



Town of Dennis

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

58 Bass River Lane

ZBA SPECIAL PERMIT STAFF REVIEW – July 23, 2025

APPLICANT:	Christine T. McCaffrey C/O Robert Ward
PROJECT ADDRESS:	58 Bass River Lane, South Dennis MA 02660
MAP AND LOT NUMBER:	Map 117 Lot 10 (0.30 acres – 13068 sf)
APPLICANT ADDRESS:	100 Route 28, West Harwich, MA 02671
CASE NUMBER:	ZBAS-25-23
ZONING:	R-40; SD Historic; Flood zone: AE
HEARING DATE:	July 28, 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	Connection and expansion of two existing decks.
PROJECT SUMMARY	<ul style="list-style-type: none"> • New Deck Installation, Deck Renovation using partial existing footprint, replace 3 deck entry doors • Install new 12”x 4’ concrete footings • No other ground construction from deck project is involved. • Temporary silt fencing installed per order of conditions for wetlands protection and removed when final inspection occurs. • All waste and debris will be handled accordingly and job site will be kept clean daily.
REQUEST	<p>Finding per: § 2.4.1.2.B - Actions Requiring a Finding that the proposal is NOT Substantially More Detrimental B (B.1) for an Increase in the footprint of a structure that <u>does not comply with one or more required setbacks</u> where the <u>alteration will extend lot coverage or building height</u> where a structure does not conform to current setback requirements; Finding per: § 2.3.3.5 - No structure other than a ramp, roadway, drive, walk, stairway, seawall, dock or boathouse shall be located within fifty (50) feet of the top of the bank of any river or stream having a year-round running flow of water...</p>
PLOT PLAN	Plot Plan of 58 Bass River Lane, South Dennis, Massachusetts prepared for Christine McCaffrey by Existing Grade Inc. 62 Riedell Road Douglas, MA 01516. Plan consisting of 1 sheet with existing and proposed conditions, and elevations. Plan dated 5-21-2025 by Edwin H. Gless.
BUILDING PLANS	Plan of 58 Bass River Lane, South Dennis, Massachusetts prepared for Christine McCaffrey. Plan consisting of 1 sheet with Concrete footings, and Post Anchor Base. No Date, Not signed.

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	13068 sf
NAMES OF STREETS	Yes
NAMES OF ABUTTING PROPERTY OWNERS	Yes
DISTANCES EXISTING AND PROPOSED STRUCTURES TO PROPERTY LINES	Yes
PROPOSED ADDITONS/ALTERATIONS OF EXISTING BLDGS W/ SETBACKS	Yes
PROXIMITY OF WETLANDS	Yes
EXISTING AND PROPOSED TOPOGRAPHYAND/OR OTHER LAND ISSUES	Yes
DIMENSIONS OF EXISTING AND PROPOSED STRUCTURES	Yes
ARCHITECTURAL DRAWINGS ILLUSTRATING THE PROPOSED CONDITIONS	Yes
ARCHITECTURAL DRAWINGS ILLUSTRATING THE EXISTING CONDITIONS	Yes

Basic Site Data	Required/ Allowed	Existing	Proposed
Frontage	50'	77'	77'
Front Setback	25'	60.27'	60.27'
Right Side Setback	15'	17.06'	17.06'
Left Side Setback	15'	14.91'	15.55'
Rear Setback	25'	38.96'	37.05'
Lot Area	40,000	13068sf	13068sf
Lot Width	100'	77'	77'
Non-conforming floor space within Setbacks			
D2. Increase in new non-conforming floor space by more than 40% within any 10-year period			0
Cumulative footprint size of all structures		1,194 sf	1,194 sf
Cumulative lot coverage (footprint) percent for all	15%	9.1 %	9.1 %
Cumulative floor space to lot area % all structures	30%		NA

§ 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;	

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

ACTION	FINDING
No structure other than a ramp, roadway, drive, walk, stairway, seawall, dock or boathouse shall be located within fifty (50) feet of the top of the bank of any river or stream having a year-round running flow of water, of any lake or pond containing one thousand (1000) square feet or more of water eleven (11) months of the year, coastal bank, or mean high water.	

§ 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; **Proposed alterations will not increase 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; **The addition will not increase the need for utilities or other public services.**
- 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 is a connection of two existing decks and an expansion of them. Approved by Conservation Commission.
 - 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: Project approved by Conservation Commission.**
- **HEALTH: no comments**
- **ENGINEERING: no comments**
- **FIRE: no comments**

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 Conservation Commission Order of Conditions shall be deemed cause to revoke the ZBA Special Permit.
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