



Town of Dennis

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

**6 CASSIDY AVENUE, SD**

**ZBA SPECIAL PERMIT STAFF REVIEW – January 22, 2026**

<b>APPLICANT:</b>	Cassidy Ave Realty Trust C/O Gregory Andrews
<b>PROJECT ADDRESS:</b>	6 Cassidy Avenue, South Dennis MA 02660
<b>MAP AND LOT NUMBER:</b>	Map 185 Lot 58 (0.27 acres – 11532 sf)
<b>APPLICANT ADDRESS:</b>	88 Wampum St., Wrentham, MA 02093
<b>CASE NUMBER:</b>	ZBAS-25-58
<b>ZONING:</b>	R-40; OK Historic
<b>HEARING DATE:</b>	January 26, 2026

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>	Small addition to back of house.
<b>PROJECT SUMMARY</b>	<ul style="list-style-type: none"> <li>• The proposal is an elevated one-story <u>addition</u> to a non-conforming two-story single-family structure built in 1963 on a non-conforming lot.</li> <li>• Application is for the construction of a 16 foot by 28-foot addition consisting of a 16’ by 16’ living room and 16’ by 12’ deck on the rear of the home.</li> <li>• The addition will meet the setbacks.</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>PLOT PLAN</b>	Site Plan of 6 Cassidy Dennis, MA prepared for Bruce Newman Trustee, and Cassidy Avenue Realty Trust, 291 Warren Street Needham, MA 02492 by RIM Engineering Co. Inc. P.O. Box 32 Mansfield, MA 02048. Plan consisting of 1 sheet with existing and proposed conditions. Plan dated 10-27-2025 by Craig Cygawnoski.
<b>BUILDING PLANS</b>	Hand Drawn plans No Date.
<b>OTHER</b>	

1.3.2 Plans and Specifications

REQUIREMENTS	PROVIDED ON PLAN
CERTIFIED PLOT PLAN INCLUDING	
LOCUS MAP	No
PERIMETER DIMENSIONS, INCLUDING FRONTAGE	Yes

AREA OF LOT	11532sf
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	Yes
PROXIMITY OF WETLANDS	NA
EXISTING AND PROPOSED TOPOGRAPHYAND/OR OTHER LAND ISSUES	No
DIMENSIONS OF EXISTING AND PROPOSED STRUCTURES	Yes
ARCHITECTURAL DRAWINGS ILLUSTRATING THE PROPOSED CONDITIONS	Ye
ARCHITECTURAL DRAWINGS ILLUSTRATING THE EXISTING CONDITIONS	Yes

Basic Site Data	Required/ Allowed	Existing	Proposed
Frontage	50'	75'	75'
Front Setback	25'	64.3'	64.3'
Right Setback – <i>NOTE: listed incorrectly on plans</i>	15'	House 11.4'	Addition 15.2'
Left Side Setback	15'	House 12.6'	Addition 15.6'
Rear Setback	25'	97.6'	97.6'
Lot Area	40,000	11,532 sf	11,532 sf
Lot Width	100'	75'	75'
Non-conforming floor space within Setbacks		App. 80-90 sf	0
D2. Increase in new non-conforming floor space by more than 40% within any 10-year period			0
Cumulative footprint size of all structures		App. 1,086 sf	App. 1,375 sf
Cumulative lot coverage (footprint) percent for all	15%	9.42%	11.92%
Cumulative floor space of all structures (F.A.R.)			
Cumulative floor space to lot area % all structures	30%		NA

§ 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;	

§ 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; **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 within the building envelope on a property that is and will remain under 15% lot coverage.
  - 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:** Not in Conservation Jurisdiction
- **HEALTH:** No additional bedrooms or wastewater requested so no comment.
- **BUILDING:** Special Permit required per 2.4.1.2 for the increase in the non-conforming footprint.
- **ENGINEERING:**
  - This construction project, including equipment and materials access, appears to result a ground disturbance greater than 500 sf and is therefore required to meet the intent of the Stormwater Bylaw.
  - As there is limited setback between the house and the side property lines, the contractor should exercise care in these areas not to encroach onto abutting properties with vegetation clearing or equipment, when accessing the rear of the property,
  - Provide temporary linear erosion controls (silt fence/wattles as detailed on the site plan) as required surrounding the area of construction to prevent discharge of stormwater or sediment to adjacent properties and/or roads.
  - Maintain any existing ground cover or vegetation to the extents practical. Disturbed areas should be stabilized and revegetated as soon as practical following construction to minimize erosion. Existing vegetated buffers surrounding the lot should be maintained, or enhanced as necessary to provide the maximum screening possible to abutters.
  - No grading is shown on the plan. Existing grades should be maintained to the extents practical to prevent alteration of existing runoff patterns. If grading is changed in such a manner where runoff is directed away from the dwelling toward abutting properties or the road, permanent natural swales or depressions should be installed upgradient of the property lines to contain and infiltrate all runoff on-site.
  - Roof drains/downspouts discharging to subsurface infiltration areas/drywells should be installed to serve all new construction, and existing dwelling roof areas as required.

- The existing driveway should be utilized for construction access and material storage. The contractor should be responsible for maintaining Cassidy Avenue in a condition free of accumulated sediment during construction.
- **POLICE/FIRE**: 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. Any off-street parking shall be a pervious surface.</li> <li>5. 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.</li> <li>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.</li> <li>7. Construction vehicles shall not park in or block the road.</li> </ol>
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