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**To: ZONING BOARD OF APPEALS
TOWN OF DENNIS**

Re: 14 Scott Tyler Road, West Dennis, MA 02670

Application for a Special Permit to Raze and Rebuild Single Family Dwelling

Dear Members of the Zoning Board of Appeals for the Town of Dennis:

The applicants, Glen D. Townsend and Darlene M. Townsend, are the owners of 14 Scott Tyler Road in West Dennis.

The applicants sought and received a Special Permit under Section 2.4.1.2(C) to raze and rebuild their single-family dwelling in the R-40 district on a pre-existing non-conforming lot. (See ZBAS-25-17.)

During construction, it was determined that modification of the 2nd floor plan to add a dormer over the garage would require either amendment of the existing Special Permit, or a new Special Permit approving the modification. This application seeks a Special Permit approving the modified plan.

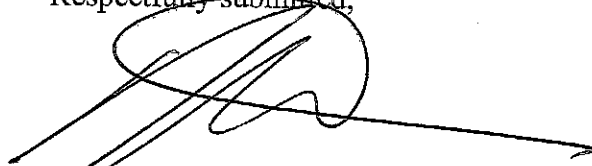
Without restating the entirety of the prior narrative, a copy of the narrative is attached hereto for reference.

Also included with the application is a copy of the new site plan dated October 9, 2025, and house plans dated December 2, 2025.

Where the modification of the plan to add the garage dormer otherwise conforms with the dimensional regulations of the R-40 zone in which it is located, and where the dwelling footprint has already been approved, there is no creation of any new non-conformity.

For the foregoing reasons, the proposed modified dwelling plan will not be substantially more detrimental to the neighborhood than the existing nonconforming (approved) structure, and a Special Permit is appropriately allowable under the applicable Zoning By-Laws.

Respectfully submitted,

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a long horizontal stroke that extends to the right.

Matthew P. Fitzsimmons, Esq.

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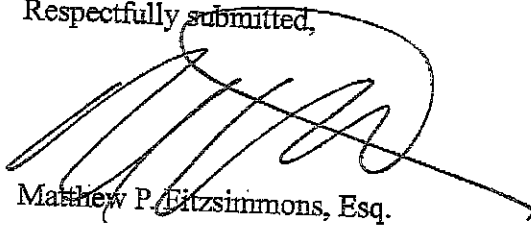
The pre-existing non-conforming lot contains 10,541 sq. ft., and is sited on the bend of Scott Tyler Road, which lends itself to the shape of what otherwise would be a traditional corner lot. The existing dwelling has 1,591 sq. ft. of lot coverage (15.1%), and is currently non-conforming with respect to both the side/southern setback (12.7') and the rear/east setback (9.8').

The applicants' proposed new dwelling would have 1,799 sq. ft. of lot coverage (17.1%), and the footprint of the new proposed dwelling would reduce the nonconformity of the rear/east setback by increasing the setback from 9.8' to 20', for a 70% total reduction of nonconforming floorspace. The total floor area ratio (FAR) would also be conforming at 24% (under the allowed 30% threshold).

The areas of reconstruction of the dwelling outside of the existing footprint conforms with the dimensional regulations of the R-40 zone in which it is located, and there is no creation of any new non-conformity where no non-conformity currently exists.

For the foregoing reasons, the proposed dwelling will not be substantially more detrimental to the neighborhood than the existing nonconforming structure, and a Special Permit allowable under the applicable Zoning By-Laws.

Respectfully submitted,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Matthew P. Fitzsimmons, Esq.



DENNIS TOWN CLERK
RCVD 2025 JUL 10 PM 4:15

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

14 SCOTT TYLER ROAD
ZBA SPECIAL PERMIT DECISION

APPLICANT:	Glen D. Townsend & Darlene M. Townsend C/O Matthew Fitzsimmons
PROJECT ADDRESS:	14 Scott Tyler Road, WD, MA 02670
MAP AND LOT NUMBER:	Map 67, Parcel 9 (0.24 acres – 10,541 sf)
APPLICANT ADDRESS:	965 Route 28, South Yarmouth, MA 02664
PROPOSAL	Raze a single-story 1,591 sf dwelling and construct a two-story 2,491 sf home.
CASE NUMBER:	ZBAS-25-17
ZONING:	R-40; property is just outside 500-year Flood Zone

REGISTRY OF DEEDS REQUIRED INFORMATION

Current Property Owners:	Glen D. Townsend & Darlene M. Townsend
Owners Property Address:	14 Scott Tyler Road, WD, MA 02670
Project Property Address:	14 Scott Tyler Road, WD, MA 02670
Registry of Deeds Title Reference	Book: NA Page: NA
or Certificate of Title #	223418 And Land Ct Lot And Plan #

HEARING DATE	June 23, 2025
SPECIAL PERMIT FINDING REQUIRED	Special Permit finding per: § 2.4.1.2.C. - Special Provisions for Relocation/Recon. of 1 or 2-Family Structures Not Located w/n Existing Footprint (C.2) The voluntary demolition and reconstruction of a building or structure nonconforming by dimension...and the non-conforming nature of the new proposed structure is found to be substantially less non-conforming.
REQUEST	Finding that the non-conforming nature of the new proposed structure is found to be substantially less non-conforming.

PLOT PLAN	Plot Plan of 14 Scott Tyler Road Dennis, Massachusetts prepared for Glen & Darlene Townsend, 4 Ledgewood Drive Westboro, MA 01886 by EAS Survey Inc. P.O. Box 1729 Sandwich MA, 02563. Plan consisting of 1 sheet with existing and proposed conditions. Plan dated 3-14-25 by Edward A. Stone.
BUILDING PLANS	Plan Set for Glen & Darlene Townsend, 14 Scott Tyler Road, Dennis, MA prepared by George Davis Inc. 33 North Main Street, South Yarmouth, MA. Consisting of 8 pages of proposed and existing elevations, floor plans, sections and renderings. Dated 1/31/2025.

PROJECT SUMMARY	Raze a single-story single-family 1,591 sf dwelling built in 1962 and construct a two-story 2,491 sf home on the non-conforming lot.
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PROPERTY ADDRESS: 14 SCOTT TYLER ROAD
WEST DENNIS, MA 02670
LOT 24 LAND COURT PLAN # 31156-C
CTF # 223 418

STAFF FINDINGS	• The proposal improves the rear setback and is within other setbacks and bulk thresholds. The existing structure is not a historic structure. • A Request for Applicability (RDA) should be filed with Conservation due to location near the flood zone. • The septic system was recently inspected and dwelling will remain 3 bedrooms. • The project as presented appears to alter greater than 500sf of ground, and is therefore required to meet the intent of the Town of Dennis Stormwater By-Law. • Construction period linear erosion and sedimentation controls should be provided and roof runoff should be contained. • A neighbor spoke at the public hearing opposed due to the other houses on the block all being one-story houses. As noted, the proposal improves the rear setback and is within the bulk thresholds. • The Board can find that a lawful pre-existing non-conforming structure exists on the property and the proposed reconstruction, as conditioned; is substantially less non-conforming to the neighborhood than the existing structure.
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§ 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.**

CONDITIONS	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.
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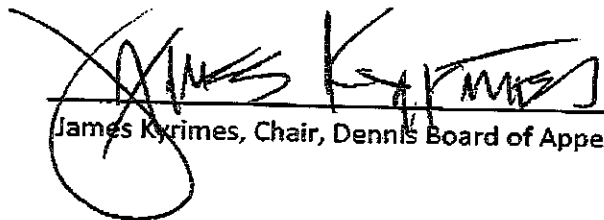
	3. The addition shall not generate new light, noise, litter, odor or other sources of nuisance. Any new lighting shall be restricted to downward-shielded motion sensitive security lighting that is "Dark-Sky" compliant. 4. Failure to comply with all conditions in the Conservation Commission or the Board of Health permit shall be deemed cause to revoke the ZBA Special Permit. 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. 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 shall be implemented.
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BOARD FINDING	The Board finds that the proposed increase in size compared to the existing nonconforming structure and the reconstruction not in the existing footprint, as conditioned, is Not Substantially More Detrimental than the existing nonconforming structure to the neighborhood.
VOTE	The Board voted unanimously (5-0-0) to approve the Special Permit with conditions (James Kyrimes {Chair}, Aaron Ridley, Elisa Ridley, Gary Barber and Dan Chamberlain).

Details of the hearing and decision are on file in the Planning and Appeals Office at the Dennis Town Offices as File ZBAS-25-17.

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.


James Kyrimes, Chair, Dennis Board of Appeals

DATE: JULY 31, 2025
I certify that this decision was filed on JULY 10, 2025, and no appeal was filed within 20 days after date of filing.

Dennis Town Clerk