



Town of Dennis

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

152 CORPORATION ROAD

ZBA SPECIAL PERMIT STAFF REVIEW – September 17, 2025.

APPLICANT:	David B Aufderhaar Trustee C/O Galen Farrar
PROJECT ADDRESS:	152 Corporation Road, Dennis MA 02638
MAP AND LOT NUMBER:	Map 386 Lot 28 (0.56 acres – 22109 sf)
APPLICANT ADDRESS:	17 Independence Lane, Hingham, MA 02043
CASE NUMBER:	ZBAS-25-36
ZONING:	R-40; Old Kings Highway Historic
HEARING DATE:	September 22, 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	Demolish and rebuild the main house structure on a non-conforming lot.
PROJECT SUMMARY	<ul style="list-style-type: none"> • The proposal is a <u>voluntary demolition</u> of a non-conforming two-story single-family house built in 1925 to be replaced by a two-story single-family house on a non-conforming lot. • New single-family dwelling would have 4 bedrooms in the house and 2 bedrooms in the barn in rear of the property. • Proposed work is within the setbacks whereas 2-Bedroom barn is on the lot line.
REQUEST	Finding per: § 2.4.1.2.C. - Special Provisions for Relocation/Recon. of 1 or 2-Family Structures Not Located w/n Existing Footprint (C.2) The <u>voluntary demolition and reconstruction</u> of a building or structure <u>nonconforming by dimension...</u> and the non-conforming nature of the new proposed structure is found to be substantially less non-conforming.
PLOT PLAN	Site Plan of 152 Corporation Road Dennis, Massachusetts prepared for Mathew Rider-Niche Architecture + Interiors, 531 Concord Street Holliston, MA 01746 by Fairland Corp. 154 Huttleston Avenue Fairhaven, MA 02719. Plan consisting of 2 sheets with existing and proposed conditions, Septic System Profile and Design with Test Hole Logs. Plan dated May 2, 2025 Revised 8-13-2025 by Christian Albert Farland.
BUILDING PLANS	Plans of 152 Corporation Road, Dennis MA 02638 for Aufderhaar Residence, by Niche Architecture + Interiors 399 Boylston Street, Floor 6 Boston, MA 02116. Plans consisting of 26 Sheets with Cover Sheet, Project Notes, Basement Plan, First Floor Plan, Second Floor Plan, Building Elevations(x2), Building Sections(x4), Schedules, Flooring Basement Plan, Flooring First Floor Plan, Flooring Second Floor Plan, Building Renderings, Electrical Basement Plan, Electrical First Floor Plan, Electrical Second Floor Plan, General Notes,

	Foundation Plan, First Floor Framing Plan, Second Floor Framing Plan, Ceiling Framing Plan, Roof Framing Plan, and Structural Details. Plans dated 05-16-2025.
--	--

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	22109 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	NA
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	

Basic Site Data	Required/ Allowed	Existing	Proposed
Frontage	50'	161.39'	161.39'
Front Setback	25'	43.9'	31.1'
Right Side Setback	15'	67.3'	48.8'
Left Side Setback	15'	46.4'	16.5'
Rear Setback	25'	0'/51.9'	0/66.3'
Lot Area	40,000	22,109 sf	22,109 sf
Lot Width	100'	161.39'	161.39'
Non-conforming floor space within Setbacks	Barn	1,186 sf	1,186 sf
D2. Increase in new non-conforming floor space by more than 40% within any 10-year period			0
Cumulative footprint size of all structures		1767 sf	3,314 sf
Cumulative lot coverage (footprint) percent for all	15%	7.99%	14.99%
Cumulative floor space of all structures (F.A.R.)		3,018 sf	4,396 sf
Cumulative floor space to lot area % all structures	30%	13.65 %	26%

§ 2.4.1.2 C - Special Provisions for Recon. of 1 or 2-Family Structures Not Located w/n Existing Footprint

ACTION	FINDING
C2 - Voluntary demolition and reconstruction of a building or structure which is non-conforming by dimension on any other location on the lot in which it is located outside of the existing non-conforming footprint unless it conforms with the dimensional regulations of the zone in which it is located or the non-conforming nature of the new proposed structure is found to be substantially less non-conforming by the ZBA	

§ 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; **Adequate.**
- 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. However, appear to be new non-conformities on barn.**
- 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 does impact the natural environment with removal of mature trees.**

TOWN DEPARTMENTS COMMENTS:

• **PLANNING:**

- The proposal is significantly larger than the existing house but site plan says it is just under the bulk thresholds. The proposed pool, patio and outdoor shower will increase the impervious area to over 30% of the lot. The Town should consider limiting hardscape as it is generally considered landscaping. But, in extreme cases, lots are being increasingly covered.
- Some basic site data was different in the online application than the site plan. Staff Report uses numbers from site plan. Due to the 14.99% proposed lot coverage, the applicant should explain these discrepancies and how the number was derived.
- The proposal appears to result in the removal of 8-12 mature trees.
- Landscape plan shows new deck on back of the barn even closer to the lot line. Also shows a relocation of the outdoor shower to an even more non-conforming location on/over lot line.
- Due to the location of the property in a dense residential neighborhood near the water, the time of year construction and not blocking the road conditions have been added.
- Once non-conformities on landscape plan and basic site data confirmed, The Board can find that a lawful pre-existing non-conforming structure exists on the property and the proposed reconstruction, as conditioned, will not be substantially more detrimental to neighborhood.

• **NATURAL RESOURCES:** Not in Conservation Jurisdiction.

• **HEALTH:**

- New 6-bedroom Septic System installed in 2024. 4 bedrooms in main dwelling, 2 in barn.
- Building permits signed off by Health for raze and rebuild main dwelling.
- Septic repair permit issued 7/2025 to relocate septic tank. Pending inspections.

• **ENGINEERING:**

- This project as presented results in a ground disturbance greater than 500sf. and is therefore required to meet the intent of the Stormwater By-Law.
- A stone construction entrance should be provided in the area of site access for equipment. Contractor should be responsible for maintaining Corporation Road free of

accumulated sediment during construction.

Provide temporary construction period linear erosion controls at a defined work limit to contain sediment and infiltrate runoff on-site. Permanent post construction erosion and sedimentation controls, such as vegetated swales and/or depressions should be considered at the base of slopes to contain any post construction runoff.

- Disturbed areas should be stabilized and revegetated as soon as practical.
- Roof drainage for the new dwelling, (and the existing barn as required) shall be contained by gutters and downspouts and directed to subsurface areas for infiltration, or stone trenches should be provided along roof drip lines.
- Existing screening to abutting properties should be maintained to the extents practical.
- New screening should be considered as required, or in areas where a 10ft. vegetated buffer in accordance with 2.3.4.1.b is not currently existing.
- The site plan and landscape plan appear to differ with respect to the exterior features at the existing barn. The landscape plan shows an outdoor shower, which is not shown on the site plan and appears to encroach over the property line, as well as a set of stone steps leading to a different stair layout than show on the site plan. Existing and proposed exterior features in this area should be confirmed, any encroachments over the abutting property resolved, and where possible a vegetated buffer to the abutting property should be provided in accordance with 2.3.4.1.b.
- The site and landscape plans show revisions to the existing driveway. These revisions will require a road opening permit. The cobble apron shall be held back a minimum of 1ft. from the edge of the paved road.

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. Any off-street parking shall be, and remain, a pervious surface.6. Grading should be limited to what is absolutely necessary and as many existing trees as possible should be maintained. Disturbed areas should be stabilized and revegetated as soon as practical following construction to minimize erosion. Additional screening should be provided in areas where vegetation is removed or the grade is altered.7. There shall be no exterior construction (including foundation work) or heavy equipment between the Friday before Memorial Day and the day after Labor Day.8. The proposed demolition must be referred to the Historic Commission per the Demolition Delay General Bylaw (§61-3). This Special Permit shall not be valid and a Building Permit shall not be issued until such time as the Historic Commission either votes that the building is not preferably preserved or the demolition delay expires.
----------------------------	--