



Town of Barnstable

Zoning Board of Appeals

Agenda

Wednesday, July 24, 2013

2nd Floor Hearing Room – 367 Main Street, Hyannis, MA

Call to Order

Introduction of Board Members

Notice of Recording

Please note that this meeting is recorded and broadcast on Channel 18 and in accordance with MGL Chapter 30A §20. I must inquire whether anyone is taping this meeting and if so to please make their presence known.

New Business

7:00 PM Appeal No. 2013-039- New

Swann

Dr. Marcus Swann, as lessee, has applied for modification of Special Permit No. 2007-070-A to allow one of the four professional office suites to be utilized as a dental office. Condition No. 3 of the permit currently prohibits use of the building for medical or dental offices. Special Permit 2007-070 modified Permit Nos. 1984-92 and 1980-35 and allows for pre-existing nonconforming use of a pre-existing nonconforming structure. The property is located at 2957 Falmouth Road (Route 28), Marstons Mills, MA as shown on Assessor's Map 121 as Parcel 009. It is in a Residence F zoning district and the Groundwater Protection Overlay District.

Correspondence

Dated July 9, 2013 – From Cape Cod Commission regarding Minor Modification to the DRI Decision for Barnstable Municipal Airport Improvement Project.

Please contact GMD staff if you would like a copy of any of the correspondence listed above.

Upcoming Meetings

August	14 & 28
September	11 & 25
October	9 & 23
November	13
December	11

Other Business

Discussion on duties of Accessory Affordable Apartment Program Hearing Officer

Adjourn

Town of Barnstable
Growth Management Department
Jo Anne Miller Buntich, Director
Staff Report



Special Permit 2013-039 – Dr. Marcus Swann
Modification of Special Permit No. 2007-070-A

Modification of condition prohibiting medical/dental use to allow for one dental office

Date: July 17, 2013
To: Zoning Board of Appeals
From: Elizabeth Jenkins AICP, Principal Planner
Petitioner: **Dr. Marcus Swann**
Property Address: 2957 Falmouth Road (Rte. 28)
Assessor's Map/Parcel: 121/009
Property Owner: Paul A. & Sheila K. Gargano, 251 Green Dunes Dr, W Hyannisport
Zoning: Residence F, GP Overlay

Filed: June 20, 2013

Hearing: July 24, 2013

Decision Due: October 22, 2013

Copy of Public Notice

Dr. Marcus Swann, as lessee, has applied for modification of Special Permit No. 2007-070-A to allow one of the four professional office suites to be utilized as a dental office. Condition No. 3 of the permit currently prohibits use of the building for medical or dental offices. Special Permit 2007-070 modified Permit Nos. 1984-92 and 1980-35 and allows for pre-existing nonconforming use of a pre-existing nonconforming structure. The property is located at 2957 Falmouth Road (Route 28), Marstons Mills, MA as shown on Assessor's Map 121 as Parcel 009. It is in a Residence F zoning district and the Groundwater Protection Overlay District.

Background

In Appeal No. 2013-039, Dr. Marcus Swann is seeking to modify the conditions of Special Permit 2007-070-A to establish a dentist's office in an existing building at 2957 Falmouth Road (Rte 28). The subject property is a 1.06 acre lot at the corner of Rte. 28 and Osterville-West Barnstable Road. It is developed with a 6,240 sq.ft office building containing four professional offices in 4,110 sq.ft of leasable area. Common areas include building entrances, shared restrooms, an ADA compliant elevator, and mechanical area.

The Board granted permits for use and development of the property in 1972, 1975, 1978, 1980 and 1984. According to those files, the site is a former gas station that included a general store and a residence. The commercial uses predated zoning and were recognized by the Board as legal pre-existing nonconforming. The structure was also determined to be legal pre-existing nonconforming; it does not conform to the current 100-foot front yard setback off Route 28.

The existing site and uses are the products of the 1980, 1984, and 2007 Special Permits:

- Special Permit 1980-35 was issued to Donald L. LeBlanc to change the nonconforming use the property to offices with 32 on-site parking spaces.
- Special Permit 1984-92 was issued to Robert Byrne authorizing a 25 by 30 foot addition to the existing structure as well as construction of a two-car garage and 33 on-site parking spaces. That permit limited the office use to a maximum of 4 offices and prohibited retail sales.
- Special Permit 2007-070A was issued to Paul & Shelia Gargano to demolish an older portion of the building and reconstruct a two-story addition. The resulting development would contain four offices suites.

Standing

Property owners Marcus and Shelia Gargano submitted a letter authorizing Dr. Marcus Swann to modify the Special Permit.

Relief Requested

The Applicant is requesting to modify Condition No. 3 of the permit pursuant to MGL Chapter 40A §14. The condition reads:

Use of the property shall be as previously permitted for a maximum of 4 professional office suites. That use shall not include professional medical or dental offices defined as those practitioners that have an associate or graduate of an accredited medical or dental school. Professional office use, however, may include psychology and chiropractic professionals.

The Applicant seeks to establish a dentist's office in one of the building's tenant spaces. The proposed dentist office includes two exam chairs, lab/staff space, and a small reception area.

Based on the floor plans submitted, it appears that the tenant space to be occupied by the dentist will be on two levels, the first floor and basement. The total leased area occupied by the dentist would be approximately 1,500 square feet. A floor plan for the basement has not yet been provided. Staff is under the impression that the basement floor will be used for additional office space for the dentist and storage. The Board may wish to clarify the use of the basement space with the applicant.

No changes are proposed to the exterior of the building, parking lot, or site.

Parking & Site Access

The site should contain 33 parking spaces, including two handicapped spaces. The Zoning Ordinance requires 1 parking space for every 300 sq.ft of office space, plus one space for every suite. The required parking, when calculated using the 4,110 sq.ft of leasable area, plus four suites, is 18 spaces.

The subject property can be accessed from Rte. 28 (a State Highway) or Osterville-West Barnstable Road. At this location, Route 28 is two lanes in both directions without a median. Route 28 and Osterville-West Barnstable Road is a signalized intersection. Condition No. 1 of Special Permit 2007-070-A specified that access from Route 28 shall be right-in and right-out only. Based on the contents of the file, it appears that the property owner submitted a plan to MassDOT to construct an island limiting left turns out of the site at the Rte. 28 driveway. It appears that MassDOT rejected the island and instead requested that access be controlled with pavement markings and signage. The access was constructed in compliance with MassDOT's request.

Staff Comments

- **ADA Access:** Based on the floor plan submitted, it appears that the primary entrance to the dental office would be from a dedicated external entrance, as opposed to the shared common area. The Board may wish to ask the applicant to address this choice, given that the primary entrance to the office is not ADA accessible.
- **Definition and Division of Space:** Title V and local Board of Health requirements limit the wastewater discharge on this property to 350 gallons/day, based on the size of the lot and the GP Overlay District designation. The Health Division calculates flows based on the square footage of office space and accounts for the number of dental exam chairs; storage space is not counted in the flow calculations. Staff encourages the Board to request that the applicant define the square footage of the basement storage space, and, should the Board so choose, condition the permit to require that the square footage be used only for storage, and not for any office use.

Suggested Special Permit Findings

For all Special Permits, the Board is required to make general findings pursuant to § 240-125(C). The Board should review the evidence presented by the Applicant, staff, and members of the public and, after weighing such evidence, is encouraged to articulate if and how the evidence contributes to each of the required findings.

1. **In Appeal No. 2013-039, Dr. Marcus Swann has requested to modify Special Permit 2007-070-A to allow a dentist office within an existing structure at 2957 Falmouth Road (Rte 28). The modification is requested pursuant to MGL Chapter 40A §14.**
2. **The request would amend Condition No. 3 of the Special Permit to modify the nonconforming uses allowed within the existing 6,240 sq.ft office building.**
3. **No changes are proposed to the exterior of the building, parking lot, or site.**
4. **After an evaluation of all the evidence presented, the proposal fulfills the spirit and intent of the Zoning Ordinance and would not represent a substantial detriment to the public good or the neighborhood affected.**

Suggested Conditions

Should the Board find to grant the special permit, it may wish to consider the following conditions:

1. Special Permit No. 2013-039 is granted to Dr. Marcus Swann to allow one of the four office suites within the existing building at 2957 Falmouth Road, Marstons Mills to be used as a dental office.
2. Condition No. 3 of Special Permit No. 2007-070A shall be modified to read:

Use of the property shall be as previously permitted for a maximum of 4 professional office suites. That use shall not include professional medical or dental offices defined as those practitioners that have an associate or graduate degree from an accredited medical or dental school, **except those expressly permitted by Special Permit No. 2013-039.** Professional office use, however, may include psychology and chiropractic professionals.
3. The dental office shall be limited to one of the four tenant spaces and shall not exceed a total of 1,500 square feet, including basement storage space.
4. The number of dental examination chairs in the office shall be limited to two.
5. This permit shall not be transferable to any other medical use.
6. All other conditions of Special Permit No. 2007-070-A shall remain in full force and effect.
7. The use shall be in compliance with local Board of Health and Title V regulations without variance.
8. This decision shall be recorded at the Barnstable County Registry of Deeds and copies of the recorded decision shall be submitted to the Zoning Board of Appeals Office and the Building Division for this special permit to be in effect. The rights authorized by this special permit must be exercised within two years, unless extended by the Board.

CC: Applicant c/o Attorney John Kenney

Attachments: Application w/ attached letter of standing, proposed floor plan, topographic site plan, approved Rte. 28 access plan, building elevation, and building floor plan
Special Permit No. 2007-070-A
Aerial Photo

TOWN OF BARNSTABLE

2013 JUN 21 AM 11:25

GROWTH MANAGEMENT



BARNSTABLE
TOWN CLERK

21 JUN 20 AM 11:21

**Town of Barnstable
Zoning Board of Appeals**

**Petition for a Special Permit
* Modification of**

Date Received
Town Clerk's Office:

For office use only:

Appeal # 2013-039
Hearing Date 07-24-13
Days Extended
Decision Due 10-22-13

The undersigned hereby applies to the Zoning Board of Appeals for a Special Permit, in the manner and for the reasons set forth below:

Petitioner's Name¹: Dr. Marcus Swann, Phone: 860-574-5818

Petitioner's Address: 30 Guildford Road, Centerville, MA 02632

Property Location: 2957 Falmouth Road, Marstons Mills, MA

Property Owner: Paul A. and Sheila K. Gargano, Phone: 508-778-8880

Address of Owner: 251 Green Dunes Drive, W. Hyannisport, MA

If applicant differs from owner, state nature of interest:²

Prospective Tenant - See Letter of Authorization Attached

Registry of Deeds/Land Court References: Deed Book 8821, Page 332 Plan 257/67

Assessor's Map/Parcel Number: 121-009

Zoning District: Resid.F/GPOD Overlay Dt.

Number of Years Owned: 20

Groundwater Overlay District: GP- Groundwater Protection

Special Permit Requested: MGL c.40A § 14 - Modification of Special Permit No.

Cite Section & Title from the Zoning Ordinance

2007-070-A

Description of Activity/Reason for Request: Applicant seeks to modify Condition No. 3 in Special Permit No. 2007-070-A to allow one of the four professional office suites (Unit 1) to be used as a dental office. *Attach additional sheet if necessary*

Is the property subject to an existing Variance or Special PermitNo [] Yes [X] -

Permit # 2007-070-A

1984-92

1980-35

¹ The Petitioner's Name will be the entity to whom the special permit will be issued to.

² If the Applicant differs from owner, the Applicant will be required to submit one original notarized letter from the owner authorizing the application to the Zoning Board, a copy of an executed purchase & sales agreement or lease, or other documents to prove standing and interest in the property.

Petition for a Special Permit - Page 2

Description of Construction Activity (if applicable): Interior renovations to Unit 1 to set up dentist office.

Attach additional sheet if necessary

Existing Level of Development of the Property - Number of Buildings: One (1)

Present Use(s): Office Building

Existing Gross Floor Area: 6,240 sq. ft. Proposed New Gross Floor Area: N/A sq. ft.

Site Plan Review Number: _____ Date Approved: 1984 *(not required for Single or Two Family use)*

Is the property located in a designated Historic District?..... Yes [] No [☒]

Is this proposal subject to the jurisdiction of the Conservation Commission Yes [] No [☒]

Is this proposal subject to approval by the Board of Health Yes [] No [☒]

Is the building a designated Historic Landmark?..... Yes [] No [☒]

Have you applied for a building permit?..... Yes [] No [☒]

Have you been refused a building permit?..... Yes [] No [☒]

The following Required Information, as applicable to application, must be submitted with the application at the time of filing, failure to do so may result in a denial of your request.

- Three (3) copies of the completed application form, each with original signatures.
- Three (3) copies of a 'wet sealed' certified property survey (plot plan) and one (1) reduced copy (8 1/2" x 11" or 11" x 17") showing the dimensions of the land, all wetlands, water bodies, surrounding roadways and the location of the existing improvements on the land.
- Three (3) copies of a proposed site improvement plan, as found approvable by the Site Plan Review Committee (if applicable), and building elevations and layout as may be required plus one (1) reduced copy (8 1/2" x 11" or 11" x 17") of each drawing. These plans must show the exact location of all proposed improvements and alterations on the land and to the structures.
- The applicant may submit any additional supporting documents to assist the Board in making its determination. Twelve copies of all supporting documents must be submitted eight days prior to the public hearing for distribution to the Board Members.

Signature:  Date: 6/21/13

Applicant's or Representative's Signature³

Print Name John W. Kenney, Esq.

Address: 1550 Falmouth Road

Suite 12 Phone: 508-771-9300

Centerville, MA 02632 Fax No.: 508-775-6029

e-mail Address: john@jwkesq.com

³ All correspondence on this application will be processed through the Representative named at that address and phone number provided. Except for Attorneys, if the Representative differs from the Applicant/Owner, a letter authorizing the Representative to act on behalf of the Applicant/Owner shall be required.

BARNSTABLE
TOWN CLERK



'07 SEP -4 P2:21

**Town of Barnstable
Zoning Board of Appeals
Decision and Notice**

**Special Permit 2007-070 A – Gargano
Modification of Special Permits 1980-35 and 1984-92**

To allow for the demolition of part of the existing nonconforming building and reconstruction of that part.

Summary:	Granted with Conditions
Petitioner:	Paul A. and Sheila K. Gargano
Property Address:	2957 Falmouth Road (Route 28), Marstons Mills, MA
Assessor's Map/Parcel:	Map 121, parcel 009
Zoning:	Residential F Zoning, Resource Protection and Groundwater Protection Overlay Districts

Background & Review:

The locus is a 1.06 acre parcel developed with a 4,637 sq.ft. office building. The property is situated on the southwest corner of the intersection of Route 28 with Osterville/West Barnstable Road in Marstons Mills. The use of the property and development is nonconforming and subject to Special Permits 1980-35 and 1984-92 previously issued by the Zoning Board.

The petitioners are seeking to demolish part of that existing building and rebuild it within the existing footprint. As the existing structure was conditioned by the Board as the building to be situated on the site, the petitioners requested a modification of the earlier special permits to allow this redevelopment resulting in a new structure.

The property has been before the Board a number of times dating back to 1972, 1975, 1978, as well as 1980 and 1984. According to those files, the site is a former gas station that included a general store and a residence. That use predated zoning and was recognized in those past permits issued as a legal pre-existing nonconforming use and later as a legal pre-existing nonconforming building as the location of the structure does not conform to the current 100-foot front yard setback off Route 28.

According to architectural plans submitted the proposal is to demolish the older 1.5-story section of the structure and replace that portion with a full two-story addition. According to information submitted with those drawings, the layout retains 4 office suites. The overall gross area of the structure is expanded from 6,091 sq.ft. to 6,240 sq.ft. However, the lease area is reduced from 4,445 sq.ft. to 3,840 sq.ft.

Procedural & Hearing Summary:

This petition was filed at the Town Clerk's office and at the office of the Zoning Board of Appeals on June 1, 2007. A public hearing before the Zoning Board of Appeals was duly advertised and notice sent to all abutters in accordance with MGL Chapter 40A. The hearing was opened August 22, 2007,

Plan Book
Lots 1, 2 257/67
Seed 8821/332



at which time the Board found to grant the modification of the prior two special permits subject to additional conditions herein. Board members deciding this appeal were: Ron S. Jansson, Randolph Childs, James R. Hatfield, Sheila Geiler, and Chairman - Gail C. Nightingale.

Attorney Bruce P. Gilmore represented the petitioners. He cited that the use of the property and the extent of development allowed are governed by special permits issued. Those permits having been issued for a pre-existing legally created nonconforming use of the site, the original use being a former gas station. He noted that the prior permits, 1980-35 was issued to a Donald L. LeBlanc and 1984-92 was issued to Robert Byrne. Both permits were issued for office use and the 1984 permit authorized the building expansion which now exists on the property.

Attorney Gilmore presented the proposal indicating that the lower and older section of the existing building, the 1.5-story section, is to be demolished and replaced with a more appropriate structure that matches the remaining part of the building. At the same time, the entire structure would be upgraded to today's building and office requirements, including elevator service to all floors including the basement for handicapped accessibility. He cited that the layout plans would retain 4 office suites as permitted. The overall gross area of the structure is only slightly expanded from 6,091 gross sq.ft. to 6,240 gross sq.ft. That area being expanded on the second floor as the reconstructed section would be upon the existing footprint of the existing building. What was changing is the lease area. However, that would be reduced from 4,445 sq.ft. to 3,840 sq.ft. He noted that the common area did increase from 1,646 sq.ft. to 2,400 sq.ft. to provide area for the elevator, stairways and bathrooms.

The Board discussed the issue with Attorney Gilmore and it was noted that there would be no increase in wastewater flow and no increase in traffic as the lease area of the building will not increase. It was noted that the site conditions would be the same as that authorized by the Board in 1984. The Board did state that they would require the curb cut on Route 28 to be right-in and right-out only. The applicant agreed with that issue. The Board reviewed the 1984 site plan.

Public comment was requested and Andrew Laurinaitis of 375 Osterville/West Barnstable Road, direct abutter to the property, spoke in favor of granting the modification as it would be an improvement to the neighborhood. No-one spoke in opposition to the request.

Findings of Fact:

At the hearing of August 22, 2007, the Board unanimously made the following findings of fact:

1. In this appeal before the Board, Paul A. and Sheila K. Gargano are petitioning for a modification of Special Permits 1980-35 and 1984-92. The subject property is addressed as 2957 Falmouth Road (Route 28), Marstons Mills, MA and is shown on Assessor's Map 121 as parcel 009. It is in a Residence F Zoning District and in the Resource Protection Overlay Zoning District. The petitioners seek to demolish and rebuild part of the existing structure located on the property and alter the remaining section resulting in a more unified and updated office building.
2. The property has been before the Board a number of times dating back to 1972, 1975, 1978, as well as 1980 and 1984. The property was formerly a service station. What exists currently is the product of the 1980 and 1984 special permits. Special Permit 1980-35 was issued to a Donald L. LeBlanc converting the use to that of offices with 32 on-site parking spaces. A plan for the



remodeling of the building was submitted and the permit issued conditioned upon that architectural plan as well as maintaining access to the site from Osterville/West Barnstable Road. Special Permit 1984-92 was issued to Robert Byrne authorizing a 25 by 30 foot addition to the existing structure as well as construction of a two-car garage and 33 on-site parking spaces. That permit limited the office use to a maximum of 4 offices.

3. The petitioner is proposing to demolish the older 1.5-story section of the existing structure and replace that portion with a full two-story addition. The overall gross area of the structure is to expand some 200 sq.ft. from 6,091 sq.ft. to 6,240 sq.ft. The lease area of the structure is reduced from 4,445 sq.ft. to 3,840 sq.ft. The common area which consists of the building entrances, restrooms, and elevator (all in compliance with ADA) as well as the mechanical area is increased from 1,646 sq.ft. to 2,400 sq.ft.
4. As to a site plan, the prior 1984 site plan was submitted based upon the fact that nothing is going to be expanded that would trigger the need for a new site plan. Therefore, the existing special permits can be modified and no new special permit is required. There is no increase in parking needs, no traffic increase, and no added wastewater.

Decision:

Based on the findings of fact, a motion was duly made and seconded to grant a modification of special permits 1980-35 and 1984-92 subject to all of the following conditions:

1. Access from Route 28 will be right-in and right-out only. Plan for this alteration shall be submitted to the Board and to MassHighway and the improvements made prior to the issuance of any occupancy permit for the building. If an issue should develop with the plan not being acceptable to MassHighway, the applicant shall be required to revisit that issue at that time with the Board.
2. The applicant shall meet with the Centerville, Osterville, Marstons Mills Fire Department and Water Department and shall comply with any needed site improvements to assure sufficient water service, fire protection requirements, fire hydrant location and site access.
3. Use of the property shall be as previously permitted for a maximum of 4 professional office suites. That use shall not include professional medical or dental offices defined as those practitioners that have an associate or graduate of an accredited medical or dental school. Professional office use, however, may include psychology, and chiropractic professionals.
4. The structure shall be modified as per plans submitted to the Board entitled "Proposed Renovations for Gargano Office Building, 2957 Route 28, Osterville, MA" as drawn by ConServ and consisting of Sheets A6 & A7 dated 4-6-07, and Sheet 1 dated 04-24-07 showing floor layouts, building modifications and proposed building elevations.
5. The site improvements, including landscaping shall conform to the 1984 plan submitted and entitled "Additions and Alterations to Office Building for Bobby Byrnes Management Corp., 2956 Falmouth Road, Osterville, MA" Sheet A-2 as previously approved by the Board and noted on said plan. That plan showing a 25-foot wide green area on the southerly boundary of the property. That green area and the existing trees are to remain.



Town of Barnstable - Zoning Board of Appeals
Special Permit 2007-070 A - Decision and Notice - Gargano

The vote was as follows:

AYE: Ron S. Jansson, Randolph Childs, James R. Hatfield, Sheila Geiler, Gail C. Nightingale

NAY: None

Ordered:

Appeal 2007-070 A has modified Special Permit 1980-35 and 1984-92. This decision must be recorded at the Barnstable Registry of Deeds for it to be in effect and notice of that recording submitted to the Zoning Board of Appeals office. The relief authorized by this decision must be exercised within one year. Appeals of this decision, if any, shall be made pursuant to MGL Chapter 40A, Section 17, within twenty (20) days after the date of the filing of this decision. A copy of which must be filed in the office of the Barnstable Town Clerk.

Gail C. Nightingale
Gail C. Nightingale - Chairman

9/4/07
Date Signed

I, Linda Hutchenrider, Clerk of the Town of Barnstable, Barnstable County, Massachusetts, hereby certify that twenty (20) days have elapsed since the Zoning Board of Appeals filed this decision and that no appeal of the decision has been filed in the office of the Town Clerk.

Signed and sealed this 25th day of Sept. 2007 under the pains and penalties of perjury.

Linda Hutchenrider
Linda Hutchenrider - Town Clerk



Town of Barnstable

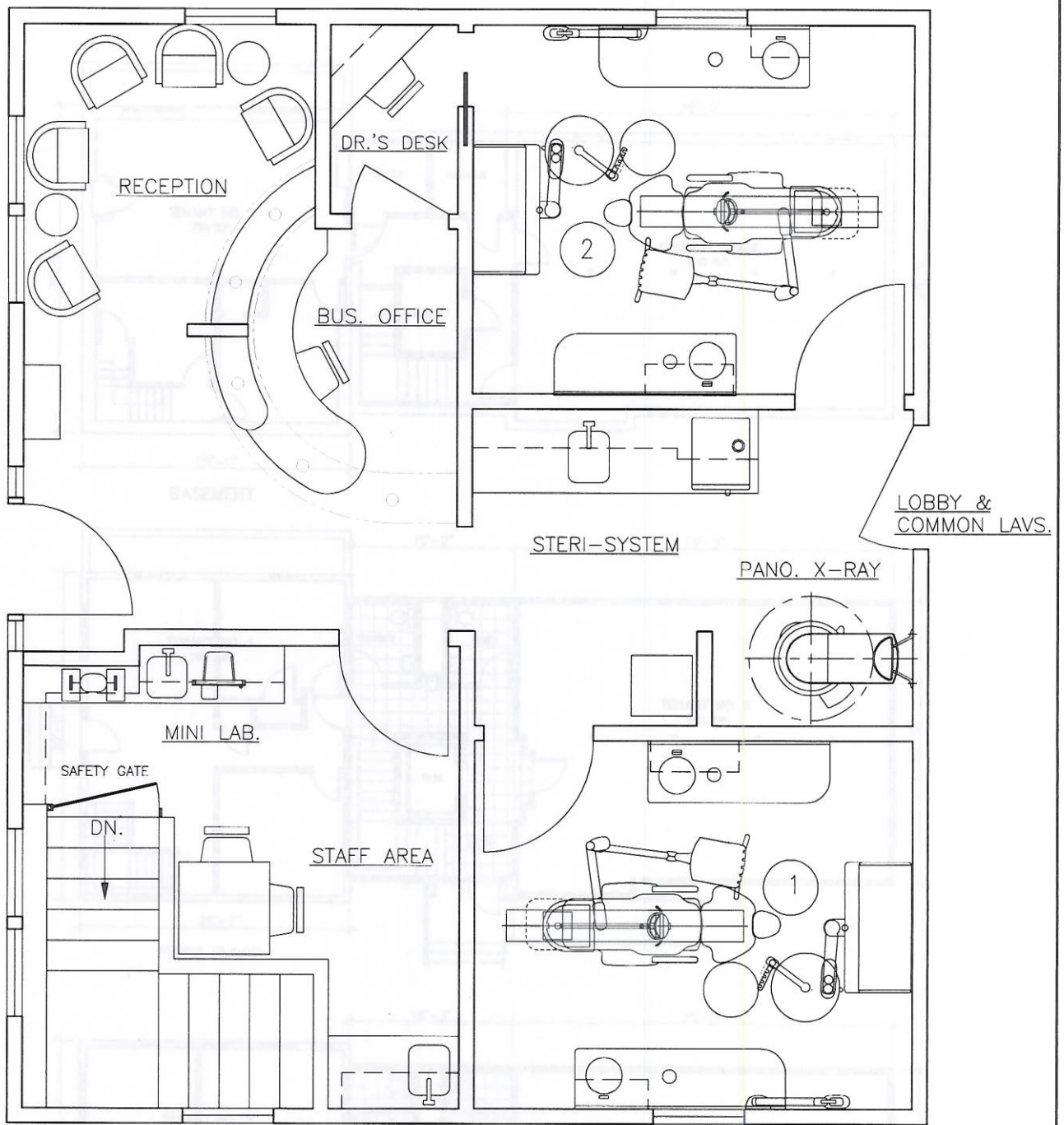
Zoning Board of Appeals

Please be advised that my wife, Sheila and I authorize Dr. Marcus Swann to appear before your board to request a Modification of Special Permit Number 2007-070-A to allow one of the office suites in our Building at 2957 Falmouth Road, Marstons Mills to be used as a dentists Office.

Respectfully Submitted


Paul A. Gargano


Sheila Gargano



1 PROPOSED FLOOR PLAN
SCALE 1/4"=1'-0"

PATTERSON DENTAL

PATTERSON DENTAL
BOSTON BRANCH
400 RESEARCH DRIVE
SUITE 110
WILMINGTON, MA 01897
(978) 382-5100
(800) 842-5335
www.pattersondental.com

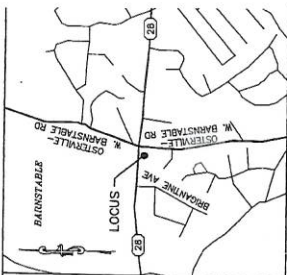
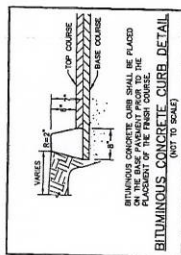
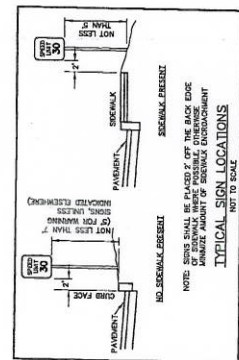
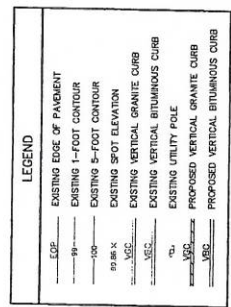
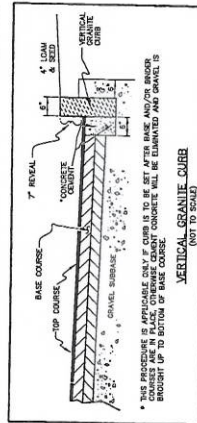
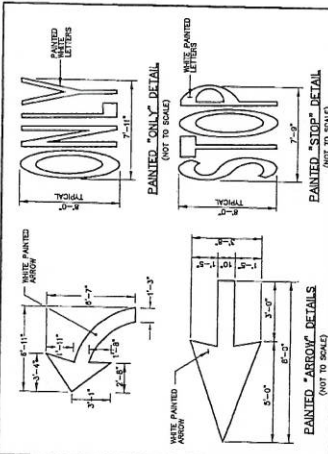
THESE ARE CONCEPTUAL LAYOUTS ONLY AND ARE NOT ARCHITECTURAL PLANS. THESE LAYOUTS ARE DRAWN TO AN ARCHITECTURAL SCALE, BUT THEY DO NOT INCLUDE ALL OF THE REQUIREMENTS THAT MAY BE NECESSARY, OR THAT AN ARCHITECT MIGHT PROVIDE YOU, IN A COMPLETE SET OF ARCHITECTURAL PLANS. PATTERSON'S DENTAL MAY NOT BE SUBMITTED AS FINISHED ARCHITECTURAL DRAWINGS FOR THE PURPOSE OF OBTAINING A BUILDING PERMIT. IF YOU SHOULD CHOOSE TO USE PATTERSON'S LAYOUT IN THE PLACEMENT OF YOUR EQUIPMENT, YOU SHOULD RETAIN A REGISTERED ARCHITECT TO CONVERT THE LAYOUT INTO PROPER AND COMPLETE ARCHITECTURAL PLANS. PATTERSON WILL WORK WITH THE ARCHITECT YOU SELECT TO DEVELOP COMPLETE ARCHITECTURAL PLANS.

THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF PATTERSON DENTAL SUPPLY, INC. AND THE USE LIMITED TO A SPECIFIC PROJECT FOR THE PERSON OR PERSONS NAMED HEREIN FOR CONSTRUCTION OF THE BUILDING ONLY. ANY USE OR REPRODUCTION OF THESE DRAWINGS ARE STRICTLY PROHIBITED WITHOUT THE WRITTEN PERMISSION OF PATTERSON DENTAL SUPPLY, INC. ALL WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE DIMENSIONS AND SHALL BE KEPT ON THE JOB SITE. ANY DISCREPANCIES OR CHANGES SHALL BE BROUGHT TO THE ATTENTION OF PATTERSON DENTAL SUPPLY PRIOR TO THE COMMENCEMENT OF ANY WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CURRENT AMERICAN WITH DISABILITIES (ADA) ACCESSIBILITY GUIDELINES AND REQUIREMENTS. CONTRACTOR SHALL COMPLY WITH ALL STATE, CITY AND LOCAL CODES PERTAINING TO THE CONSTRUCTION OF THIS PROJECT WHILE EVER DONE ACTIVELY. BACKFLOW PREVENTERS MUST BE INSTALLED.

DESIGNED BY: M. CHASE
REV.
DRAWING NUMBER:
EQUIPMENT SPECIALIST - PALMER BLAIR
SCALE - AS NOTED DATE: 5/16/2013

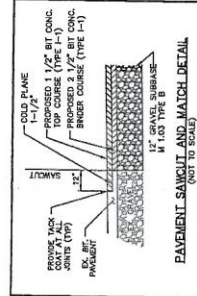
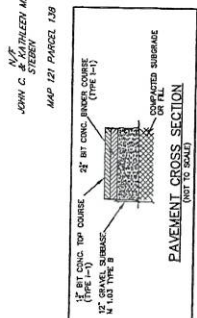
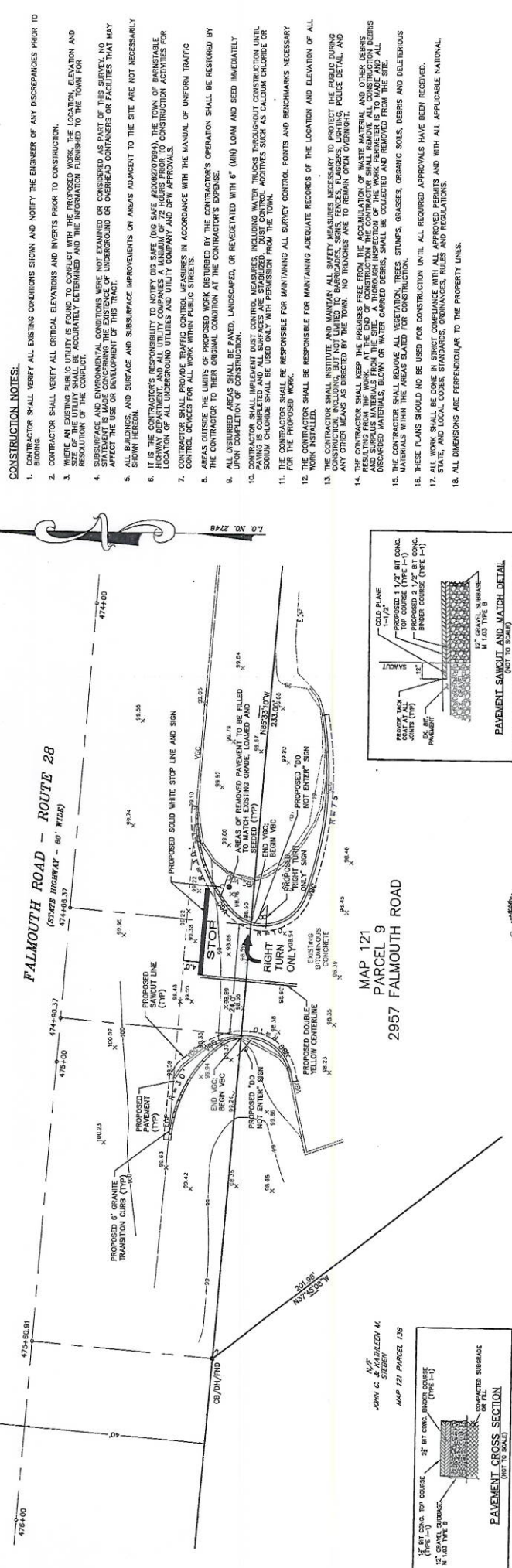
AREA: 667 Sq. Ft.
Marcus T. Swann, DMD
2857 Route 28, Osterville, MA

PROPOSED LAYOUT
SHEET 1 OF 1



- GENERAL NOTES:**
- RECORD OWNER(S): PAUL A. AND SHEILA K. GARGANO, WEST HYANNISPORT, MASSACHUSETTS 02672, DEED BOOK 8821 PAGE 332-333
 - THE PROPERTY IS SHOWN AS PARCEL 9 ON THE TOWN OF BARNSTABLE ASSESSOR MAP 121.
 - THE PROPERTY LINES, SHOWN HEREON, ARE COMPILED FROM PLANS AND DEEDS RECORDED AT THE WEST HYANNISPORT, MASSACHUSETTS, RECORDS, IN JUNE OF 2008.
 - THE ORIGIN OF BARNSTABLE, SHOWN HEREON, IS THE TOWN OF BARNSTABLE, MASSACHUSETTS, JANUARY 13, 1931.
 - THE ORIGIN OF ELEVATIONS AND CONTOURS, SHOWN HEREON, ARE BASED UPON AN ASSUMED DATUM.
 - THE PROPERTY APPEARS TO LIE WITHIN THE RESIDENCE F (RF) ZONING DISTRICT AS WELL AS THE BARNSTABLE ZONING DISTRICT. THE ZONING MAPS FOR THE BARNSTABLE ZONING DISTRICT, BASED UPON A REVIEW OF THE TOWN OF BARNSTABLE ZONING MAP, ENGINTEERS, L.L.C. IN JUNE OF 2008.
 - THE LOCATION OF UNDERGROUND UTILITIES, SHOWN HEREON, ARE BASED UPON A FIELD SURVEY BY ATLANTIC DESIGN ENGINEERS, L.L.C. IN JUNE OF 2008.
 - THE LOCATION OF UNDERGROUND UTILITIES, SHOWN HEREON, ARE BASED UPON A FIELD SURVEY BY ATLANTIC DESIGN ENGINEERS, L.L.C. IN JUNE OF 2008.
 - THE PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE C, AN AREA OF UNUSUAL FLOODING BASED UPON A REVIEW OF THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY MAP NO. 2746, PREPARED BY THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS, DATED JANUARY 13, 1931.
 - THE PROPERTY APPEARS TO LIE WITHIN A STATE WATERWAY PROTECTION AREA BASED UPON A REVIEW OF THE MASSACHUSETTS GEOGRAPHIC INFORMATION SYSTEM.
 - THE PROPERTY DOES NOT APPEAR TO LIE WITHIN AN AREA OF CRITICAL ENVIRONMENTAL CONCERN BASED UPON A REVIEW OF THE MASSACHUSETTS GEOGRAPHIC INFORMATION SYSTEM.
 - THE PROPERTY DOES NOT APPEAR TO LIE WITHIN AN ESTIMATED HABITAT OF RARE WILDLIFE AND A PRIORITY HABITAT OF RARE SPECIES BASED UPON A REVIEW OF THE NATURAL HERITAGE AND INFORMATION SYSTEM.

FALMOUTH ROAD - ROUTE 28 (STREET HIGHWAY - 80' WIDE)



CONSTRUCTION NOTES:

- CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS SHOWN AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL VERIFY ALL CRITICAL ELEVATIONS AND INVERTS PRIOR TO CONSTRUCTION.
- IF AN EXISTING PUBLIC UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED AND THE INFORMATION FURNISHED TO THE TOWN FOR RESOLUTION OF THE CONFLICT.
- SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY BE LOCATED ON OR NEAR THE TRACT.
- ALL SURFACE AND SUBSURFACE IMPROVEMENTS ON AREAS ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN HEREON.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE DATE OF THE LAST RECORDING OF THE TOWN OF BARNSTABLE HIGHWAY DEPARTMENT, AND ALL UTILITY COMPANIES A MANUAL OF STANDARD PRACTICES FOR THE LOCATION OF ALL UNDERGROUND UTILITIES AND UTILITY COMPANY AND DWP APPROVALS.
- CONTRACTOR SHALL PROVIDE TRAFFIC CONTROL MEASURES IN ACCORDANCE WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES FOR ALL WORK WITHIN PUBLIC STREETS.
- AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR'S OPERATION SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE.
- ALL DISTURBED AREAS SHALL BE PAVED, LANDSCAPED, OR REVEGETATED WITH 6\"/>

Atlantic® DESIGN ENGINEERS, L.L.C.
P.O. Box 1051, Sandwich, MA 02563
(508) 888 - 9282

DESIGNED BY: _____
DRAWN BY: _____
CHECKED BY: _____
SURVEYED BY: _____
APPROVED BY: _____

SCALE: 1" = 10' - 20'

DATE: _____

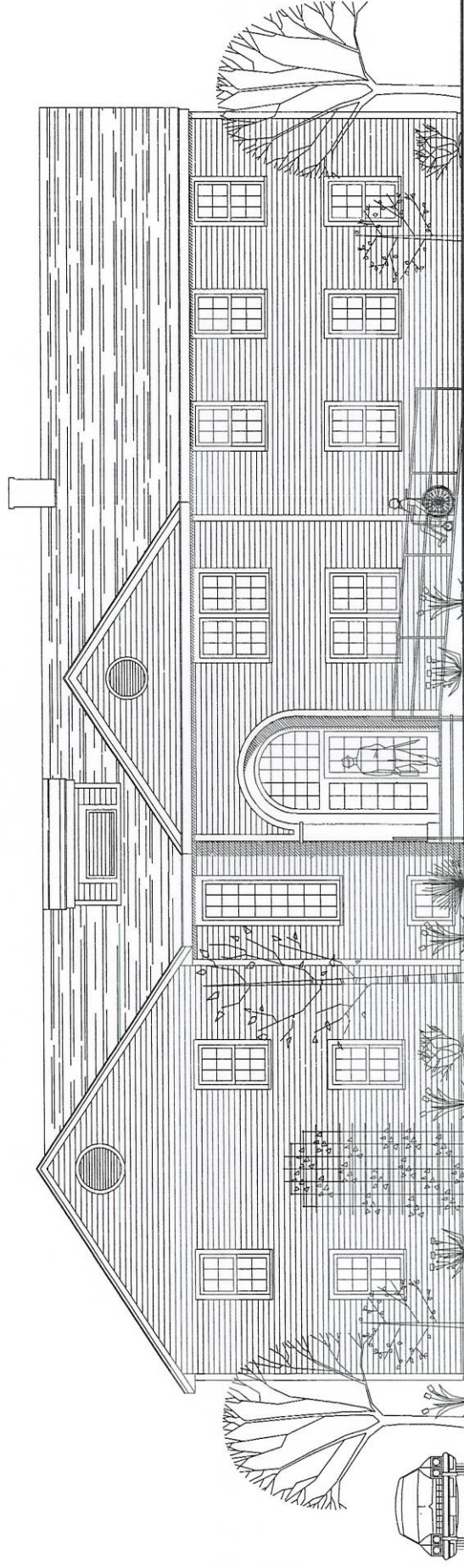
NO. BY DATE REVISION

1	RFG	08-28-08	PER L&D COMMENTS/AMENDMENTS
2	RFG	09-17-08	PER CLIENT

APPLICANTS: PAUL A. AND SHEILA K. GARGANO
P.O. BOX 444
WEST HYANNISPORT, MASSACHUSETTS 02672

MASSACHUSETTS HIGHWAY DEPARTMENT CURB CUT PLAN
2957 FALMOUTH ROAD
OSTERVILLE, MASSACHUSETTS 02685
JUNE 30, 2008

2566.00
JOB NUMBER
2566.00



PROPOSED ROUTE 28 ELEVATION

OFFICE BUILDING
2957 ROUTE 28
OSTERVILLE MA

