



Town of Dennis

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852 Main Street West Dennis

PLANNING BOARD SPECIAL PERMIT - STAFF REPORT – 2026-01-30

APPLICANT:	Trevor Meyer
PROJECT ADDRESS:	852 Main Street West Dennis
MAP AND LOT NUMBER:	84-37
APPLICANT ADDRESS:	852 Main Street (Route 28) ST West Dennis, MA (02670)
CASE NUMBER:	PBSP-25-12
ZONING:	General Commercial 2 (GC2)
HEARING DATE:	February 2, 2026

PROPOSAL	Expansion of a Mixed-Use Building to contain 8 new apartments and an additional commercial space with an adjoining property.
APPLICANT SUMMARY	<ul style="list-style-type: none"> • Demolition of an existing retail building and construction of a new mixed-use structure that will house a mix of 8, 1 and 2-bedroom apartments, one commercial space and three storage units. • The property is situated in between Route 28 and Perry Taylor Road, making it a corner lot in the General Commercial II zoning district. • a new Title V septic system will be constructed and installed to handle the increased flow of the proposed building. • A total of 14 new parking spaces will be added to the existing 7 spaces for a combined total of 21 parking spaces (including 1 handicap spot) to accommodate the mixed-use tenants of the proposed structure. • Two of the eight proposed apartments will be delegated as affordable housing to meet the growing long-term housing needs of Cape Cod. • If the Planning Board approves the proposed project as presented, we will continue through the necessary regulatory processes as follows; apply for a Special Permit from the Zoning Board, process the legal transfer of ownership of a small section of land along Perry Taylor Road (to be addressed further), request MASSDOT approval for a revised curb cut along Route 28, and finally acquire a complete Building Permit, enter the affordable housing lottery, and ultimately begin construction.
PLOT PLAN	Plan of 852 Main Street West Dennis, MA prepared for Three Dogs HGL, Meyer And Sons 852 Main Street, West Dennis MA (02670), and AJM Site Design LLC., 4 Crestview Drive East Sandwich MA, 02537. Plan consisting of 8 sheets with, Cover Page, Existing Conditions Plan, Working Conditions Plan, Proposed Site Plan, Proposed Grading Plan, Proposed Utility Plan, and Details Sheet 1&2. Plans dated 9-27-2025 by Asa Mintz, John Demarest Jr., and Darren Meyer.
BUILDING PLANS	Plans of 852 Main Street West Dennis, for Meyer and Sons, by Luran O’Neal Residential Design, 179 Warren Ave. Plymouth MA, 02360. Plan consisting of 10 sheets with, cover

sheet, Exterior Detail & Finish, Existing First Floor Plan, Existing Elevations, Basement Plan, Proposed First Floor Plan, Second Floor Plan, Roof Plan, and Proposed Elevations (x2). Plan dated August 30, 2025. No Stamp
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1. Project Summary
2. Town Department Comments
3. § 4.1.2.5 Design Objectives – Criteria and Proposal
4. § 1.4.2.1 Special Permit Granting Authority – Criteria and Proposal
5. § 4.9.1.1 Project Approval Requirements.
6. Planning Recommendation and Proposed Conditions

1. TOWN DEPARTMENTS COMMENTS:

- a. **NATURAL RESOURCES:** The entirety of site is not within a buffer zone to a wetland resource area or regulatory flood zone so no review by Conservation Commission required.
- b. **HEALTH:** Per Board of Health Sewer Connection Regulations - No new septic systems will be approved in an active construction phase of the wastewater project. This property is located in Phase 1 with no increase of flow permitted.
- c. **BUILDING:** Parking does NOT meet minimum parking standards PER 3.1.5.1 - 3.1.5.3, 3.1.6.1
- d. **ENGINEERING:**
- e. **POLICE/FIRE:**
- f. **PLANNING:**
 - i. **ANR:** Proposal first must combine the lots with an ANR which the applicant has submitted. However, the recorded plans and deeds do not align with the proposed property lines shown on the proposed ANR plan. The Land Court and Recorded Registry of Deeds plans cited on the proposed ANR plan align with the dotted line on the plans, not the solid line. There is an area between the actual property and Ezra Baker that is not clear who owns. This was reviewed with Town Counsel over a year ago who maintains that until the ownership is clarified, the applicant cannot use the area for dimensional or zoning purposes.
 - ii. **Special Permit:** Proposal is to combine 852 Main Street with 862 Main Street, demolish the existing building on 862 and build a large new building attached to the existing building at 852 Main Street with an additional eight (8) residential units, a commercial unit and storage in a new basement that includes an apartment.
 - iii. 852 Main Street was reviewed in 2019 by the ZBA and allowed a security apartment on the second floor with four conditions: 1) Conform to stormwater regulations; 2) obtain State approval for curb cut; 3) Seek PB waiver of one parking space; 4) the 2nd floor apartment will be used only as a security apartment. It is not clear if any of the conditions were followed but it is clear that the applicant never obtained State approval for the curb cut.
 - iv. It is more than a curb cut and it could not and would not be approved. The curb cut is 97 feet wide with seven spots, but, more importantly, it has all cars backing into the State Highway Right of Way. The State is going to use the entire Right of Way per the Complete Streets Policy and will do exactly what they did in DP and WD along Route 28 and with wider lanes, sidewalks, shared use paths, planting strips and potentially additional lanes someday. The proposed plan has fourteen (14) diagonal spaces (at different angles) backing into Route 28 and seven (7) spaces and a loading area backing into Perry Taylor Road.
 - v. The applicant submitted a screenshot of an email from MASSDOT that since the lapse of time they will have to resubmit. Applicant was asked to forward the actual email and the review comments issued 4/2/2020 cited in the email. The applicant never did so.

- vi. Proposal includes a basement apartment. Section 4.9 only allows conversions of basements to apartment if they have “at-grade walk-out capabilities”. This basement is not at-grade.
 - vii. Proposal is far too big on a tiny triangular shaped corner lot on a State Highway and uses the State Highway Layout for vehicular circulation.
 - viii. The proposal should be withdrawn then the applicant should seek to resolve the property line issues along Perry Taylor Road. The Applicant should then seek to get a permit from MASSDOT. The existing situation not seem likely to get long term approval. Once the property and access issues are resolved, the applicant should re-design a smaller project that is contained on its own property.
 - ix. If the property votes this proposal can be approved as is then the standard affordable housing conditions should be attached.
2. **§ 1.4.2.1 Special Permit Granting Authority:** 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. The following criteria must be met:
- a. *The use is allowed by special permit in the district in which proposed, pursuant to §2.2.2 - Use Regulations Schedule; **The mixed-use can be allowed through 4.9.3 with 25% Affordable units.***
 - b. *Suitability of the site for the proposed use in light of the applicable district intent, as provided in §2.1.5; **The location and District Intent are appropriate but the property is too small.***
 - 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 proposal has unpermitted parking backing into the State Highway Right of Way on Route 28 and is requesting more. The State is going to use the entire Right of Way per the Complete Streets Policy and will do exactly what they did in DP and WD. The proposal cannot be permitted.***
 - 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 proposal is too much on the compromise corner triangle wedged between Route 28 and a road used by the school for picking up children.***
 - e. *Adequacy of provision of utilities and other necessary or desirable public services; **Adequate.***
 - 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 proposal will create a nuisance by using parts of the State Right of Way that will be taken away and used for sidewalks, shared used paths, and potentially additional lanes on this key State Road.***
 - 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 proposal is in a business district and should not degrade the natural environment.***
3. **§ 4.1.2.5 Design Objectives:** The following design objectives (*italics*) in addition to any standards elsewhere in the Zoning By-Law, shall be used by Planning Board in considering all site plans.
- a) **Landscaping:**
 - a. *Every effort shall be made to minimize removal of existing vegetation and to integrate existing mature trees and vegetation into the landscape plan. **No existing vegetation. Applicant proposes artificial turf and a few trees.***
 - b. *Natural buffers ... shall be maintained whenever possible. **None.***
 - c. *Landscaping shall include masses of trees and vegetation around/near buildings to reduce perceived scale and set them into the landscape. **Not adequate.***
 - b) **Circulation:** *With respect to vehicular and pedestrian circulation, including entrances, ramps, walkways, drives, parking and loading areas, special attention shall be given to*

- a. *Location and number of access points to the public streets: **Dangerous and not allowed.***
- b. *General interior circulation: **All parking backs into a road right of way.***
- c. *Separation of pedestrian and vehicular traffic: **Not adequate.***
- d. *Delineation of parking stalls and loading zones:*
- e. *Accommodations for the handicapped:*
- c) **Surface Water Drainage: Requires a Stormwater Management Permit**
- d) **Building Location:** *Proposed building and structures shall be integrated as much as possible. **Site is way too small for the proposal.***
- e) **Building Design:** *The design of proposed buildings, structures and additions shall complement, whenever feasible, the general setback, roofline, arrangement of openings, color, exterior materials, proportions and scale of existing buildings in the vicinity. **Building design would be fine on a bigger rectangular shaped property.***
- f) **Special Features:** *Exposed machinery, utility structures and areas for parking, loading, storage, service and disposal shall be screened from adjoining properties and streets.*
 - a. **Safety** - *All open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, & other emergency personnel and equipment.*
- a. **§ 4.9 Affordable Housing Provisions – Planning Board is SPGA for 4.9**

The Planning Board shall consider the following factors in determining whether to approve or deny a special permit under this By-law:

- a. Whether the applicant has conformed to the design standards of this By-law and will deliver the needed affordable units; **The Design Objectives are not met.**
- b. Whether the proposed development site plan is designed in its site allocation, proportions, orientation, materials, landscaping and other features as to provide a stable and desirable character complementary and integral with the site's natural features; **The proposed site allocation, proportions, landscaping and other features do not provide a stable and desirable character complementary and integral with the site's natural features.**
- I. Whether the development, density increase or relaxation of zoning standards has a material, detrimental effect on the character of the neighborhood or Town and is consistent with the performance standards of the Dennis Zoning By-law. **The area is appropriate but the site is far too small for the proposal and would have a material detrimental effect when the State reclaims the entire Right of Way as it plans to and will.**
- II. *§ 4.9.1... At least 25% of all housing units created under Section 4.9 shall be restricted as per § 4.9.4.*
- III. *§ 4.9.3.1 The PB may by special permit allow the creation of Affordable Housing Apartments in residential and commercial zoning districts. Affordable Housing Apartments created under this bylaw shall be accessory to either an existing residential use or commercial use.*
- IV. *§ 4.9.3.2 An Affordable Housing Apartment must have the following minimum areas: studio – 250 sf; one-bedroom units - 700 sf; two-bedroom units - 900 sf;...*
- V. *§ 4.9.3.3.1 The PB shall have the discretion to reduce the off-street parking requirements... where (1) the number of units to be restricted under Section 4.9.4 exceeds 25%, and (2) the applicant demonstrates that the proposed parking is sufficient to address the parking needs*
- VI. *§ 4.9.3.3.2 A properly screened area must be provided for storage of trash and recyclable materials...*
- VII. *§ 4.9.3.5.2 - Commercial structures may be expanded by increasing the footprint or the addition of a second story, where none exists, for the purposes of creating affordable housing apartments. A structure proposed to include an affordable housing apartment may be expanded by the granting of a Special Permit which is based upon a finding by the Planning Board that the conditions present on the site are adequate to support the proposed use, protect the surrounding neighborhood and meet the intended goals of providing affordable housing.*