO HIGH QUALITY STANDARDS AND IS PROVIDED FOR YOUR USE ONLY. LOCAL REGULATIONS AND LOCAL BUILDING CODE REQUIREMENTS VARY, AND AS SUCH MAY REQUIRE CHANGES TO THE BUILDING CONTRACTS AND THIS IS EVALUATING TEAM'S RESPONSIBILITY. ALL WORK SHALL BE IN ACCORDANCE WITH THE CLIENT'S REQUIREMENTS. ALL LOCAL REGULATIONS AND LOCAL BUILDING CODE REQUIREMENTS SHALL BE VERIFIED IN THE FIELD. ALL FINISHES, MATERIALS, AND SPECIFICATIONS PROVIDED ON THESE PLANS MUST BE VERIFIED BY THE BUILDER AND THEIR OWN TEAM OF ENGINEERS. THESE PLANS ARE DESIGN PLANS AND NOT INTENDED TO BE USED AS COMPLETE BUILDING PLANS. SOME COUNTRIES MAY REQUIRE ADDITIONAL ENGINEERING SPECIFICATIONS AND PLANS. CAPS AND DETAIL. ALL WILL NOT ASSUME LIABILITY FOR WORKS DONE, BEING ON AFTER THE USE OF THESE PLANS FOR CONSTRUCTION.  
 NOTE: THIS HOME SPEC PLAN HAS BEEN ORIGINALLY DRAFTED BY CAPS AND ENGINEER, LLC AND IS ITS EXCLUSIVE PROPERTY. ANY REPRODUCTION IS STRICTLY PROHIBITED UNDER COPYRIGHT LAWS AND SUBJECTS THE OFFENDER TO LEGAL ACTION.

**SCALE:**  
 1/4" = 1'

**DATE:**  
 09/19/2023  
*MC 10/24/23*

**DRAWING NUMBER:**  
 1917 STRAT  
 SEE CODE CK LIST.  
**A2**  
*NEW SETBACK LOC. a*

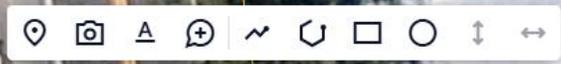
*2023-204  
 2/15/24*



36 Depot St  
Dennis, Massachusetts  
View on Google Maps



Search



Workspace PF SHARE



Nearmap

Imagery © 2025 Nearmap, HERE 10 ft

Vertical < Sun Sep 19 2021 >



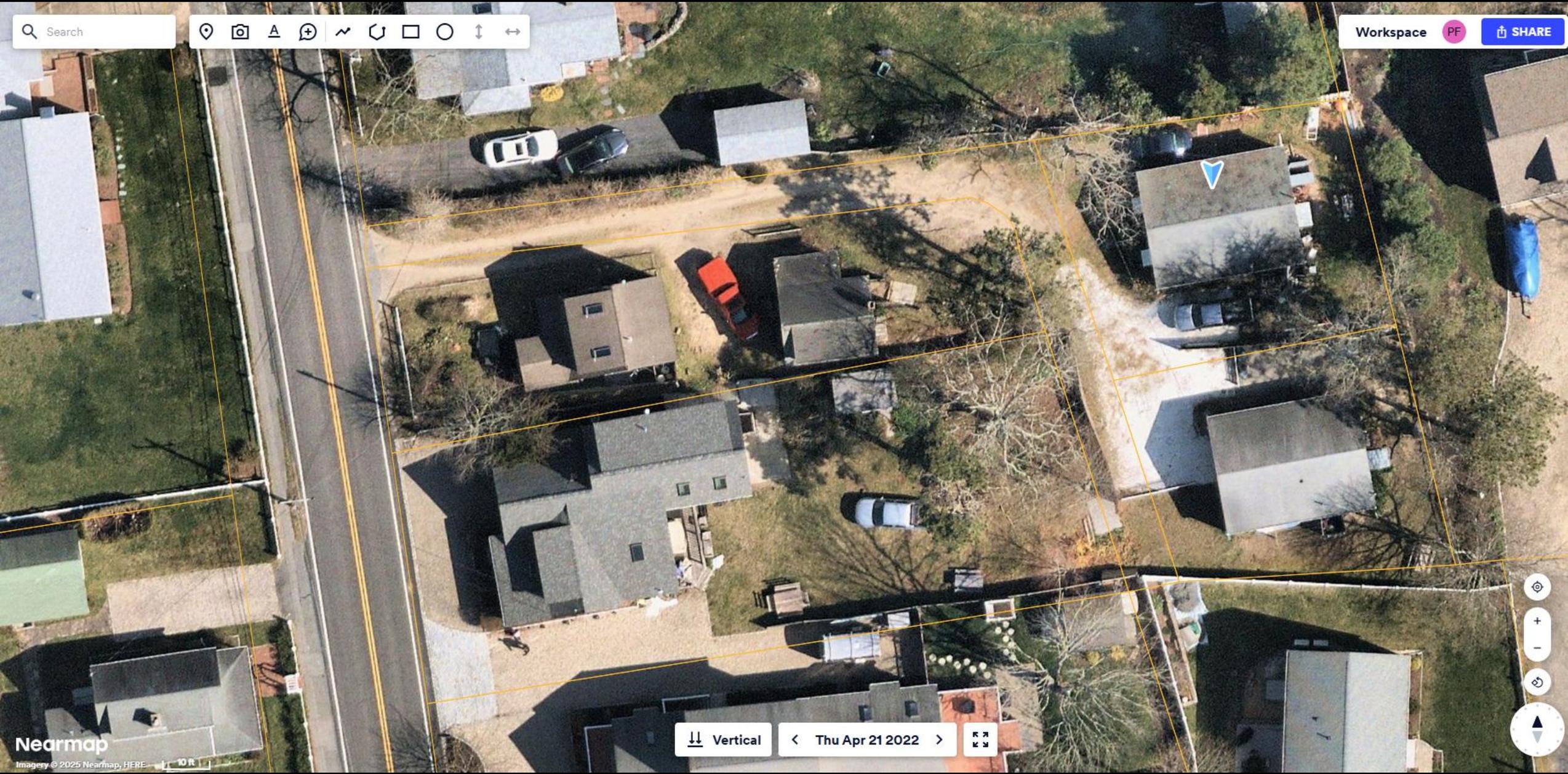
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Workspace

PF

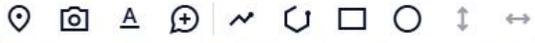
SHARE



Vertical < Thu Apr 21 2022 >

Nearmap  
Imagery © 2025 Nearmap, HERE 10 R

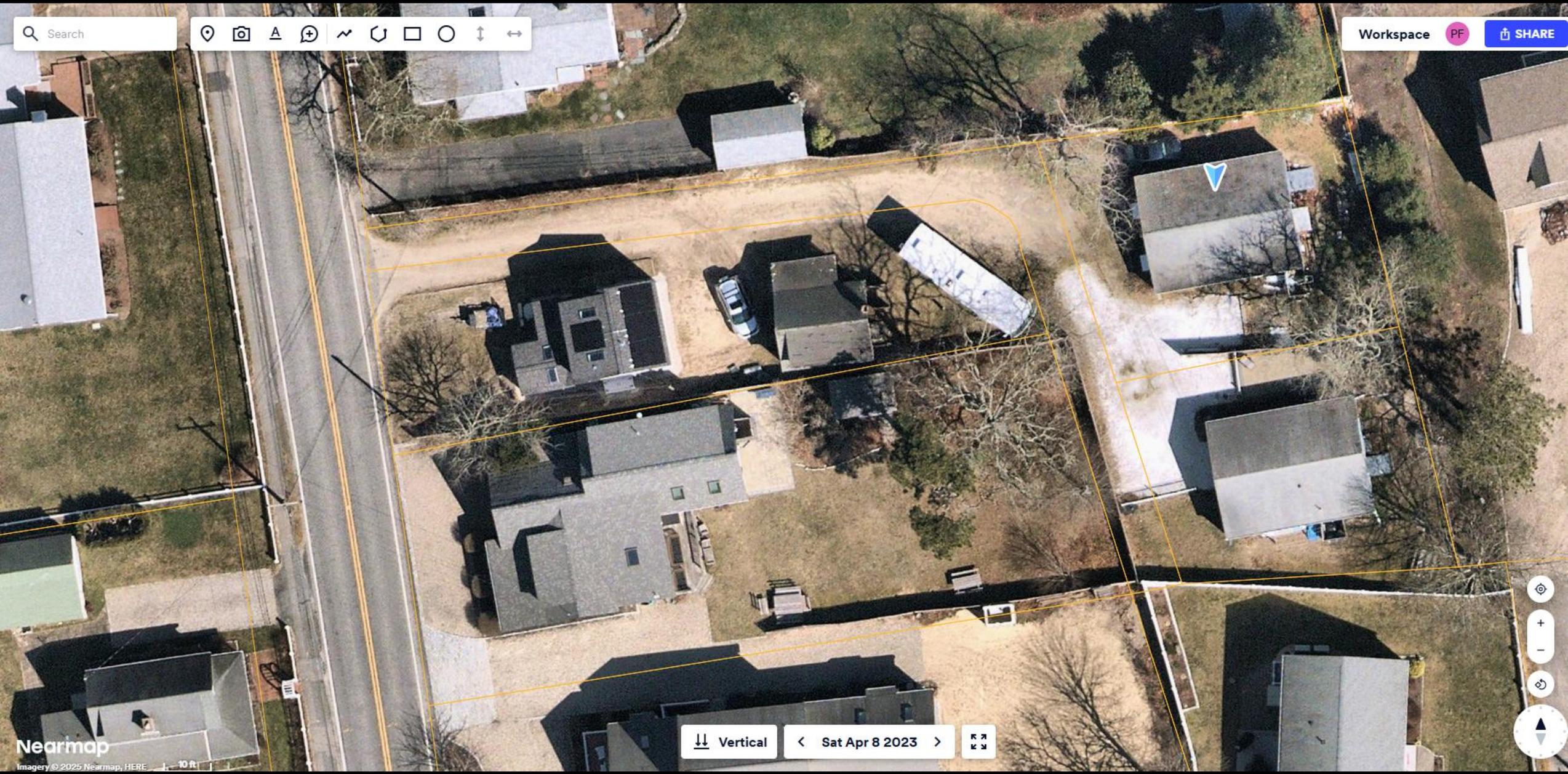
Search



Workspace



SHARE



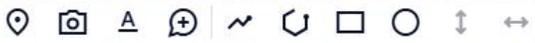
Nearmap

Imagery © 2025 Nearmap, HERE 10 ft

Vertical Sat Apr 8 2023



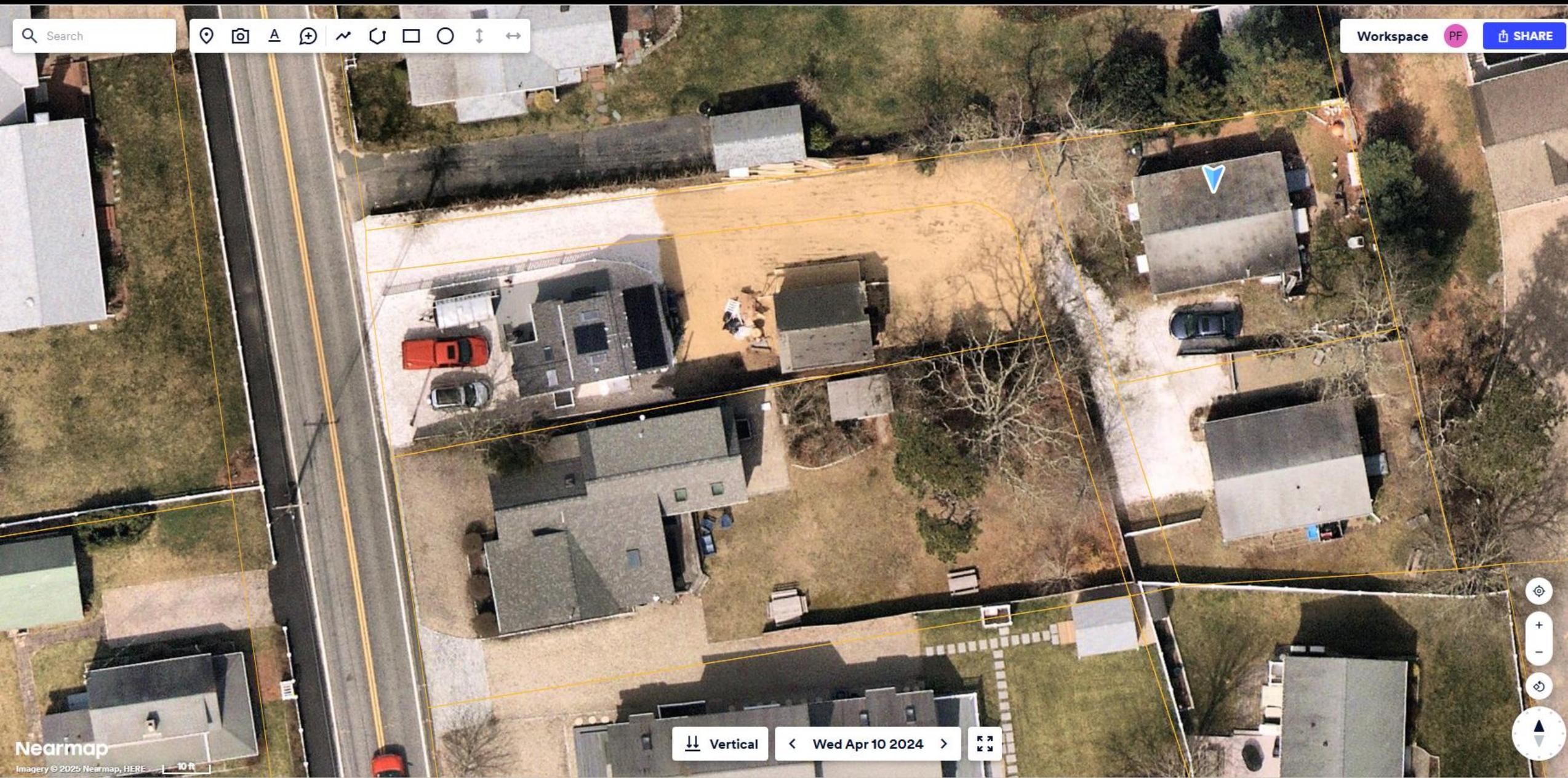
Search



Workspace

PF

SHARE



Nearmap

Imagery © 2025 Nearmap, HERE

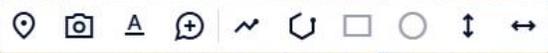
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Vertical

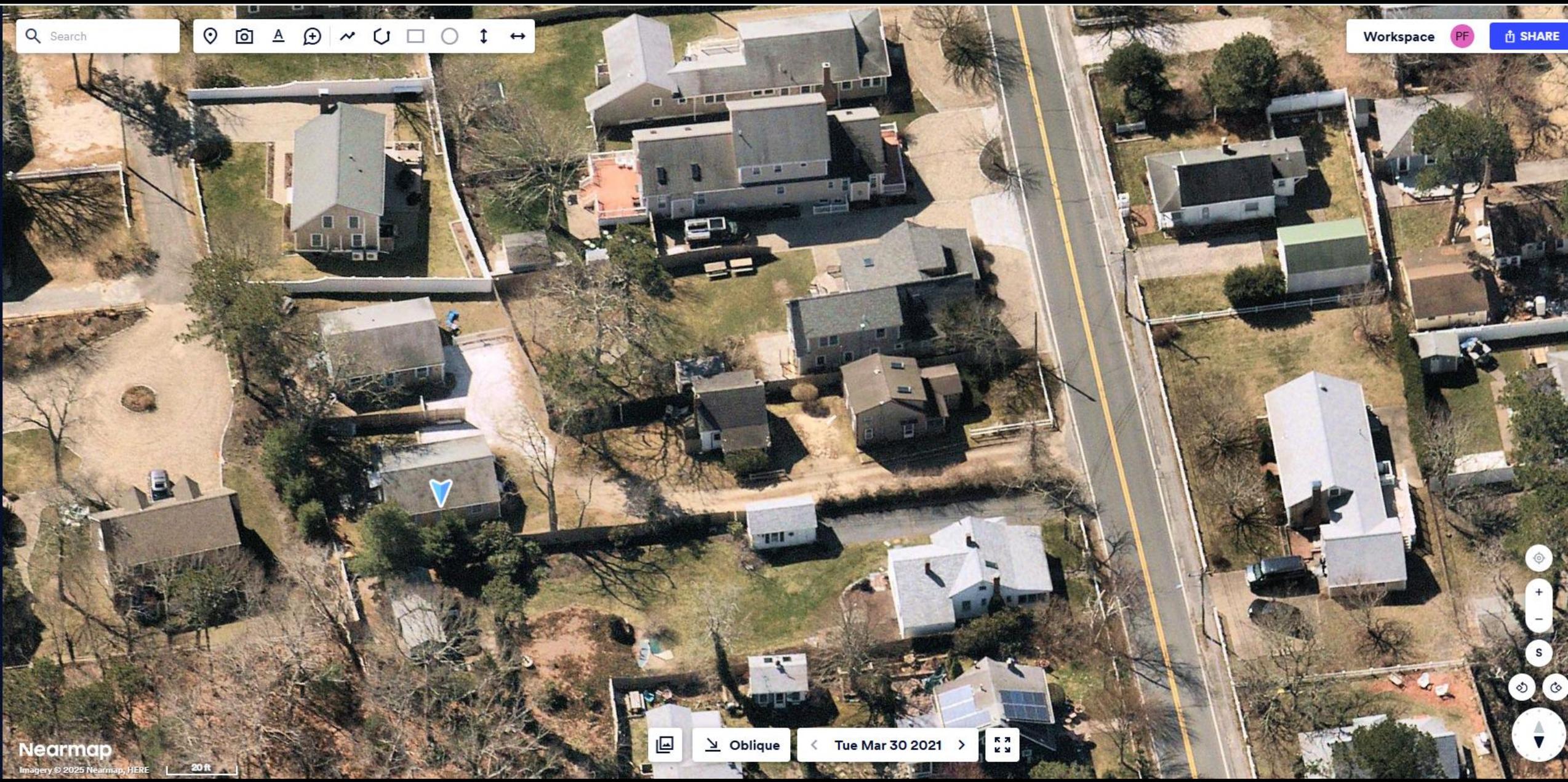
< Wed Apr 10 2024 >



Search



Workspace PF SHARE

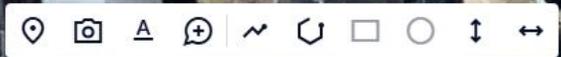


Nearmap  
Imagery © 2025 Nearmap, HERE

20 ft

Oblique < Tue Mar 30 2021 >

Search



Workspace PF [SHARE](#)

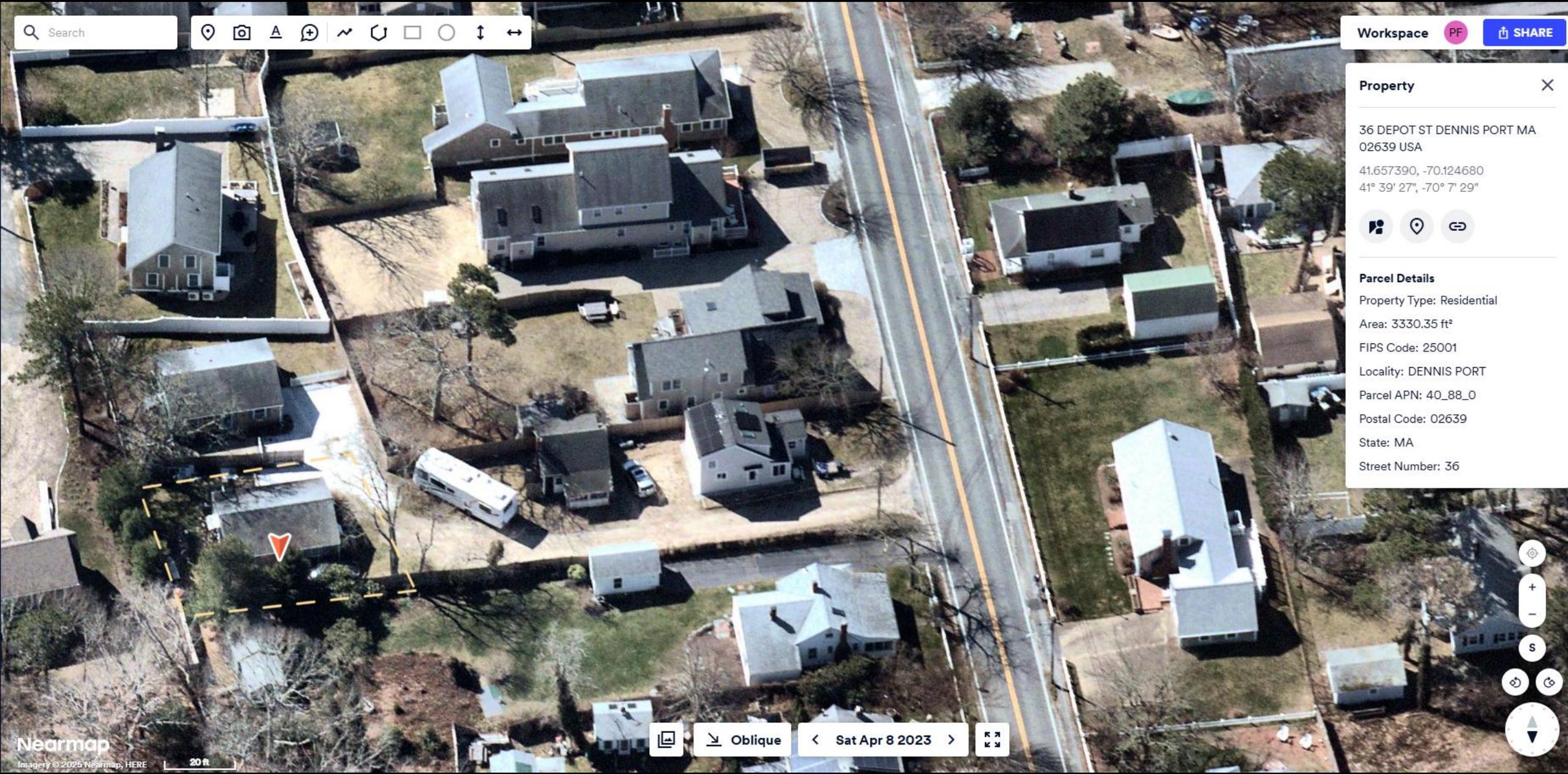
Property ✕

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](#)

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 ft<sup>2</sup>  
FIPS Code: 25001  
Locality: DENNIS PORT  
Parcel APN: 40\_88\_0  
Postal Code: 02639  
State: MA  
Street Number: 36



## DECISION

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

<b>REGISTRY OF DEEDS REQUIRED INFORMATION (Must be filled out by applicant)</b>			
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	<p>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:</p> <p>Hardships</p> <ul style="list-style-type: none"> <li>• The current property owners were not a party to the division of the land.</li> <li>• The current property owners acquired by individuals with no knowledge of the underlying zoning violations.</li> </ul>
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APPLICANT	Colanduno	Page 2
CASE NUMBER	ZBA 40-89	

	<ul style="list-style-type: none"> <li>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.</li> <li>None of the lots created by the "81L" plan met lot area requirements for this part of Dennis Port in 1973.</li> <li>The land in question has no legal zoning status.</li> <li>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.</li> <li>The lack of legal zoning status could result in the total loss of investment to the unit owners should a disaster occur.</li> </ul>
VOTE	The Board voted unanimously to approve the Variance with conditions (Oliveira [Chair], Kyrimes, E Ridley, Carrick and A Ridley [alt])

CONDITIONS	<ol style="list-style-type: none"> <li>The lot is granted variance from minimum lot size requirements and is allowed to remain in its current size.</li> <li>The property may continue to be used for residential purposes without the need for further Variance relief.</li> <li>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.</li> <li>New structure(s) on the property may either be two single family dwellings or one two-family dwelling.</li> <li>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.</li> </ol>
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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.

*Ernie Oliveira*  
Ernie Oliveira, Chair

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

*Sara P. McDaniel*  
Sara P. McDaniel  
Dennis Town Clerk

THURSDAY

#17202  
1:37p

CLERK  
11 AM 10:30

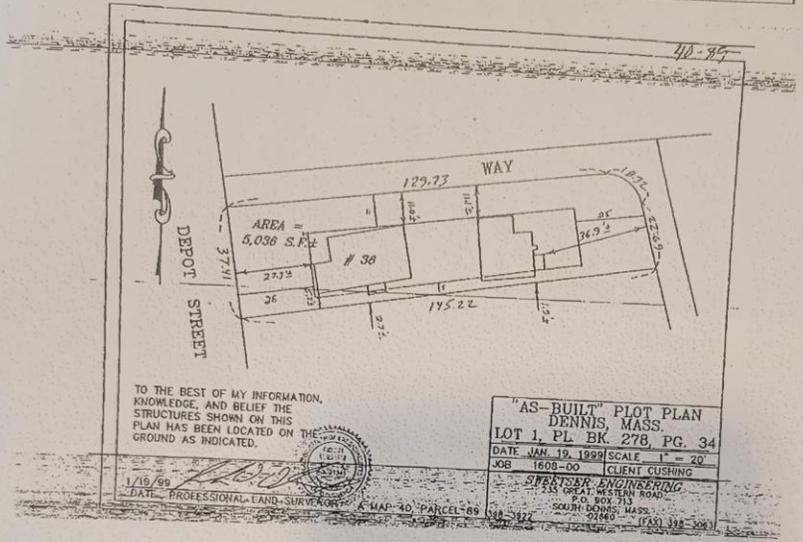
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CASE NUMBER	ZBA 40-89	



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JOHN F. MEADE, REGISTER  
BARNSTABLE COUNTY REGISTRY OF DEEDS  
DEPT. OF REVENUE & REGISTRATION, BARNSTABLE COUNTY, MASS.

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	5	6	7	8
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22	23	24	25	26	27	28	19	20	21	22
29	30	31								

ter protection • railing • fencing • fiber cement • deck



## 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  
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) <i>Comments</i> emailed applicant	John Mushinsky	02/06/2024		More Info Required
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) <i>Comments</i> 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	Paul Fowler	01/16/2024		Pending Board Approval



















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)

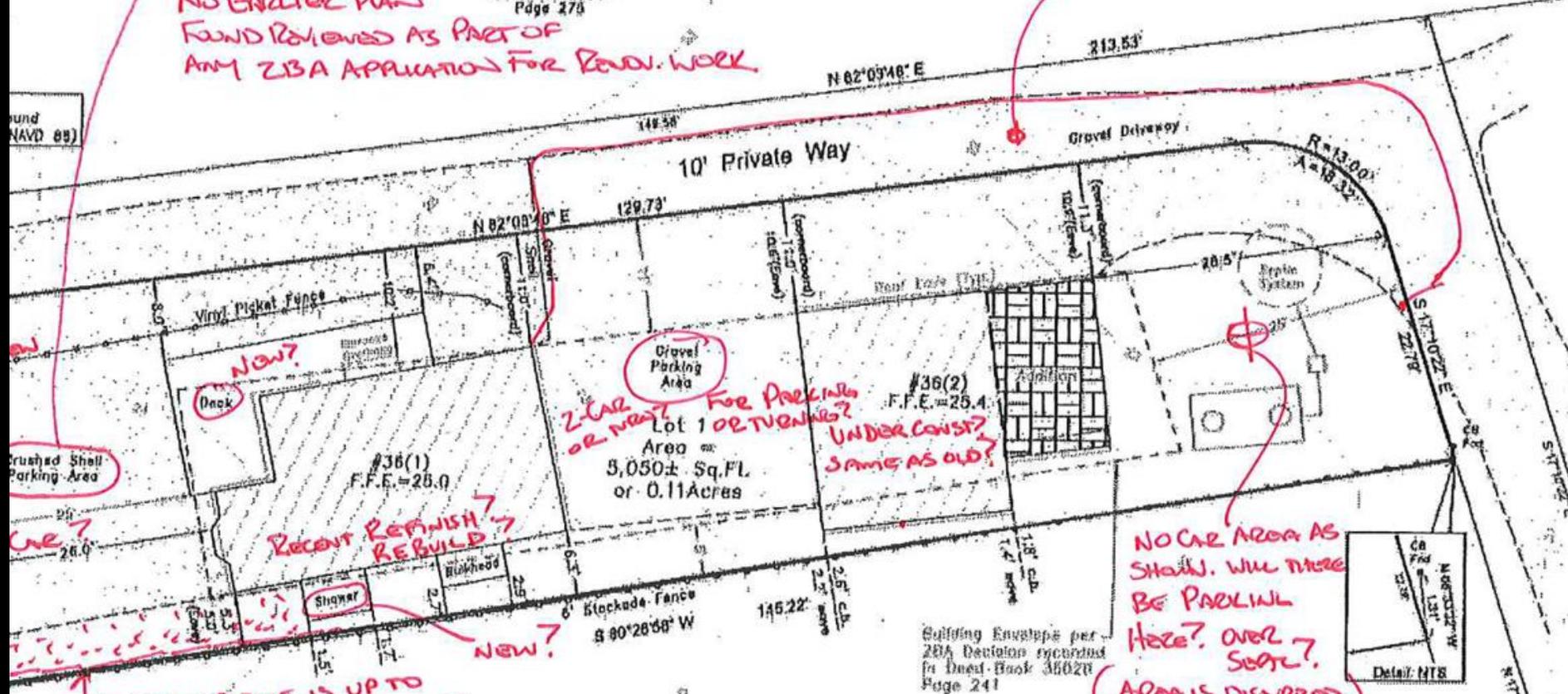
ZDLO Aerial GIS SHOWS NO PARKING IN FRONT. CANNOT CONFIRM WITH CONSTRUCTED SITE. PARKING ON PLAN EXTENDS TO PROP LINE, FULL WIDTH OF PROP. ALONG ROAD. PARKING SHOWN + AS CONSTRUCTED DOES NOT MEET; VEG BUFFER REQ. 2.3.4.1.b. BACK ONTO ROAD FOR MFD 3.1.6.1

NO ROAD OPENING PERMIT FILED

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

#18 Depot Street  
Ded. Book 30777  
Page 278

SANDY SURFACE. NO SPECIALISED CONTRACTORS



2-CAR OR MORE? FOR PARKING UNDER CONST? SAME AS OLD? Lot 1 OR TURNING? Area = 3,050± Sq.Ft. or 0.11 Acres

NO CAR AREA AS SHOWN. WILL THERE BE PARKING HERE? OVER SEPT? (AREA IS DISTURBED)

STALL DRIVE IS UP TO FENCE. NO SUBTRACT TO FE OR VEG. BUFFER PER 2.3.4.1.b

NOT SURE IF REBUILDS IN EXIST FOOTPRINT OR IF NEW FOUNDATION WORK.

#32 Depot Street  
Ded. Book 33785  
Page 24

Building Envelope per 28A Decision recorded in Ded. Book 36028 Page 241