



Town of Dennis

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

744 MAIN STREET, DENNIS APPLICATION FOR APPROVAL NOT REQUIRED PLANNING DEPARTMENT REVIEW

APPLICANT:	Chester J Deluga Trustee C/O Down Cape Engineering, Inc.
PROJECT ADDRESS:	744 Main Street, Dennis MA 02638
MAP AND LOT NUMBER:	351-4
APPLICANT ADDRESS:	939 Route 6A, Yarmouth Port, MA 02675

GENERAL NOTES

- Plan of Land Plan of Land of 744 Main Street, Dennis MA 02638 prepared for 744 Main Street Realty Trust. Prepared by Down Cape Engineering, 939 Main Street, Yarmouthport, MA. Stamped by Dan Ojala. Plan Dated June 20,2025; Revised September 11, 2025.
- Minor modifications to a previously endorsed ANR plan reviewed by the Planning Board on March 17, 2025. This version adds a notation on survey monuments and survey certification per Land Courts request. Note that no changes have been made to the proposed property lines from the previously approved plan.
- This plan removes the locations of a fence on the plan.
- The only other difference from the ANR endorsed on March 17, 2025 appears to be that the name of the entity that the plan was prepared for in March was Village Courtyard LLC and this plan was prepared for 744 Main Street Realty Trust.
- The purpose of this and the previously endorsed Approval Not Required (ANR) plan is to re-divide the property at 744 Route 6A (currently two lots on LC Plan 15742B) into three (3) lots, with the newly created lot not buildable.
- Lot 2 (LCP 15742B -40,018 sf) was created June 25, 2002 through the Land Registration Office and will stay the same.
- Lot 3 (LCP 15742B (prior to the previous ANR was 56,065 sf) was created June 25, 2002 through the Land Registration Office and will become 40,029 sf. The remaining Lot 3 will have adequate frontage and area.
- Lot 4 (created herein) will be a non-buildable lot. Notes state that it is for conveyance purposes and is not a building last as defined by the zoning bylaw. As such it has adequate frontage and area.
- The property was previously one lot as created through Land Court Plan 15742A in 1934.



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STATUTORY REVIEW

The division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the subdivision control law if:

- (a) a public way or a way which the clerk of the city or town certifies is maintained and used as a public way, or
 - **The proposal is on the corner of two public ways.**
- (b) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, or
- (c) a way in existence when the subdivision control law became effective in the city or town in which the land lies, having, in the opinion of the planning board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.
- (d) Frontage shall be of at least such distance as is then required by zoning or other ordinance or by-law
 - **Frontage for Lot 2 shall remain the same and is adequate (215 feet whereas 150 is required).**
 - **Frontage for Lot 3 shall remain adequate (181 feet on Hope Lane and 151 feet on Route 6A whereas 150 is required).**
 - **Frontage for Lot 4 shall be a non-buildable lot and therefore has adequate frontate (60 feet whereas 25 feet is required).**
- (e) Conveyances or other instruments adding to, taking away from, or changing the size and shape of, lots in such a manner as not to leave any lot so affected without the frontage above set forth,
 - **All lots will have adequate frontage.**
- (f) the division of a tract of land on which two or more buildings were standing when the subdivision control law went into effect in the town into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision.
 - **No**

Conclusion

The Approval presumed to Not Require Subdivision review and approval can be endorsed.