



Town of Dennis

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118 TAUNTON AVENUE

ZBA SPECIAL PERMIT STAFF REVIEW – Revised October 22, 2025

Note: New information is printed in bold type

APPLICANT:	Robert Langway C/O Tullio Pereira of Imagine Building Solutions
PROJECT ADDRESS:	118 Taunton Avenue, Dennis MA 02638
MAP AND LOT NUMBER:	Map 344 Lot 122 (0.13 acres – 5662 sf)
APPLICANT ADDRESS:	4 Ruth Street, Harwich, MA 02645
CASE NUMBER:	ZBAS-25-39
ZONING:	R-40; Partially in AE Flood zone; OK 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	Addition of a 15.7' x 11.5' three-season porch with deck on top.
PROJECT SUMMARY	<ul style="list-style-type: none"> • New three-season room addition on northwest side of house. • Includes a roof deck above the addition with access via a new sliding glass door. • <i>Applicant submitted revised plans showing a slightly smaller addition with basic site data, the AE Flood Zone line and two drywells as requested.</i>
REQUEST	<p>Finding per: § 2.4.1.2.B - Actions Requiring a Finding that the proposal is NOT Substantially More Detrimental (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; (B.2) Increase in the lot coverage of a structure where the structure currently exceeds lot coverage; AND : § 2.4.1.2.D.3 – exceeds 15% Lot Coverage and 30% F.A.R. by a small amount.</p>
PLOT PLAN	<p>Plot Plan of 118 Taunton Avenue Dennis, Massachusetts prepared by Canal Land Surveying and Permitting Inc. 306 Old Plymouth Road, Sagamore Beach, MA 02562. Plan consisting of 1 sheet with building and addition location and Basic Site Data. Plan dated 8-1-2025 by Richard J Hood. Revised October 8, 2025.</p>
BUILDING PLANS	<p>Plan of 118 Taunton Avenue Dennis, Massachusetts prepared by Buildone Engineering Design. Plan consisting of 5 sheets with General Notes, Existing Plans & Elevation Views (Isometric), Proposed Plans & Elevation Views (Isometric), Foundations & Frame Plan Views & Details, and Schematic Section & Typical Details. Plans Dated July 10, 2025; Revised 10/06/2025.</p>

1.3.2 Plans and Specifications

REQUIREMENTS	PROVIDED ON PLAN
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CERTIFIED PLOT PLAN INCLUDING	
LOCUS MAP	Yes
PERIMETER DIMENSIONS, INCLUDING FRONTAGE	No
AREA OF LOT	5662sf
NAMES OF STREETS	Yes
NAMES OF ABUTTING PROPERTY OWNERS	No
DISTANCES EXISTING AND PROPOSED STRUCTURES TO PROPERTY LINES	Yes
PROPOSED ADDITONS/ALTERATIONS OF EXISTING BLDGS W/ SETBACKS	No
PROXIMITY OF WETLANDS	No
EXISTING AND PROPOSED TOPOGRAPHYAND/OR OTHER LAND ISSUES	No
DIMENSIONS OF EXISTING AND PROPOSED STRUCTURES	No
ARCHITECTURAL DRAWINGS ILLUSTRATING THE PROPOSED CONDITIONS	No
ARCHITECTURAL DRAWINGS ILLUSTRATING THE EXISTING CONDITIONS	No

Basic Site Data	Required/ Allowed	Existing	Proposed
Frontage	100'	70'	70'
Front Setback	25'	4'	4'/12.6' to addition
Right Side Setback	15'	9.7'	9.7'
Left Side Setback	15'	10.1/38.3'	10.1'/ 26.3'
Rear Setback	25'	8'/38.2'	8'/38.2'
Lot Area	40,000sf	5,570 sf	5,570 sf
Lot Width	150'	70'	70'
Non-conforming floor space within Setbacks	.4 = 380sf	950 sf	180 sf
D2. Increase in new non-conforming floor space by more than 40% within any 10-year period			18.9 %
Cumulative footprint size of all structures	835.5 sf	1,095 sf sf	1,275 sf
Cumulative lot coverage (footprint) percent for all	15%	19.5%	22.8%
Cumulative floor space of all structures (F.A.R.)		1,503.5 sf	1,683.5 sf
Cumulative floor space to lot area % all structures	30%	26.9 %	30 %
Note: Lot Coverage, Non-Conforming Area & Floor Area Ratio Calculated by staff in bold italic type.			Needed to remove 14 sf Removed app. 15.5 sf

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

ACTION	FINDING
B1 - Increase in the footprint of a structure that does not comply with one or more required setbacks where the alteration will extend lot coverage or building height where a structure does not conform to current setback requirements;	
B2 - Increase in the lot coverage of a structure where the structure currently exceeds lot coverage;	

§ 2.4.1.2 D Actions Requiring a Finding of Substantially More Detrimental

ACTION	FINDING
D3 The addition of floor space to a lawfully pre-existing non-conforming structure on a site that exceeds the 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.	Exceeds 15%, plan revised to be meet 30%.

§ 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 small addition on a small lot. ***Revised plans include basic site data including lot coverage and floor area ratio or accurate flood plain information.***
- Staff measured the plans and finds the Lot Coverage in Gross Square Feet (20' by 30' times 2 floors, plus a 120-sf porch (20' by 6') and a 375-sf garage (25' by 15') is 1,095-sf or 19.5% of the 5,570-sf lot. For the Floor Area Ratio, the livable area with the exterior walls on all floors was removed for the calculation. {First Floor 539 sf (18.75' by 28.75') plus Second Floor 539 sf (18.75' by 28.75') plus Porch (18.75' by 5.5') plus garage (24' by 11') plus new porch (11.5' by 14.5'). Total of 1,683.75-sf or 30.2 % of 5,570 sf. The plan needs to be reduced by approximately 14 square feet to get under 30% F.A.R. ***Percentages provided on revised stamped site plan slightly different than rough calculation by staff. Applicant removed the required square feet to get under 30% FAR as requested.***
- The site plan shows two septic systems for this small 2-bedroom, 1-bathroom house. The Assessor notes description as a two-unit dwelling whereas listed as two-bedroom single-family. ***Site Visit confirmed house appears to be used as a single-family.***
- ***Applicant was informed they had to remove roof drains they installed that discharge to the Town Road Layout via pipes and stone outlets along the paved road edge and provide dry wells. The roof drains have been cut off, the road edge restored and dry wells on plan.***
- ***The plan was revised to include the relevant information. The Board may 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/CONSERVATION**: Conservation signed off on both the Conservation Review for 118 Taunton Avenue and the 16B Variance for the Health Department based on the site plan provided compared with the FEMA layer on our GIS. Conservation agrees the site plan should be updated to show the boundary of the AE Flood Zone on the plan. ***Revised Site Plan shows AE flood zone at 14' contour and the proposed addition is not within the AE flood zone.***
- **HEALTH**: Property located in an Environmentally Sensitive Area. Will require 16B variance from the Board of Health.
ENGINEERING: September 19 Comments:
- This property had recently installed roof drains (discovered by DPW during road sweeping) that discharge to the Town Road Layout via pipes and stone outlets located along the paved road edge. The applicant should provide suitable confirmation to the Health Department that these illicit discharges have been discontinued, and roof drainage is directed to subsurface infiltration within the property boundary prior to any approvals or permitting. The stone and pipe outlet structures located along the road edge will need to be removed as to not impact town road maintenance. As part of any new construction, roof drainage for the porch/deck shall also be directed to subsurface areas at the drip line.
- **October 22 Comment: Engineering confirmed Health has indicated that the roof drains have been cut off and the road edge restored.**
ASSESSING: Site visit confirmed single-family.

<p>PROPOSED CONDITIONS</p>	<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 review or the Board of Health Permit shall be deemed cause to revoke the ZBA Special Permit. 5. Any off-street parking shall be a pervious surface. 6. The contractor shall be responsible for maintaining the road in a condition free of accumulated sediment during construction and all appropriate drainage and erosion control measures as suggested by town engineering comments shall be implemented. 7. Construction vehicles shall not park in or block the road. 8. There shall be no exterior construction (including foundation work) or heavy equipment between the Friday before July 4 and the day after Labor Day or on Legal Holidays. 9. Before a Certificate of Occupancy is issued, the Applicant shall provide proof that they have connected all roof gutters to drywells on the property.
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