



Town of Dennis

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

**11 SCOTT TYLER ROAD, WD**

**ZBA SPECIAL PERMIT STAFF REVIEW – October 22, 2025**

<b>APPLICANT:</b>	William J Davis Trustee C/O Rob Warren of Sand Dollar Customs
<b>PROJECT ADDRESS:</b>	11 Scott Tyler Road, West Dennis MA 02670
<b>MAP AND LOT NUMBER:</b>	Map 67 Lot 12 (0.21 acres – 9000sf)
<b>APPLICANT ADDRESS:</b>	182 Old Town House Rd., Suite I, W. Yarmouth, MA 02673
<b>CASE NUMBER:</b>	ZBAS-25-42
<b>ZONING:</b>	R-40; Flood zones: AE & X
<b>HEARING DATE:</b>	October 27, 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

<b>PROPOSAL</b>	Removing 102 SF of existing deck and replacing with 102 SF of additional kitchen space
<b>PROJECT SUMMARY</b>	<ul style="list-style-type: none"> <li>• The proposal is a kitchen addition off the back of a single-story single-family home built in 1963 in place of part of an existing deck.</li> <li>• The proposed kitchen will be on piers and open underneath.</li> <li>• The section of the property where the addition is proposed appears to be in the AE Flood Zone subject to BoH and Conservation.</li> </ul>
<b>REQUEST</b>	Finding per: <b>§ 2.4.1.2.B</b> - Actions Requiring a Finding that the proposal is NOT Substantially More Detrimental ( <b>B.1</b> ) 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>B.2</b> ) Increase in the lot coverage of a structure where the structure currently exceeds lot coverage;
<b>PLOT PLAN</b>	Site Plan of 11 Scott Tyler Road West Dennis, Massachusetts prepared for Sand Dollar Customs, LLC, 259 Great Western Road, Unit B South Dennis, MA 02660 by BSC Group, 349 Main Street-Route 28 West Yarmouth, MA 02673. Plan consisting of 1 sheet with existing and proposed conditions, Septic System Profile and Design with Test Hole Logs. Plan dated 2-26-25 by Kieran J. Healy.
<b>BUILDING PLANS</b>	Plan of 11 Scott Tyler Road West Dennis, Massachusetts prepared for Sand Dollar Customs by Combination Design 480 Main Street Dennis, MA 02638. Plan consisting of 2 sheets with Proposed & Existing Floor Plans, Framing Plan, Cross Section, Footing Plan, and Back Elevation. Plan dated 7-24-25 by Mark A. Mckenzie.

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	9000sf
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	Yes

Basic Site Data	Required/ Allowed	Existing	Proposed
Frontage	50'	100'	100'
Front Setback	25'	28.7'	28.7'
Right Side Setback	15'	19.7'	19.7'
Left Side Setback	15'	15.7'	15.7'
Rear Setback	25'	16.5'	16.5'
Lot Area	40,000sf	9,000 sf	9,000 sf
Lot Width	100'	100'	100'
Non-conforming floor space within Setbacks		127.5'	127.5'
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		1,624 sf	1,720.9 sf
Cumulative lot coverage (footprint) percent for all	15%	18.1%	19.1%
Cumulative floor space of all structures (F.A.R.)	1350	1,624 sf	1,720.9 sf
Cumulative floor space to lot area % all structures	30%	18.1%	19.1%

§ 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;	The home is already over 15% lot coverage but is one-story and the addition is in place of an existing deck..
B2 - Increase in the lot coverage of a structure where the structure currently exceeds lot coverage;	

§ 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 not within any setbacks and is in a location that is already decked over. While over lot coverage, the increase is small and they are well below the 30% F.A.R.
  - A neighbor called and noted that since the increase in hardscape the house, on a small property, is noticeable louder.
  - The Board can 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:** No comment
- **HEALTH:** No comment
- **ENGINEERING:**
  - This project as presented does not alter >500sf of ground area and is not required to meet the intent of the Stormwater By-Law.
  - Engineering recommends providing linear erosion controls (silt fence/wattles) as necessary during construction to prevent discharge of stormwater or sediment to adjacent properties or the road layout.
  - Contractor shall maintain paved surface of Scott Tyler Road in condition free of sediment for duration of project.
  - Roof drains directed to properly sized subsurface drywells or stone trenches should be provided for new construction (and existing dwelling as required).
- **FIRE/ POLICE:** No comment

<b>PROPOSED CONDITIONS</b>	<ol style="list-style-type: none"><li>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.</li><li>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.</li><li>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.</li><li>4. Failure to comply with all conditions in the Conservation Commission Order of Conditions or the Board of Health Permit shall be deemed cause to revoke the ZBA Special Permit.</li><li>5. Construction vehicles shall not park in or block the road.</li></ol>
--------------------------------	--