



Town of Dennis

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1706 ROUTE 6A

ZBA SPECIAL PERMIT STAFF REVIEW – July 24, 2025

APPLICANT:	Matthew Baron c/o Paul R Tardif
PROJECT ADDRESS:	1706 Route 6A, Unit U-14, ED, MA 02641
MAP AND LOT NUMBER:	Map 379 Lot 1 (9.1. acres total with 4.0 acres Uplands.
APPLICANT ADDRESS:	490 Main Street, Yarmouth Port, MA 02675
CASE NUMBER:	ZBAS-25-15
ZONING:	R-60; Limited Business; OK Historic; AE Flood Zone
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	Amend Seasonal Use to Year-Round Use
PROJECT SUMMARY	<ul style="list-style-type: none"> • The property is a former seasonal motel that converted to seasonal condominiums. • The Applicant owns a condominium unit, denoted as Unit 14, of Stage Coach Condominiums at Sesuit Marsh (the Condominium), consisting of 25 total units in five buildings on 9.1 acres, 4 acres of which are upland. • Of the 25 units on site, 9 are used for year-round use, and 16 are designated as seasonal units, available for occupancy only from April 1 to November 30 of each year. It is not clear that the 9 units were ever legally granted year-round use. • The applicant's unit is located in Building E, which contains 11 seasonal units. The other 5 seasonal units are located in Building A. • Unit 14 consists of 256 square feet of living area, in one room, and having 1 bath. The 16 units which are currently used seasonally average 247 square feet, each having only 1 bedroom, with a 2-person capacity. Units 1, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 • The entire property is served by 5 separate Title 5 Septic Systems, installed in 2009. • There are no planned alterations to the size of the Applicant's unit, nor any of the other units, at this time. • Parking on the site is provided for all units. • Per § 2.3.2 the Intensity of Use Schedule Multiple Dwelling Units require property with 120,000 sf plus 40,000 sf per unit over 3. The property would require 400,000 sf per §2.3.2 for 8 units to be year-round but the property has just under 400,000 sf and less than half of that is upland. • The Application must be revised and the Condominium Association agree to it.

REQUEST	Finding per: § 2.4.3.2.A & B- Motor courts, motels or hotels may be converted to year-round dwelling unit use or multi-dwelling unit use <u>provided</u> the site upon which the motor court, motel or hotel is situated contains a <u>land area equal to the number of dwelling units multiplied by the minimum lot size</u> requirement for any dwelling unit in the zoning district, <u>and it complies with the following</u> conditions: (A). Obtains a Special Permit from the Board of Appeals of the Town of Dennis in compliance with this By-law and General Laws Chapter 40A, or any amendments thereto and; (B.) Obtains approval from the Dennis Board of Health for a septic system.
PLOT PLAN	Plan of Land in Sesuit Marsh Dennis, Massachusetts prepared for Stage Coach Condominiums by RF of Cape & Islands Survey CO, Teaticket, MA 02536. Plan consisting of 1 sheet. Plan dated June 23, 1918 by.
BUILDING PLANS	None

Basic Site Data	Required/ Allowed	Existing	Proposed
Frontage	100'	302'	302'
Front Setback	75'	26.69'	26.69'
Right Side Setback	49'	12.16'	12.16'
Left Side Setback	50'	11.24'	11.24'
Rear Setback	50'	500'	500'
Lot Area	150000sf	396,396 sf	396,396 sf (9 ac)
Lot Width	200'	250'	250'
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	0	0
Cumulative footprint size of all structures	0	0	0
Cumulative lot coverage (footprint) percent for all	15%	6.5%	6.5%
Cumulative floor space of all structures (F.A.R.)	52,272	11,345	11,345
Cumulative floor space to lot area % all structures	30%		

2.4.3 Change, Extension, Alteration or Restoration of Other Nonconforming Uses or Structures

Any lawfully existing use of a structure or land that does not conform to the provisions of this By-law may continue. Any change of such use shall be governed by the following:

§ § 2.4.3.2.A Motor courts, motels or hotels may be converted to year-round dwelling unit use

ACTION	FINDING
(A). Obtains a Special Permit from the Board of Appeals of the Town of Dennis in compliance with this By-law and General Laws Chapter 40A, or any amendments thereto and;	
(B.) Obtains approval from the Dennis Board of Health for a septic system.	

§ 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:**

- It appears the application is being put in by one tenant but affects the others.
- We have not received a vote from the condo association approving this application
- In any case, the property does not have the area to make them all year round per § 2.3.2.
- In §2.3.2, the Intensity of Use Schedule, Multiple Dwelling Units require property with 120,000 sf plus 40,000 sf per unit over 3.
- The property would require 400,000 sf per §2.3.2 for 8 units to be year-round but the property has less than 400,000 sf and less than half of that is upland.
- To create eight (8) year-round units the Applicant would have to have the entire Condominium Association approve the application and assign which units would be so designated.
- To create more than eight (8) or all year-round units the Applicant would have to go through §4.9 with 25% becoming deed-restricted affordable and designated.
- The Planning Board is the Special Permit Granting Authority for §4.9 .

- **NATURAL RESOURCES:** Area concerned Not in Conservation jurisdiction.

- **HEALTH:** No issues with Health.

- **BUILDING:** Parcel only has sufficient land area for the conversion of 9 units to year round.

- **ENGINEERING:**

- As no expansion of the buildings is planned, parking demand should not change.
- This would not require a formal review of the existing parking, and it is unclear if a design plan or parking analysis is available.
- The applicant should confirm that the current parking volume and layout conforms to the recorded condominium documents (if specified therein), and no residents in attendance take issue with the current level of available parking.