

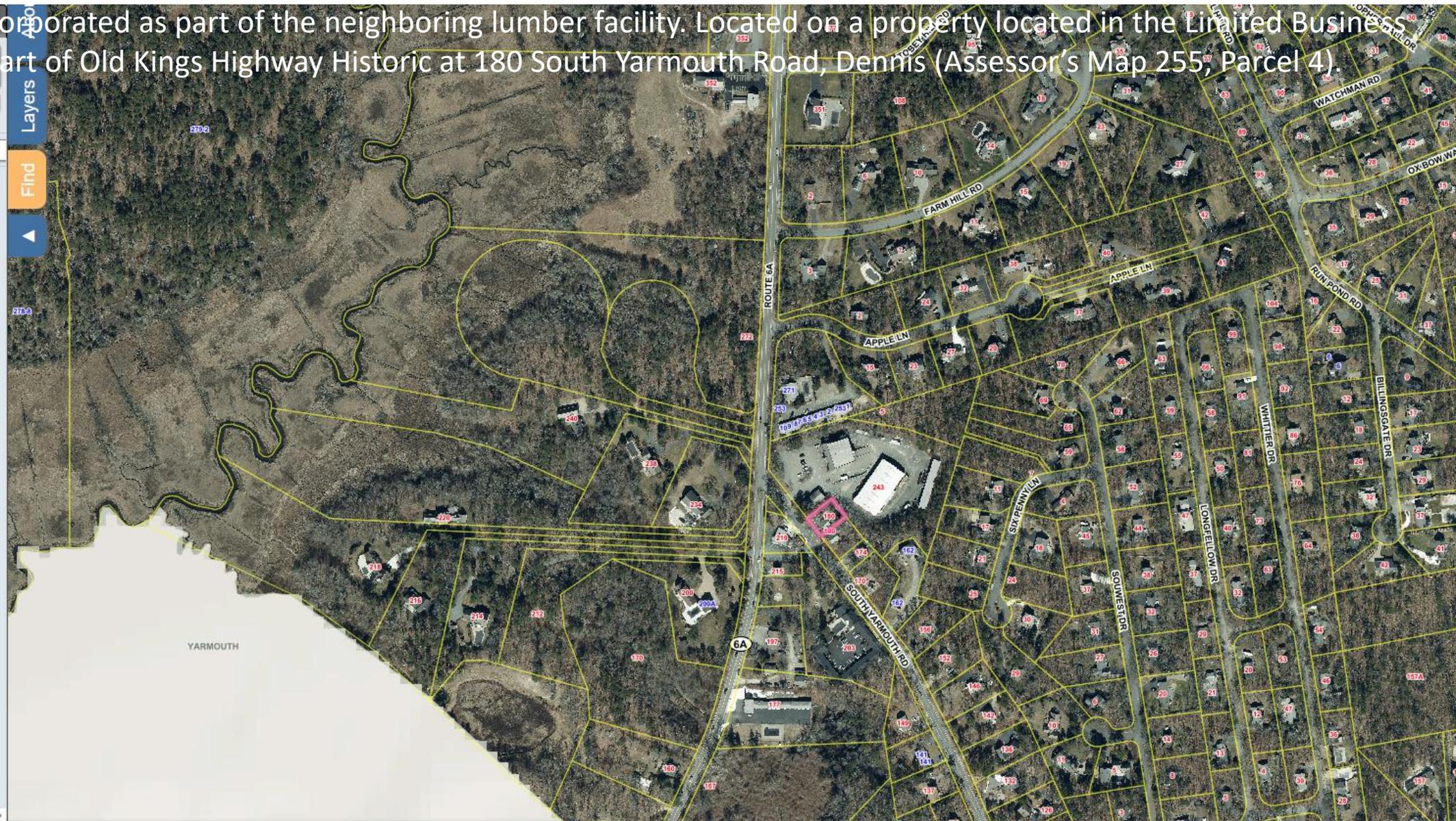
180 SOUTH YARMOUTH ROAD (ZBAS-25-49): 3 P Properties LLC (Koopman Lumber), 665 Church Street, Whitinsville, MA (01588)
 C/O Jean Kampas of La Tanzi, Spaulding & Landreth LLP, is seeking a Special Permit for the voluntary demolition of a pre-existing nonconforming single-family structure built in 1939 on a non-conforming lot to be replaced by a 3,450 sf (115' by 30') accessory storage shed and incorporated as part of the neighboring lumber facility. Located on a property located in the Limited Business Zoning District part of Old Kings Highway Historic at 180 South Yarmouth Road, Dennis (Assessor's Map 255, Parcel 4).

Owner:
 Parcel ID:
 Address: Clear
 Condo/Cottage Colony:
Results Summary
Parcels

Parcel ID	Address	Village	Owner
255-3-0	180 SOUTH YF	DE	3 P PROPERTIE
255-4-0	180 SOUTH YF	DE	3 P PROPERTIE

Detail Information Zoom To →

CAMA ID	255-3-0
MapPar	255-3
Key	11445
Fiscal Year	2026
Extension	0
Address	180 SOUTH YARMOUTH ROA
Village	DE
Property Type	R
Owner	3 P PROPERTIES, LLC
Co-Owner	
Owner Address	665 CHURCH STREET
Owner City	WHITINSVILLE
Owner State	MA
Owner Zip	01588
Owner Country	
State Class #	1320
State Class Desc	UNDEVELOPABLE LAND
Deed Date	01/26/24 00:00:00



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Find Properties

Owner:

Parcel ID:

Address: Clear

Condo/Cottage:

Colony:

Find

Layers

Results Summary

Parcels

Parcel ID	Address	Village	Owner
255-3-0	180 SOUTH YF	DE	3 P PROPERTIE
255-4-0	180 SOUTH YF	DE	3 P PROPERTIE

Detail Information Zoom To

Owner State	MA
Owner Zip	01588
Owner Country	
State Class #	1320
State Class Desc	UNDEVELOPABLE LAND
Deed Date	01/26/24 00:00:00
Book	36197
Page	271
Certificate	
Last Sale Price	395000.0000
Total Value	\$12,100.00
Land Value	\$12,100.00
Building Value	\$0.00
Detached Building Value	\$0.00
Acres	0.17
Prev Year Total Value	\$12,200.00
Property Card	PK Field Card



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Layers

Find

Zoning

Zoning (2025)

- Medium Wind Facility Overlay District
- Large Wind Facility Overlay District
- Med. & Large Wind Facility Overlay Distr
- Scenic Corridor
- Residential 40
- Residential 60
- General Commercial I
- General Commercial II
- General Commercial III
- Limited Business
- Extensive Business
- Industrial
- Resort Residential
- Seasonal Resort Community
- Hotel Resort District
- Dennis Port Village Center Area A
- Dennis Port Village Center Area B
- West Dennis Village Center District
- West Dennis Village Center Support Dist
- West Dennis Marine Open Space District
- West Dennis Mixed Use Marine District
- West Dennis Residential-Commercial
- Quivet Neck-Crowes Pasture Resource Protection District

Historic Districts

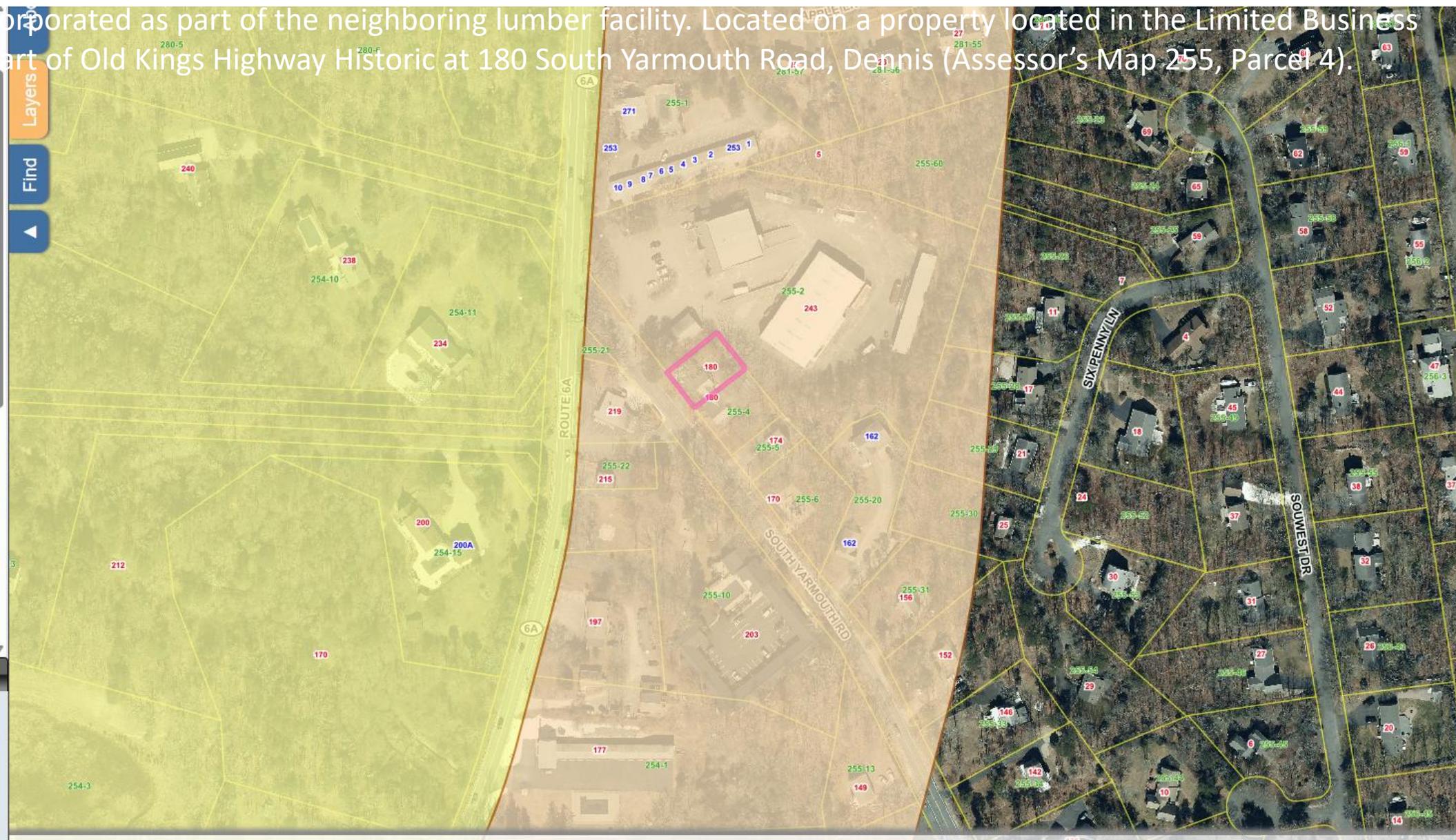
Condo and Cottage Colonies

Infrastructure Points

2020 Aerial Planimetrics

Base Maps

- Google Hybrid Map
- Google Street Map
- 2023 MassGIS Orthos
- CCC 2020 Aerial Imagery**
- MassGIS 2014 Orthos
- MassGIS 2005 Orthos
- MassGIS 1994 Orthos
- Town Base Map



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- Walking/ Biking Trails
- Zoning
- Historic Districts
 - Old King's Highway Hist. Distr. (2024)
 - South Dennis Hist. Distr. (2025)
- Condo and Cottage Colonies
- Infrastructure Points
- 2020 Aerial Planimetrics
- Hurricane SLOSH
- FEMA Flood Zones
- Voting Precincts
- Elevation
- MassDEP Regulated Areas
- MA NHESP Certified Vernal Pools
- MA NHESP Potential Vernal Pools
- NHESP 8-1-2021 Estimated Habitat Rare Species Dennis
- NHESP 8-1-2021 Priority Habitat Rare Spec Dennis
- Land Use (Last Update 2013)
- Private Access Ways
- Parcels
- Base Maps
 - Google Hybrid Map
 - Google Street Map
 - 2023 MassGIS Orthos
 - CCC 2020 Aerial Imagery
 - MassGIS 2014 Orthos
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Front of House





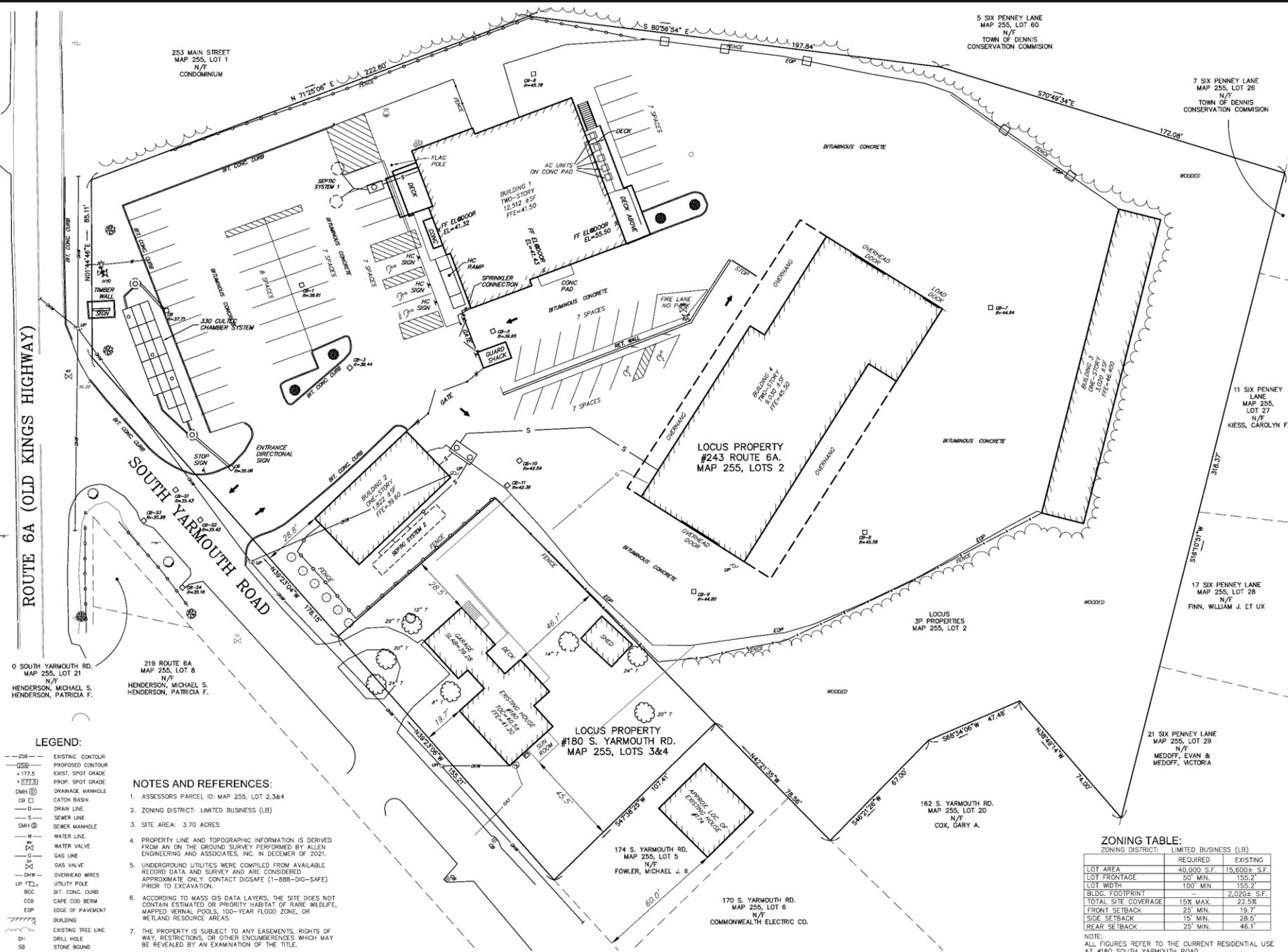
Southeasterly Side of House



Rear of House







- LEGEND:**
- - - - - EXISTING CONTOUR
 - - - - - PROPOSED CONTOUR
 - + 177.5 EXIST. SPOT GRADE
 - + 177.5 PROPOSED SPOT GRADE
 - + 177.5 EXIST. SPOT GRADE
 - + 177.5 PROPOSED SPOT GRADE
 - DNH (M) DRAINAGE MANHOLE
 - CB (C) CATCH BASIN
 - D (D) DRAIN LINE
 - S (S) SEWER LINE
 - SMH (M) SEWER MANHOLE
 - W (W) WATER LINE
 - WV (V) WATER VALVE
 - G (G) GAS LINE
 - GV (V) GAS VALVE
 - DHW (W) OVERHEAD WIRES
 - UP (P) UTILITY POLE
 - BC (C) BIT. CONC. CURB
 - CCS (S) CAPE COOD BERM
 - EP (P) EDGE OF PAVEMENT
 - BLD (B) BUILDING
 - DT (T) EXISTING TREE LINE
 - DH (H) DRILL HOLE
 - SB (B) STONE BOUND

- NOTES AND REFERENCES:**
- ASSESSORS PARCEL ID: MAP 255, LOT 2,3&4
 - ZONING DISTRICT: LIMITED BUSINESS (LB)
 - SITE AREA: 3.70 ACRES
 - PROPERTY LINE AND TOPOGRAPHIC INFORMATION IS DERIVED FROM AN ORN THE GROUND SURVEY PERFORMED BY ALLEN ENGINEERING AND ASSOCIATES, INC. IN DECEMBER OF 2021.
 - UNDERGROUND UTILITIES WERE COMPILED FROM AVAILABLE RECORD DATA AND SURVEY AND ARE CONSIDERED APPROXIMATE ONLY. CONTACT DISAFA (1-888-DIG-SAFE) PRIOR TO EXCAVATION.
 - ACCORDING TO MASS GIS DATA LAYERS, THE SITE DOES NOT CONTAIN ESTIMATED OR PRIORITY HABITAT OF RARE WILDLIFE, MAPPED VERNAL POOLS, 100-YEAR FLOOD ZONE, OR WETLAND RESOURCE AREAS.
 - THE PROPERTY IS SUBJECT TO ANY EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, OR OTHER ENCUMBRANCES WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

ZONING TABLE:
ZONING DISTRICT: LIMITED BUSINESS (LB)

LOT AREA	REQUIRED	EXISTING
40,000 S.F.	15,600+ S.F.	
LOT FRONTAGE	50' MIN.	155.2'
LOT WIDTH	100' MIN.	155.2'
BLDG. FOOTPRINT	N/A	2,020+ S.F.
TOTAL SITE COVERAGE	15% MAX.	22.5%
FRONT SETBACK	25' MIN.	19.7'
SIDE SETBACK	15' MIN.	28.5'
REAR SETBACK	25' MIN.	48.1'

NOTE:
ALL FIGURES REFER TO THE CURRENT RESIDENTIAL USE AT #180 SOUTH YARMOUTH ROAD.



OWNER:
3 P Properties, LLC
665 Church Street
Whitinsville, MA 01588

TITLE:
EXISTING CONDITIONS PLAN
For
243 Route 6A
and
180 South Yarmouth road
Dennis, MA

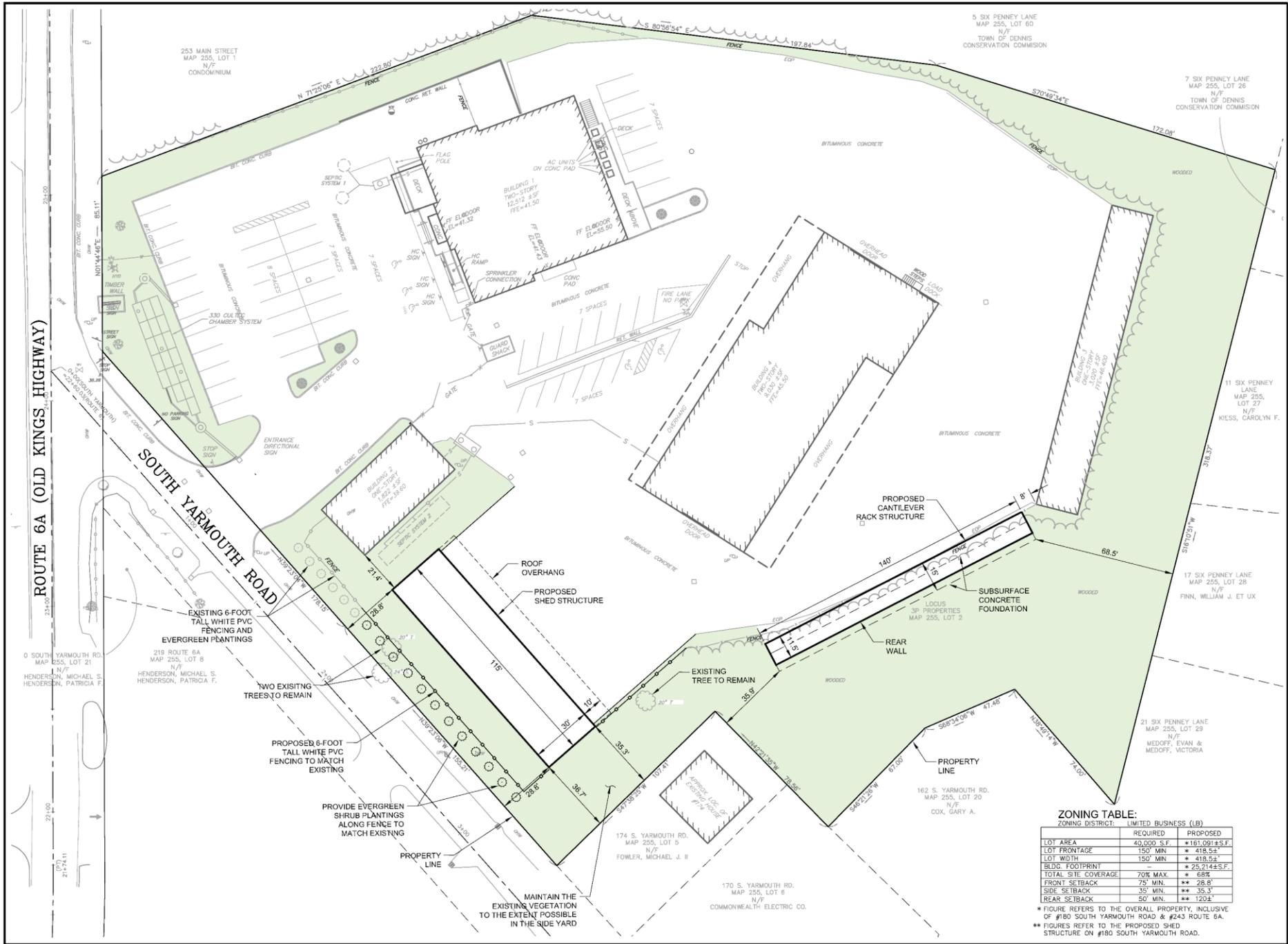
SEAL:

PROFESSIONAL LAND SURVEYOR

PREPARED BY:

ALLEN ENGINEERING & ASSOCIATES, INC.
Civil Engineers - Surveyors
Land Development Consultants
140 Hartford Avenue East
Hopedale, Ma 01747
(508) 381-3212 • www.allen-ea.com

SCALE: 1"=20' FEET
DATE: September 24, 2025
REVISIONS:
JOB NO: 00392 SHEET: 1 of 2



5 SIX PENNEY LANE
MAP 255, LOT 60
N/F
TOWN OF DENNIS
CONSERVATION COMMISSION

7 SIX PENNEY LANE
MAP 255, LOT 26
N/F
TOWN OF DENNIS
CONSERVATION COMMISSION

11 SIX PENNEY LANE
MAP 255, LOT 27
N/F
RIESS, CAROLYN F.

17 SIX PENNEY LANE
MAP 255, LOT 28
N/F
FINN, WILLIAM J. ET UX

21 SIX PENNEY LANE
MAP 255, LOT 29
N/F
MEDOFF, EVAN &
MEDOFF, VICTORIA

162 S. YARMOUTH RD.
MAP 255, LOT 20
N/F
COX, GARY A.

170 S. YARMOUTH RD.
MAP 255, LOT 6
N/F
COMMONWEALTH ELECTRIC CO.

174 S. YARMOUTH RD.
MAP 255, LOT 5
N/F
FOWLER, MICHAEL J. II

253 MAIN STREET
MAP 255, LOT 1
N/F
CONDOMINIUM

ROUTE 6A (OLD KINGS HIGHWAY)

SOUTH YARMOUTH ROAD

ZONING TABLE:
ZONING DISTRICT: LIMITED BUSINESS (LB)

	REQUIRED	PROPOSED
LOT AREA	40,000 S.F.	* 161,091 S.F.
LOT FRONTAGE	150' MIN	* 418.5'
LOT WIDTH	150' MIN	* 418.5'
BLDG. FOOTPRINT	-	* 25,214 S.F.
TOTAL SITE COVERAGE	70% MAX.	* 68%
FRONT SETBACK	75' MIN.	** 28.8'
SIDE SETBACK	35' MIN.	** 35.3'
REAR SETBACK	50' MIN.	** 120.1'

* FIGURE REFERS TO THE OVERALL PROPERTY, INCLUSIVE OF #180 SOUTH YARMOUTH ROAD & #243 ROUTE 6A.
** FIGURES REFER TO THE PROPOSED SHED STRUCTURE ON #180 SOUTH YARMOUTH ROAD.



OWNER/APPLICANT:
3 P Properties, LLC
665 Church Street
Whitinsville, MA 01588

TITLE:
PROPOSED SITE PLAN
For
243 Route 6A
and
180 South Yarmouth road
Dennis, MA

SEAL:

PROFESSIONAL LAND SURVEYOR

PREPARED BY:

ALLEN ENGINEERING & ASSOCIATES, INC.
Civil Engineers • Surveyors
Land Development Consultants
140 Hartford Avenue East
Hopedale, Ma 01747
(508) 381-3212 • Phone
www.allen-es.com

SCALE: 1" = 20' FEET
DATE: **September 24, 2025**

REVISIONS			
#	DATE	DESCRIPTION	INT M/D

JOB NO: 00392 SHEET: **2 of 2**

ZONING TABLE:

ZONING DISTRICT: LIMITED BUSINESS (LB)

	REQUIRED	PROPOSED
LOT AREA	40,000 S.F.	* 161,091±S.F.
LOT FRONTAGE	150' MIN	* 418.5±'
LOT WIDTH	150' MIN	* 418.5±'
BLDG. FOOTPRINT	—	* 25,214±S.F.
TOTAL SITE COVERAGE	70% MAX.	* 68%
FRONT SETBACK	75' MIN.	** 28.8'
SIDE SETBACK	35' MIN.	** 35.3'
REAR SETBACK	50' MIN.	** 120±'

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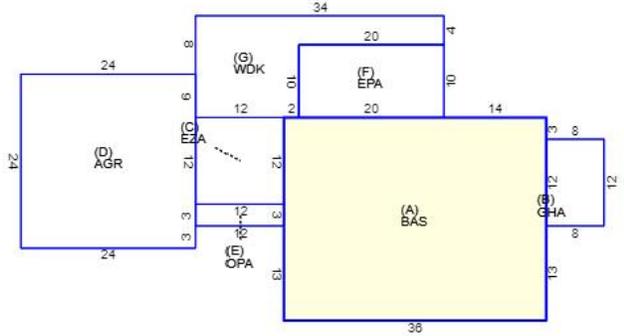
** FIGURES REFER TO THE PROPOSED SHED STRUCTURE ON #180 SOUTH YARMOUTH ROAD.

Key: 11446

Town of DENNIS - Fiscal Year 2025

11/12/2024 5:56:51PM SEQ #: 11,819

Assessed Owner Of Record		Parcel ID		Location			Class	Mix%	Description			BLD #	Elda ID	Card							
AUSTIN STEPHEN P		255-4-0		180 SOUTH YARMOUTH ROAD DE			1010	100	SINGLE FAMILY			1		1 of 1							
CURRENT OWNER		TRANSFER HISTORY		DOS	T	SALE PRICE	BK-PG (Cert)	PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st	%					
3 P PROPERTIES, LLC 665 CHURCH STREET WHITINSVILLE, MA 01588		3 P PROPERTIES, LLC AUSTIN STEPHEN P PETERSON MARION		01/26/2024	V	395,000	36197-271		02/23/2007	77	CYCLICAL REV		02/23/2007	HD	0	0					
				07/14/2011	V	170,000	25562-270	000	08/22/2001	77	CYCLICAL REV		08/22/2001	HD	0	0					
				08/06/1999	DC		651-83	3460	03/24/1995	3	ALTERATIONS	1,575	08/08/1995	SF	0	100					
								471	09/29/1988	2	ADDITIONS	3,000	09/28/1989	FPB	0	100					
CD	T	ACRES/SF	Nbhd	FEMA	Int1	ADJ BASE	SAF	Int2	Lpi	Chot	CREDIT AMT	ADJ VALUE									
100	A	0.180	17	1.00	R	1.00	1	1.00	217,056	3.13	80	0.80	R04	1.05			122,370				
TOTAL		7,841 SF	INFL2=COMM INFLUENCE PLAN 124/85		Photo Date		10/18/2000	BLDG #		1											
Nbhd		HIGHLANDS																			
FEMA		OLD PK CODE																			
Int1		AVERAGE																			
TY	QUAL	COND	DIM NOTE	YB	UNITS	ADJ PRICE	RCNLD														
SHF	A	1.00	F 0.60	20 X 14		240	20.74	3,000													
YrBlt		1939	NET AREA		1,008																
COST MODEL		CURRENT	PREVIOUS																		
SINGLE FAMILY		TAXABLE	TAXABLE																		
FY09 LIST		BLDG	ADJ	DESC	LAND	122,400	123,300														
		STYLE	1.86	RANCH [100%]	BUILD.	332,500	303,300														
		QUALITY	1.00	AVERAGE [100%]	DETACH	3,000	2,800														
		FRAME	1.00	WOOD FRAME [100%]	OTHER	0	0														
		TOTAL	457,900	429,400																	
BLD#ID	MODEL	YR_BLT	EFF_YR	DLCU	OVCU	MEASURE	BY	LIST	BY	REVIEW	BY	vw/valHt	NET AREA	SIZE ADJ	ADJ PRICE/SF	RCN	% GD	RCNLD			
1		1939	1980 / 43		1.000	1.880	2/23/2007	HD	2/23/2007	HD	8.0	2/23/2007	1,008	1.050	\$485.05	488,928	68	332,500			
CAPACITY		UNITS	ADJ	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN	TOTAL RCN	488,928				
STORIES(FAR)		1	1.00	FOUNDATION	4	BSMT WALL	1.00	A	BAS	L	BASE AREA	1,008	1939	314.51	317,022	CONDITION ELEM		CD			
ROOMS		4	1.00	EXT. COVER	1	WOOD SHINGLES	1.00	B	GHA	N	GREENHOUSE	96		171.41	16,455	EXTERIOR		F			
BEDROOMS		2	1.00	ROOF SHAPE	1	GABLE	1.00	C	EZA	N	BREEZEWAY	144		127.13	18,307	INTERIOR		A			
BATHROOMS		1	1.00	ROOF COVER	1	ASPHALT SHINGLE	1.00	D	AGR	N	ATT GARAGE	576		111.87	64,437	KITCHEN		A			
FIXTURES		3	\$4,500	FLOOR COVER	1	HARDWOOD	1.00	E	OPA	N	OPF, OPS-OP6	36		131.66	4,740	BATHS		A			
RES UNIT CNT		1	1.00	INT. FINISH	2	DRYWALL	1.00	F	EPA	N	ENCLOSED PORCH	200		155.09	31,018	HVAC/ELEC		A			
				HEATING/COOLING	2	HOT WATER	1.02	G	WDK	N	WOOD DECK	276		65.38	18,044						
				FUEL SOURCE	2	GAS	1.00		BMU	N	BMU	140		102.89	14,404						
				SEASONAL	99	NO (YEAR ROUND)	1.00														
				PRIVATE ROAD	1	NO	1.00														
				HISTORIC DST	3	OLD KINGS	1.00														
				GENERATOR	1		1.00														
				USE	1		1.00														
EFF.YR/AGE		1980 / 43																			
COND		32 32 %																			
FUNC		0																			
ECON		0																			
DEPR		32 % GD																			
RCNLD		\$332,500																			





**TOWN OF DENNIS
BUILDING DEPARTMENT
ZONING REFERRAL LETTER
685 Route 134, South Dennis, MA 02660
(508) 760-6157**

PERMIT NUMBER:
ZDET-25-58
DATE OF REFERRAL:
September 23, 2025
FEES PAID:
\$50.00

3 P PROPERTIES, LLC

180 SOUTH YARMOUTH ROAD, DENNIS, MA, 02638

255-4-0

OWNERS NAME:

PROPERTY ADDRESS OF WORK:

MAP & PARCEL:

**DETERMINATION OF
REFERRAL:**

ZBA Special Permit required for the voluntary demolition and reconstruction of a non-conforming structure that will increase footprint in a minimum required setback where the current structure does not meet required setbacks, and the expansion of a non-conforming use in the Limited Business (LB) zoning district.

and

Planning Board Special Permit per 4.1.2 Site Plan Approval for a change in use in the LB zoning District.

DESCRIPTION OF WORK BY APPLICANT:

Koopman Lumber seeks special permit relief from the ZBA under Sections 1.4.2.1 and 2.4.1.2(E)(5) to demolish a deteriorated pre-existing nonconforming structure on the nonconforming lot and reconstruct an accessory storage shed to support Koopman's adjacent retail operation at 243 Route 6A. The pre-existing nonconforming front yard setback will be reduced, and all other dimensional requirements will be satisfied. Further, the two lots will be combined, eliminating the lot nonconformity at 180 South Yarmouth Road.

ISSUED BY:

DENNIS TOWN OFFICIAL
 ROAD 2022 APR 8 AM 9:10



NOT AN OFFICIAL COPY
 NOT AN OFFICIAL COPY

Town of Dennis

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

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 AN OFFICIAL COPY

DECISION

APPLICANT	3P Properties/Koopman Lumber
CASE NUMBER	PB 255-2
ZONING DISTRICT	LB

REGISTRY OF DEEDS REQUIRED INFORMATION (Must be filled out by applicant)			
Current Property Owners:	3P Properties LLC		
Property Address:	243 Route 6A, Dennis MA		
Registry of Deeds Title Reference	Book:	34987	Page: 342
or Certificate of Title #	And Land Ct Lot		And Plan #
Town Map #	255	Parcel	2

HEARING DATE	April 4, 2022
REQUEST	seeking a Site Plan Review/Special Permit for proposed retail lumber and hardware use. Project constitutes a change of use from one retail use to another retail use triggering Special Permit Review in the Limited Business Zoning District.

PLANS	
PLOT PLAN	Site Improvement Plans for Koopman Lumber and Hardware by Allen Engineering and Associates dated March 2, 2022 including: C-1 Cover Sheet C-2 Existing Conditions C-3 Layout and Materials Plan C-4 Grading and Drainage Plan C-5 and C-6 Construction Details Concept Plan Route 6A at South Yarmouth Road by VHB Associates dated 3-31-2022
BUILDING PLANS	Building Plans entitled Koopman Lumber and Hardware by Rescom Architectural 2-16-2022 including: A0 Cover Sheet L1 Lighting Plan A1 Building 1 Floor Plans A2 Building 1 Elevations A3 Building 2 Floor Plans and Elevations

APPLICANT	3P Properties LLC/Koopman Lumber	Page 2
CASE NUMBER	PB 255-2	

	NOT	NOT
	A4 Building 3 Floor Plans and Elevations	
	A5 Building 1 Floor Plans and Elevations	A L
	A6 Gate House Floor Plans and Elevations	
	A7 Signage Details	

FINDINGS	NOT	NOT
	AN	AN
	The Planning Board found:	
	1. The site is presently 67% impervious.	
	2. The applicants have cleaned the site stormwater system and verified it is in good working condition.	
	3. The applicant will be required, per the conditions established, annually maintain the on-site stormwater system and ensure that it remains silt free.	
	4. Should any part of the system fail, the applicant will have to replace the failed portion of the system.	
	5. As conditioned, the site will not be a substantial detriment to the traffic circulation in the neighborhood.	
	6. The applicant will be required to work with the MassDOT to determine if an alternate egress directly onto Route 6A can be accomplished.	
	7. The applicant will, as conditioned, return to review traffic conditions after the site has been in use for two calendar years.	
	8. The site has been used commercially for several decades.	
	9. The proposed use of the site is consistent with the original use of the site.	
	10. The Lumber Yard use is allowed by Special Permit.	

VOTE	The Board voted unanimously to approve the Special Permit with conditions (McCormick [Chair], Eldredge, Bishop, Hamlin, Patterson Hedetniemi and Dunn [Alt])
-------------	--

CONDITIONS	<ol style="list-style-type: none"> The applicant erect signs advising traffic to not block the site driveway, and, along with the signs, a painted box illustrating the area cars are encouraged to keep clear. The applicant return two years after opening its doors to review traffic conditions, providing actual Spring and Summer traffic data for the site and the South Yarmouth Road intersection. If the applicant's traffic monitoring demonstrates a 110% increase in peak season traffic over the ITE projections, the applicant will work with MassDOT to try to gain an exit only driveway onto Route 6A to serve the right turn traffic exiting the site to Route 6A. No delivery trucks larger than a single unit (SU-30) are to access the site from south on South Yarmouth Road. Delivery Trucks larger than a WB-60 truck shall be directed to approach the site, and leave the site by way of Route 6A north of South Yarmouth Road to reduce left turn impacts at the South Yarmouth Road/Route 6A intersection.
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APPLICANT	3P Properties LLC/Koopman Lumber	Page 3
CASE NUMBER	PB 255-2	
N O T		
O F F I C I A L	<p>5. All truck deliveries, trash collection, etc. to the site should not occur before 7 am nor after 6 pm. Private contractors should be advised to not arrive at the site before 7 am. No truck loading shall occur after 7 pm.</p> <p>6. No flood lights shall be used to light the property that will shine onto neighboring properties. The site shall use full cut-off lighting for all lights that might remain on for security purposes at night.</p> <p>7. The site stormwater system shall be inspected, maintained and cleaned at minimum once a year to keep the system operating properly and silt free.</p> <p>8. If any portion of the site stormwater system fails, the property owner shall replace that portion of the system as soon as such failure is identified, presumably this would be found at the time of the annual inspections and cleaning.</p> <p>9. The applicant shall obtain all other required town approvals for the proposed site improvements.</p> <p>10. The site landscaping shall be enhanced with the planting of screening to the Dun Wandering side of the property.</p> <p>11. The Alarm System shall be designed under the direction of Dennis Police Department.</p> <p>12. The applicant shall apply for the changes shown on the VHB "Concept Plan Route 6A at S. Yarmouth Road" dated 3/31/2022 before receiving an occupancy permit.</p>	N O T

Details of the hearing and decision are on file in the Planning and Appeals Office at the Dennis Town Offices as File PB 255-2.

Appeal from this decision may be made pursuant to Massachusetts General Laws Chapter 40A, Section 17, within 20 days of filing with the Town Clerk. This Special Permit shall lapse if substantial use or construction has not commenced without good cause within one year from the date issued.

I certify that a copy of the original decision has been filed with the Town Clerk.

Paul McCormick ^{LEAD} 4-8-22
 Paul McCormick Jr., Chair

DATE: April 29, 2022
 I certify that this decision was filed on April 8, 2022, and no appeal was filed within 20 days after date of filing.

Sara P. McDonald
 ASST. Dennis Town Clerk

Koopman Lumber / 243 Route 6A and 180 South Yarmouth Road

Zoning Narrative

Introduction

In the Spring of 2024, Koopman Lumber (“Koopman”) opened a retail lumber and hardware store at 243 Route 6A in Dennis (the “Route 6A Parcel”). Recently, Koopman acquired the adjacent parcels at 180 South Yarmouth Road, shown on Assessor’s Map 255 as Parcels 3 and 4 (the “South Yarmouth Parcel”).

Koopman plans to merge the undersized, nonconforming South Yarmouth Parcel with the Route 6A Parcel to form a single conforming lot; demolish a pre-existing nonconforming single-family dwelling and shed on the South Yarmouth Parcel; and construct a new 3,450 sq. ft. accessory storage shed to support the adjacent retail use (the “Project”). The Project will reduce the existing front yard setback nonconformity, eliminate the nonconforming South Yarmouth Parcel, and meet all other dimensional requirements. It will also remove two curb-cuts on South Yarmouth Road proximate to the Route 6A intersection, thereby reducing vehicle conflict points. The Project also improves the aesthetic of the surrounding area by redeveloping a deteriorated building and neglected and overgrown landscape to be compatible with the uses and curb appeal of the surrounding area.

Accordingly, Koopman seeks a Special Permit under Sections 1.4.2.1 and 2.4.1.2(E)(5) of the Dennis Zoning Bylaw (the “Bylaw”) for reconstruction of a nonconforming structure, and a finding from the Zoning Board of Appeals (the “Board”) that the Project is not substantially more detrimental to the neighborhood than the existing dwelling.

Prior to this Board’s public hearing, Koopman will appear before the Old King’s Highway Regional Historic District Committee for Certificates of Demolition and Appropriateness, and will separately seek Planning Board approval to modify its 2022 Site Plan/Special Permit (a copy which is filed herewith) to reflect the updated plans and expand the authorized use to the combined site.

Existing Conditions

The Route 6A Parcel

Located in the Limited Business (LB) Zoning District, the Route 6A Parcel contains approximately 145,490 sq. ft. of area, 85.11 feet of frontage on Route 6A, and approximately 177.7 feet of frontage on South Yarmouth Road. The main building (shown as Building 1 on the enclosed site plan) is Koopman’s retail store. It is supported by accessory structures (Buildings 2–4), parking, landscaping, and fencing. Building 2 is lawfully nonconforming with a 28.8-foot front yard setback, whereas 75 feet is required.

The current retail lumber and hardware use was approved by the Planning Board in a decision dated April 29, 2022, recorded at the Barnstable County Registry of Deeds in Book 35083, Page 225.

The South Yarmouth Parcel

Also in the LB District, this approximately 15,600 sq. ft. lot is nonconforming as to area. It is developed with a deteriorated single-family dwelling and associated infrastructure, including a circular driveway, attached garage, and a run-down detached shed. Like Building 2 on the Route 6A Parcel, the existing dwelling on the South Yarmouth Parcel is nonconforming as to the front yard setback, located just 19.7 feet from South Yarmouth Road.

The Project

Once combined, the Route 6A Parcel and the South Yarmouth Parcel (collectively referred to as the “Property”) will contain approximately 161,091sq. ft. of lot area, with approximately 333.4 feet of frontage on South Yarmouth Road. Importantly, the South Yarmouth Parcel lot nonconformity will be eliminated.

Koopman plans to raze the existing dwelling and associated improvements on the South Yarmouth Parcel, and construct a new storage shed that will support Koopman’s retail hardware and lumber store. With a proposed setback of 28.8 feet from South Yarmouth Road, the proposed shed will reduce the existing front yard setback nonconformity by 9.1 feet. All other dimensional requirements, including total lot coverage, will be satisfied.

The new shed will contain approximately 3,450 square feet and will consist of a roofed structure with three walls. As shown on the accompanying architectural plans, its design will complement Building 2 on the Property, with proposed traditional light gray hardie board siding on the side of the shed facing South Yarmouth Road, consistent with the existing aesthetic at the Route 6A Parcel.

The Project also proposes the following additional site improvements:

1. **Curb Cuts:** Remove two existing curb cuts from South Yarmouth Road and associated pavement. Access to the business will be consolidated through the existing curb cut for the Route 6A Parcel, improving traffic flow and safety at the intersection.
2. **Stormwater Management:** Add a new stormwater management system for runoff on the South Yarmouth Parcel, in accordance with the Dennis Stormwater Management Standards. The Route 6A system will continue to treat runoff on the Route 6A Parcel.
3. **Fencing & Landscaping:** Extend the existing white fencing around the entire Property and add plantings as shown on the enclosed Proposed Conditions plan. Mature trees will be preserved where feasible.
4. **Septic System:** Abandon the South Yarmouth septic system in accordance with MassDEP regulations and use the existing Route 6A system for the combined site.

Applicable Provisions of the Bylaw

Under § 2.4.1.2(E)(5) of the Bylaw, a special permit is required where reconstruction of a structure with a setback nonconformity increases the footprint and extends lot coverage.

Although the Project increases the building footprint by approximately 1,430 sq. ft., it reduces the front setback nonconformity, fully complies with maximum lot coverage requirements, and represents a significant improvement over existing conditions. Accordingly, Koopman seeks a finding by the Board of Appeals that the proposed reconstruction will not be substantially more detrimental to the neighborhood than the existing nonconforming structure under Section 1.4.2.1 of the Bylaw.

Special Permit Relief is Warranted in These Circumstances

The Project is not substantially more detrimental to the neighborhood than the existing nonconforming structure. In fact, the Project improves upon existing conditions in several meaningful ways, and satisfies the special permit criteria set forth in Section 1.4.2.1 of the Bylaw as follows:

- a. The use is allowed by special permit in the district in which proposed.*
The existing retail lumber and hardware use was approved by Special Permit from the Planning Board. Koopman is seeking to modify the Special Permit to extend the use to the South Yarmouth Parcel.
- b. Suitability of the site for the proposed use in light of the applicable district intent.*
The Project proposes replacing a single-family dwelling with an accessory structure to a family-owned retail lumber business. This fits squarely within the intent of the LB Zoning District, which is to “provide for small-scale business development for local and transient services compatible with low density and rural residential development.” Bylaw, § 2.1.5.4.
- 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 Project improves traffic safety at and near the entrance to the business by eliminating vehicles from entering and exiting the South Yarmouth Parcel and consolidating access points.
- 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 proposed retail lumber/hardware use was authorized by the Planning Board for the Route 6A Parcel. Koopman is in the process of seeking special permit approval to extend the use to the combined site. The Project is consistent with abutting uses in the neighborhood, which include retail, motel, and restaurant uses, single family dwellings, and multi-family condominiums.¹

¹ We note that several nearby properties are also nonconforming as to front yard setback, including the adjacent Dun Wandering Condominiums at 253 Main Street (roughly estimated at 20 feet), and Captain Frosty’s across the street at 219 Route 6A (roughly estimated at 24 feet). Where nearby properties are similarly nonconforming as to front

The new structure complements the existing design and aesthetic at the Route 6A Parcel and will be screened with fencing and landscaping, which will ensure cohesiveness and the desired aesthetic for the LB Zoning District.

- e. Adequacy of provision of utilities and other necessary or desirable public services.*
A new stormwater management system is proposed to capture and treat runoff from the South Yarmouth Parcel. Since the Project will not increase wastewater flow, Koopman will safely abandon the existing septic system at the South Yarmouth Parcel.
- 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 Project will produce no noise, litter, odor, or other source of nuisance, and will produce minimal – if any – artificial light. No exterior lighting is proposed.
- 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.*
There are no wetlands or mapped sensitive areas at the Property. The Project preserves existing mature trees and vegetation where possible and includes new evergreen shrubs to complement the existing landscaping on the Route 6A Parcel.

Conclusion

The Project reduces and eliminates zoning nonconformities, enhances the Property’s layout, and complements nearby uses in the neighborhood. Accordingly, we respectfully request the Board find that the Project is not substantially more detrimental to the neighborhood than the existing pre-existing nonconforming structure on the South Yarmouth Parcel, and issue special permit relief in accordance with Sections 1.4.2.1 and 2.4(E) of the Bylaw.

yard setback and the Project proposes to reduce the existing front yard setback nonconformity at the Property, the Project should not be considered substantially more detrimental to the neighborhood.