



Town of Dennis

685 Route 134, South Dennis, MA 02660 / Telephone: 508-394-8300 Fax: 508-394-8309

33 BRADDOCK CIRCLE

ZBA SPECIAL PERMIT STAFF REVIEW – June 18, 2025

APPLICANT:	Edward Henry ET UX
PROJECT ADDRESS:	33 Braddock Circle, ED, MA 02641
MAP AND LOT NUMBER:	Map 236 Lot 30 (0.29 acres – 12500 sf)
APPLICANT ADDRESS:	33 Braddock, Cir, South Dennis, MA 02660-2556
CASE NUMBER:	ZBAS-25-21 (originally applied as a Variance)
ZONING:	R-40; OK Historic; Zone II
HEARING DATE:	June 23, 2025

1. Project Summary; Request per Zoning Bylaw; Plan Citations
2. Plans Specifications; Basic Site Data
3. Actions Requiring Findings
4. § 1.4.2.1 Special Permit Granting Authority – Criteria and Proposal
5. Town Department Comments
6. Proposed Conditions

PROPOSAL	Erect a 3 Season room over part of an existing deck.
PROJECT SUMMARY	<ul style="list-style-type: none"> • The proposal is to remove part of an existing deck at the back of the house and construct an approximately 20’ by 14’ (280 sf) three-season room.
REQUEST	Finding per: § 2.4.1.2.B - Actions Requiring a Finding that the proposal is NOT Substantially More Detrimental (B.2) Increase in the lot coverage of a structure where the structure currently exceeds lot coverage;
SITE PLAN	Site Plan of 33 Braddock Circle East Dennis, MA, prepared for Edward Henry by Down Cape Engineering Inc., 939 Main Street (Rte 6A) Yarmouth Port MA, 02675. Plan consisting of 1 sheet with existing and proposed conditions, Septic System Profile and Design with Test Hole Logs. Plan dated April 10, 2025 by Dan Ojala.
BUILDING ELEVATION	Proposed Elevations of Proposed 3-Season Room for Edward and Mary Henry at 33 Braddock Circle, Dennis, MA. Consisting of one sheet of rear, right and left elevations. Prepared by ARC Designs LLC (Alan R. Cabral). April 9, 2025.

1.3.2 Plans and Specifications

REQUIREMENTS	PROVIDED ON PLAN
CERTIFIED PLOT PLAN INCLUDING	
LOCUS MAP	Yes
PERIMETER DIMENSIONS, INCLUDING FRONTAGE	Yes
AREA OF LOT	12,500 sf
NAMES OF STREETS	Yes
NAMES OF ABUTTING PROPERTY OWNERS	No
DISTANCES EXISTING AND PROPOSED STRUCTURES TO PROPERTY LINES	Yes

PROPOSED ADDITONS/ALTERATIONS OF EXISTING BLDGS W/ SETBACKS	Yes
PROXIMITY OF WETLANDS	NA
EXISTING AND PROPOSED TOPOGRAPHYAND/OR OTHER LAND ISSUES	Yes
DIMENSIONS OF EXISTING AND PROPOSED STRUCTURES	Yes
ARCHITECTURAL DRAWINGS ILLUSTRATING THE PROPOSED CONDITIONS	Elevations
ARCHITECTURAL DRAWINGS ILLUSTRATING THE EXISTING CONDITIONS	Addition

Basic Site Data	Required/ Allowed	Existing	Proposed
Frontage	50'	100'	100'
Front Setback	25'	26.8'	26.8'
Right Side Setback	15'	15'	15'
Left Side Setback	15'	23.5'	23.5'
Rear Setback	25'	43.4'	43.4'
Lot Area	40,000	12500sf	12499sf
Lot Width	100'	100'	99'
Non-conforming floor space within Setbacks	0	0	0
D2. Increase in new non-conforming floor space by more than 40% within any 10-year period			0
Cumulative footprint size of all structures	1,875 sf	1,925 sf	2,208 sf
Cumulative lot coverage (footprint) percent for all	15%	15.4%	15.7%
Cumulative floor space of all structures (F.A.R.)		1296	1575
Cumulative floor space to lot area % all structures	30%	10.4%	12.6%

§ 2.4.1.2 B Actions Requiring a Finding that the proposal is NOT Substantially More Detrimental

ACTION	FINDING
B2 - Increase in the lot coverage of a structure where the structure currently exceeds lot coverage;	

§ 1.4.2.1 To hear and decide applications for special permits upon which the Board is empowered to act under this By-Law pursuant to M.G.L. ch. 40A. Special permits may be granted only upon a finding by the Board that the proposed use will not create a nuisance, hazard or congestion, or other significant harm to the neighborhood, nor cause derogation from the general purpose and intent of the By-Law, the stated district intent or applicable use criteria. It shall be the responsibility of the applicant for any special permit to show, to the satisfaction of the Special Permit granting authority, that the following criteria are met:

- a. The use is allowed by special permit in the district in which proposed, pursuant to §2.2.2 - Use Regulations Schedule; **The site is used for residential purposes and will continue to be used as such.**
- b. Suitability of the site for the proposed use in light of the applicable district intent, as provided in §2.1.5; **Residential uses are allowed within this district.**
- c. Adequacy of management of traffic flow within the site as well as in relation to adjoining streets and properties, so as to minimize unsafe or harmful impacts of the use; **No increase in traffic to the site.**
- d. Compatibility of the proposed use with surrounding land uses, so as to minimize harmful impact or conflict with existing desirable neighborhood character, including views, vistas and other aesthetic values; **Site will continue to be used in a fashion similar to that of other properties and historical use.**
- e. Adequacy of provision of utilities and other necessary or desirable public services; **No increase.**

- f. Adequacy of control of artificial light, noise, litter, odor or other sources of nuisance or inconvenience to adjoining properties, public ways and neighborhoods; **The addition will not generate light, noise, litter, odor or other sources of nuisance.**
- g. Adequacy of protection from degradation and alteration of the natural environment, including but not limited to slopes and other topographical features, vegetation, wetlands, groundwater and water bodies and wildlife habitat. **The addition will not degrade the natural environment.**

TOWN DEPARTMENTS COMMENTS:

- **PLANNING:**
 - The proposal does not impact any setbacks and is under the bulk thresholds
 - Lot coverage increase from 15.4% to 17.7%. House is one-story so not an issue with FAR.
 - Not in Conservation and must file with the Board of Health.
 - The Board can find that a lawful pre-existing non-conforming structure exists on the property and the proposed addition, as conditioned, will not be substantially more detrimental to the neighborhood than the existing structure.
- **NATURAL RESOURCES:** Not in Conservation jurisdiction.
- **HEALTH:** Property located in an Environmentally Sensitive Area (ESA). Will require a variance from the Board of Health.
- **ENGINEERING:**
 - This project as presented does not alter >500sf of ground area and is not required to meet the intent of the Stormwater By-Law.
 - Engineering recommends providing linear erosion controls (silt fence/wattles) as necessary during construction to prevent discharge of stormwater or sediment to adjacent properties or the road layout.
 - Contractor shall maintain paved surface of Braddock Circle in condition free of sediment for duration of project.
 - Roof drains directed to properly sized subsurface drywells or stone trenches should be provided for new construction (and existing dwelling as required).
- **FIRE:** Signed off, No comment.

PROPOSED CONDITIONS	<ol style="list-style-type: none"> 1. The lot owners shall apply for all required permits and will comply with the intent of the Dennis Stormwater By-law, all requirements of the Dennis Conservation Commission and Board of Health and any other permits that are required. 2. Construction shall not commence before 7:00 am nor continue after 7:00 pm Monday through Friday and shall not commence before 7:00 am nor continue after 5:00 pm on Saturdays. No construction shall occur on Sundays. 3. The addition shall not generate new light, noise, litter, odor or other sources of nuisance. Any new lighting shall be restricted to downward-shielded motion sensitive security lighting that is “Dark-Sky” compliant. 4. Failure to comply with all conditions in the Board of Health Permit shall be deemed cause to revoke the ZBA Special Permit. 5. The contractor shall be responsible for maintaining the road in a condition free of accumulated sediment during construction and all appropriate drainage and erosion control measures as suggested by town engineering comments shall be implemented. 6. Construction vehicles shall not park in or block the road.
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