

MOORE HOME DESIGN COMPANY OF CAPE COD

**PO BOX 2124
949 ROUTE 137
BREWSTER, MA 02631**

PHONE: 508-896-6403

www.tom@moorehdc.com

June 19, 2025

Town of Dennis
Zoning Board of Appeals
Dennis, MA 02638

RE: Peter & Nancy Salem
141 Beach Street
Dennis, MA

Dear Board of Appeals Members,

Under Section 2.4.1.2. (c.2) Non-conforming Conditions, of the Town of Dennis Zoning by-Law, we are respectfully requesting a Special Permit for the raze and replace of the pre-existing non-conforming single family dwelling at 141 Beach Street in Dennis, MA., with a new conforming single family dwelling.

The project consists of the demolition of the existing single family dwelling and building a single family dwelling in an expanded footprint.

This existing house/property is non-conforming for the following reasons:

- 1.) The lot has 18,588 s.f. where 40,000 s.f. is required.

The proposed new single family dwelling will conform to all setbacks, lot coverage and building height regulations of the Town of Dennis Zoning By-Law.

It is our belief that the project as presented will not create nuisance, hazard or congestion, or other significant harm to the neighborhood, nor cause derogation from the general purpose, and intent of the Town of Dennis Zoning By-Law. We believe that the project as presented meets the criteria as set forth by the Town of Dennis Zoning By-Laws Section 1.4.2.1.

- 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;

The proposed construction 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;

The site will continue to be used in a fashion similar to that of other properties and its historical use and will not harm any views or vistas.

- e.) Adequacy of provision of utilities and other necessary or desirable public services;

The project 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; and

The project 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, wetland, groundwater and water bodies and wildlife habitat.

The project will not degrade the natural environment.

We also have met the criteria of section 2.4.1.2.D.

- 1.) The creation of any new non-conformity where no non-conformity currently exists.

-No new non-conformity has been created.

- 2.) The increase in that portion of the floor space that is non-conforming by more than forty percent (40%) within any ten-year time period.

-The existing house and proposed house conform to setbacks, and do not have any nonconforming area.

- 3.) The addition of floor space to a lawfully pre-existing non-conforming structure on a site that exceeds fifteen percent (15%) lot coverage restrictions. If said addition would exceed a floor space to lot area of thirty percent (30%) excluding basement and uncovered porch/deck.

- The proposed house is under the 15% lot coverage restriction. The proposed lot coverage is 14.8%.

- 4.) The increase in the intensity of setback non-conformity by further encroaching into a setback area than currently exists.

-The proposed new house will not encroach into any required setbacks.

In conclusion, we look forward to presenting this application for Special Permit at your next available hearing.

Sincerely

Thomas A. Moore

Moore Home Design Company of Cape Cod