



Town of Dennis

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

14 SCOTT TYLER ROAD, WD

ZBA SPECIAL PERMIT STAFF REVIEW – July 19, 2026

APPLICANT:	Glen D. & Darlene M. Townsend C/O Matthew Fitzsimmons of Fitzsimmons Law
PROJECT ADDRESS:	14 Scott Tyler Road, West Dennis MA 02670
MAP AND LOT NUMBER:	Map 67 Lot 9 (0.24 acres – 10541 sf)
APPLICANT ADDRESS:	965 Route 28, South Yarmouth, MA 02664
CASE NUMBER:	ZBAS-26-2
ZONING:	R-40;
HEARING DATE:	February 23, 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**

PROPOSAL	Modifying Plan for Approved Raze and Rebuild Dwelling
PROJECT SUMMARY	<ul style="list-style-type: none"> • The proposal is the addition of a dormer to the garage on a previously approved demolition and replacement on a non-conforming lot. • Property was approved with conditions to demolish the single-story house built in 1962 and reconstruct a two-story single-family home.
REQUEST	<p>Finding per: § 2.4.1.2.B - Actions Requiring a Finding that the proposal is NOT Substantially More Detrimental (B.3) Increase in building height for any structure with a non-conformity subject to item B1 above if the increase in height is located within the portion of the structure that is non-conforming ...</p> <p>Modification to plan approved in 2025 under § 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 <u>voluntary demolition and reconstruction</u> of a building or structure <u>nonconforming by dimension</u>...and the non-conforming nature of the new proposed structure is found to be substantially less non-conforming.</p>
PLOT PLAN	Site Plan of 14 Scott Tyer Road, Dennis Mass 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 October 9, 2025 by Edward A. Stone.
BUILDING PLANS	Plan of 14 Scott Tyer Road, West Dennis Mass prepared for Glen & Darlene Townsend by George Davis, Inc. 33North Main Street South Yarmouth, MA. Plan consisting of 8 sheets with Title Page, Existing Dwelling, Foundation, 1 st Floor, 2nd Floor & Schedules, and Elevations (x3). Plan dated 12/2/2025.

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	1,0541 sf
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	Yes
ARCHITECTURAL DRAWINGS ILLUSTRATING THE EXISTING CONDITIONS	Yes

Basic Site Data	Required/ Allowed	Existing	Proposed
Frontage	50'	183.11'	183.11'
Front Setback	25'	30'	27'
Right Side Setback	15'	12.7'	12.7'
Left Side Setback	25' corner	36.6'	30.3'
Rear Setback	25'	9.8'	20'
Lot Area	40,000	1,0541 sf	1,0541 sf
Lot Width	100'	124.9'	124.9'
Non-conforming floor space within Setbacks	0	54	54
D2. Increase in new non-conforming floor space by more than 40% within any 10-year period	0	54	54
Cumulative footprint size of all structures	1581	1,799 sf	1,799 sf
Cumulative lot coverage (footprint) percent for all	15%	17.1%	17.1%
Cumulative floor space of all structures (F.A.R.)	3161	2491	2491
Cumulative floor space to lot area % all structures	30%		24%

§ 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;	
B3 - Increase in building height for any structure with a non-conformity subject to item B1 above if the increase in height is located within the portion of the structure that is non-conforming or for any structure covered by item B2 above; and 2.4.1.2 C	

§ 2.4.1.2 C - Special Provisions for Recon. of 1 or 2-Family Structures Not Located w/n Existing Footprint

ACTION	FINDING
C2 - Voluntary demolition and reconstruction of a building or structure which is non-conforming by dimension on any other location on the lot in which it is located outside of the existing non-conforming footprint unless it conforms with	

the dimensional regulations of the zone in which it is located or the non-conforming nature of the new proposed structure is found to be substantially less non-conforming by the ZBA	
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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.**

TOWN DEPARTMENTS COMMENTS:

- **PLANNING:**
 - The propose dormer somehow reduces the Floor Area Ratio. Project should either continue until accurate plans and calculation are supplied or be conditioned that they are submitted before a Building Permit is issued.
 - The approved building has a 2,492 sf (24%) FAR and the new plans, which add an approximately 500 sf space above the garage, show 2,287 (22%) FAR. Addition of the dormer probably leaves F.A.R. below 30% but needs to be confirmed.
- **NATURAL RESOURCES:** Proposed project is not within wetland resource area buffer zone or conservation regulated flood zone.
- **HEALTH:** Property not located in an ESA. Septic system inspected 6/2020. 3-bedroom system. Space above garage not considered bedroom as no access from inside dwelling.
- **BUILDING:** No Comments
- **ENGINEERING:** Any comments or conditions issued under approved ZBAS-25-17 should remain in effect. No additional Engineering comment as revision limited to work above grade.
 - 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 at a clearly defined limit of work as close as practical to contain the area of disturbance. These controls should be installed and maintained until all work is completed and new vegetation stabilized.
- The plan does not include existing or proposed elevation information. The plan should include existing and proposed surface/structure elevations to confirm building height and the limits of the flood zone. The plan indicates the property is within Flood Zone X, which is not a hazard zone, but should be verified by elevation, and confirmed with the Conservation Agent.
- No elevations or proposed grading has been indicated on the site plan. Post construction, stormwater will need to be contained and infiltrated on-site. Natural areas surrounding the dwelling should be graded and vegetated to slow the velocity of, and contain runoff for infiltration prior to reaching the property boundary.
- Roof runoff should be contained and directed to subsurface infiltration areas or stone trenches along the roof drip line.
- Any existing screening to abutting properties should be maintained to the extents practical.
- The existing driveway should be utilized as a construction entrance, and for parking of construction vehicles and storage of materials. No parking of construction vehicles should be permitted for extended periods of time on Scott Tyler Road.
- The plan does not propose any modifications to the existing driveway. If any modifications are performed, the surface should be graded to contain runoff within the property boundary for on-site infiltration.
- The contractor shall be responsible for maintaining Scott Tyler Road free of sediment during construction.

- **POLICE/FIRE:** No Comments

PROPOSED CONDITIONS	<ol style="list-style-type: none"> 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. 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 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. Additional screening should be provided in areas where vegetation is removed or the grade is altered. 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. 7. Construction vehicles shall not park in or block the road. 8. Before a Building Permit is issued applicant must supply stamped plans detailing the floor area and confirming it remains under 30% Floor Area Ratio.
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