



# HARTEL COMMERCIAL

*Strategic Real Estate Services*

**FOR SALE - \$650,000**

7,554± SF Quality Space with  
Fully Equipped Kitchen/2 Large Open Rooms  
**279 Brick Kiln Road, East Falmouth, MA**



- Road Signage with On-Site Parking
- Presently PAL (Police Athletic League) Building
- Close proximity to Sandwich Road/Route 28

HARTEL COMMERCIAL REAL ESTATE

230 Jones Road, Unit 6, **Falmouth, MA** 02540 | 40 Willard Street, Unit 207, **Quincy, MA** 02169

Main: (508) 444-0172 | Fax: (508) 548-2995

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## Executive Summary

<b>Property Address:</b>	279 Brick Kiln Road Falmouth, MA
<b>Property ID:</b>	27 03 011F 000
<b>Year Built:</b>	1959
<b>FY2013 Assessment:</b>	\$597,300
<b>Land:</b>	\$113,700
<b>Building:</b>	\$463,600
<b>FY2013 Taxes:</b>	\$4,802.29
<b>Land Area:</b>	1.318± Acres
<b>Heat/AC:</b>	FHA/Gas/AC
<b>Town/Well Water:</b>	Municipal
<b>Town/Private Septic:</b>	Private
<b>*Zoning:</b>	AGA – Agricultural A Due diligence via Zoning Allowances. Zoning Allowances may be found at the end of brochure.
<b>Deed Restrictions:</b>	Per Deed Restriction – The Grantor (Knights of Columbus) shall have right to utilize a small portion of the building (lower level) known as the “Chambers Area” only.

*\*The zoning information presented here is deemed to be accurate, but it has not been independently verified. Any projections, opinions, assumptions, or estimates used are for example only and do not represent the current or future performance of the property. It is your responsibility to independently confirm accuracy and completeness. You and your advisors should conduct a careful, independent investigation of the property to determine to your satisfaction the suitability of the property for your needs.*

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## Detailed Summary

- Building Size:** 7,554± SF
- Room Count:** 3 Rooms:  
1 Recreational  
1 Function  
1 Kitchen
- Floor:** Tile/Hardwood
- Baths:** Private/Separate Men & Women
- Parking:** 10,000± SF On-Site Paved Parking
- Amenities:** Recreational Room, Handicap Accessible, Fully equipped kitchen, Full Bar Area, Full Function Hall/Open Space, Plenty of On-Site Parking.
- Upgrades:**
- 2008:** Main Function Hall - New Interior including sheetrock, insulation, tile floors, trim work and paint. New electrical in rear portion of building, Solid Cherry Bar installed, New ceiling tiles in rear portion and lower level of building.
  - 2009:** All new AC Units.
  - 2010:** New Gas Furnaces from National Grid, New bathrooms, new kitchen addition with all new appliances, additional electrical upgrades & partial roof.
  - 2011:** New shingles on front, Parking lot repaired and sealed.
- Furniture:** Not included in Sale Price, but available for sale.

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## **General Overview:**

The Town of Falmouth is located 13± miles south of the Bourne Bridge at the highways end. Falmouth is known as a resort town by many and home to many locals as well. In season the population may swell three times its size as many come to visit or end up staying. It is also home to the WHOI (Woods Hole Oceanographic Institute) and NOAA (National Oceanic and Atmospheric Administrations) located in the village of Woods Hole, just south of Falmouth Center. The town also hosts the popular Falmouth Road Race every year not to mention the tourists who come to vacation on the pristine beaches. Many may come through Falmouth on their way to the islands of Martha's Vineyard or Nantucket. Falmouth is bound to the north by the Town of Bourne, west by Buzzards Bay, East by the town of Mashpee and south by Nantucket Sound.

## **Property Description:**

279 Brick Kiln Road is located in the East Falmouth village in the Town of Falmouth. The site is improved with a 7,554±SF building currently occupied by the PAL (Police Athletic League) in the rear part of the building and the front section of the building having 3,500± SF of open space. There is a front entrance with foyer and coat/storage room, separate men and women baths, fully equipped kitchen, full bar, prep area and outdoor patio, all handicap accessible. Entrance to site is through four curb cuts onto an asphalt paved 10,000± SF parking lot. Possibilities abound with the right fit and due diligence with Zoning Allowances. There is a deed restriction which allows the grantor (Knights of Columbus) the right to utilize a small portion of the lower level known as the "Chamber Area". This does not pose any encroachment on the upper level facilities.

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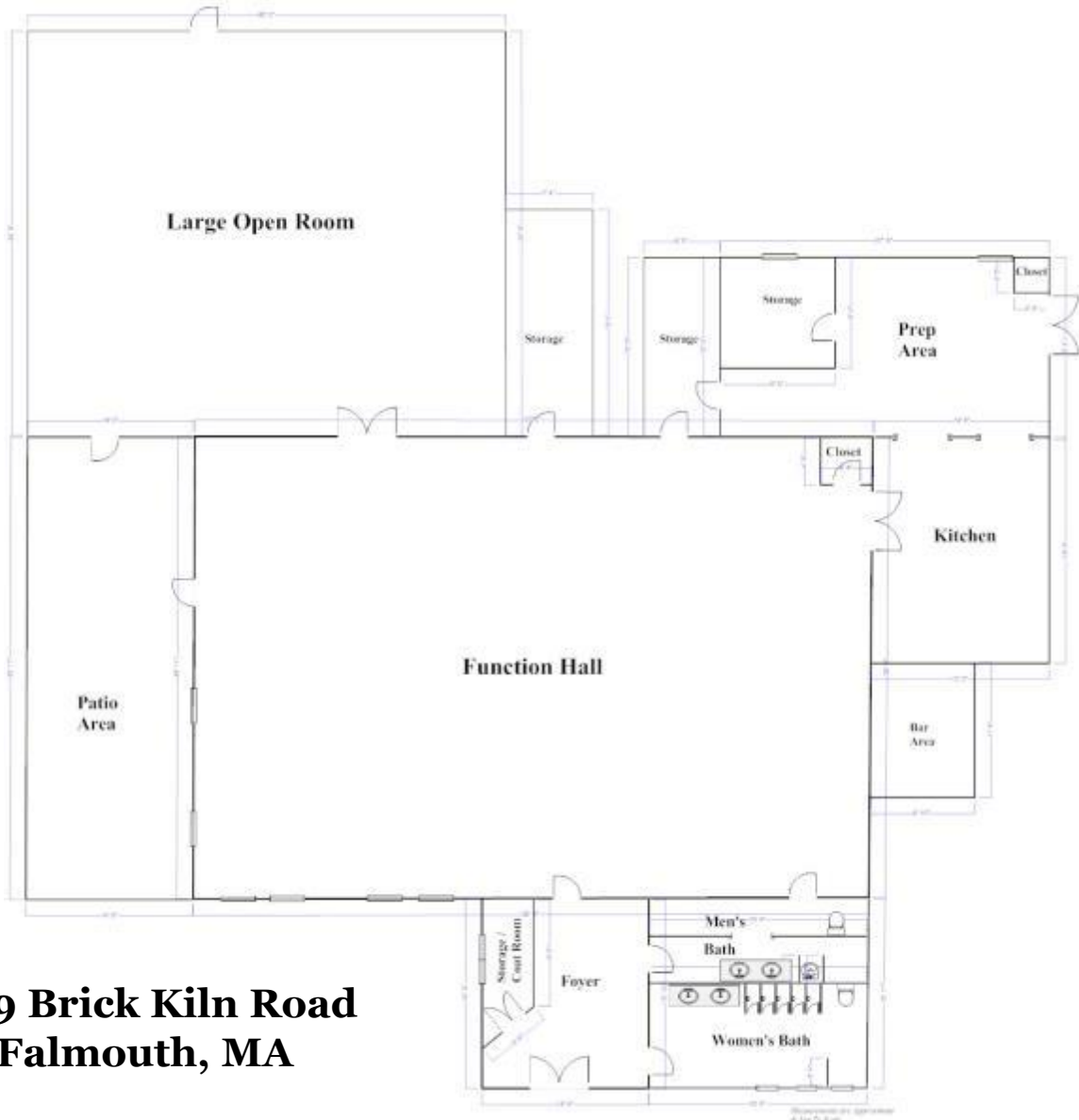
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## Floor Plan



**279 Brick Kiln Road  
E. Falmouth, MA**

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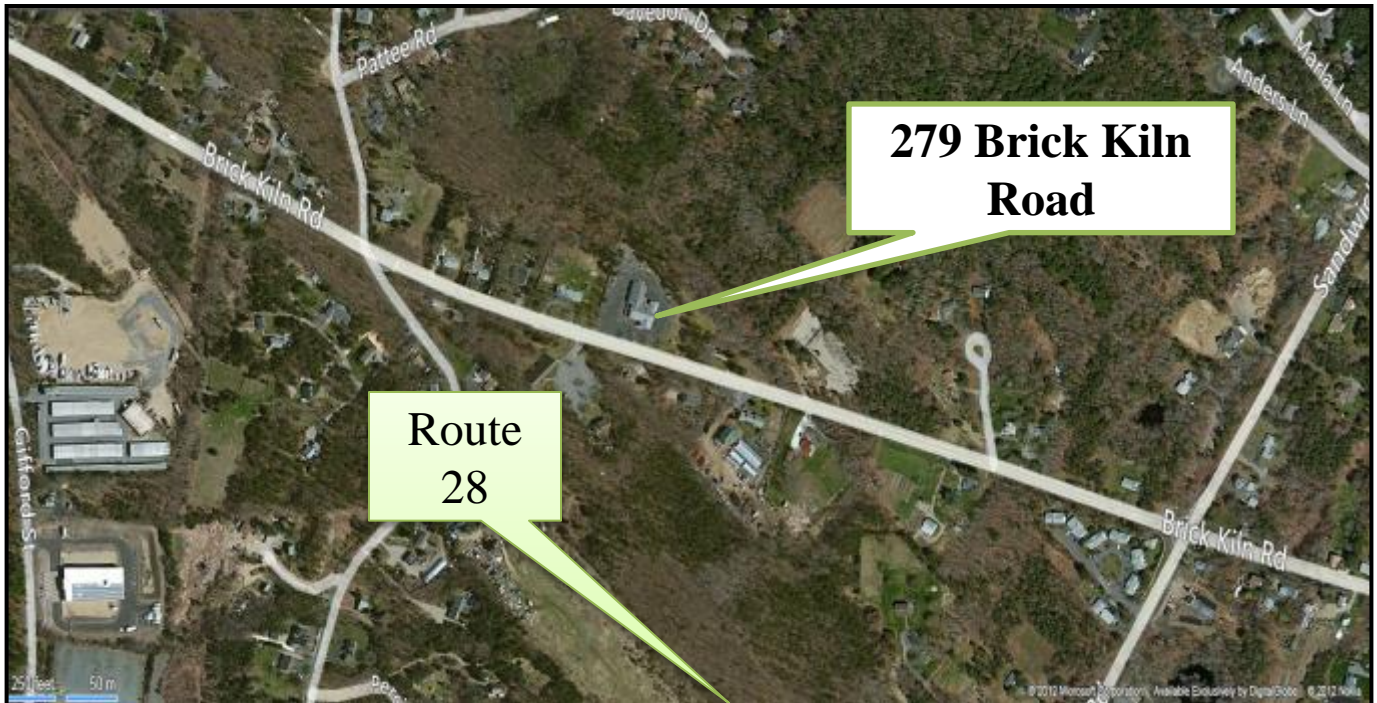




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## Satellite View



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## Locational Map



**279 Brick Kiln Rd.**

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Town of Falmouth, MA  
Thursday, April 18, 2013

## Chapter 240. ZONING

### Article VIII. Agricultural Districts

#### § 240-34. Permitted residential uses.

Permitted residential uses:

A. One-family detached houses.

#### § 240-35. Permitted community service uses.

**[Amended ATM 4-8-1981, Art. 51; ATM 4-2-1984, Art. 59]** Permitted community service uses:

A. Churches, schools, libraries, museums, parish houses, agricultural research institutions and cemeteries, group day-care homes and child day-care centers. **[Amended ATM 4-6-1992, Art. 13]**

B. Parks, playgrounds, water towers, reservoirs, fire stations, beaches, watershed, Town forests and municipal recreation buildings.

C. Passenger stations, Town wharves and landings.

#### § 240-36. Other permitted principal uses.

Other permitted principal uses:

A. Agriculture, horticulture and floriculture including farms, cranberry bogs, dairies, truck gardens, greenhouses and natural ice harvesting activities. On lots of two acres or more: nurseries. **[Amended AFTM 12-1-1993, Art. 8, approved 2-25-1994; ASTM 4-13-1998, Art. 13, approved 6-9-1998]**

B. Piers, floats and docks when approved by the Conservation Commission and Selectmen as a common pier, float or dock. **[Added STM 11-1-1988, Art. 56]**

#### § 240-37. Permitted accessory uses.

Permitted accessory uses:

A. Such accessory uses as are customarily incidental to any of the above uses.

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- B. The taking of four or fewer boarders within a single-family dwelling by a family resident on the premises. **[Amended AFTM 11-18-2002, Art. 3, approved 3-13-2003]**
- C. A home occupation. (See § 240-162.). **[Amended ATM 4-9-1980, Art. 72]**
- D. Television or radio antennas not exceeding 50 feet above ground level.
- E. Portable woodworking mill.
- F. Roadside stand for the sale principally of the products of the land of the owner of the premises.

## § 240-38. Special permit uses.

**[Amended STM 12-13-1979, Art. 51; ATM 4-9-1980, Art. 72; STM 9-10-1981, Art. 50; ATM 4-5-1984, Arts. 58 and 59; ATM 4-1-1985, Art. 61]** The special permit granting authority for the following uses shall be the Board of Appeals except where noted otherwise within this chapter:

- A. Commercial accommodations. (See Article XXVII.)
- B. Private clubs not conducted for profit.
- C. Television or radio antennas exceeding 50 feet above ground level.
- D. Telephone exchange, provided there is no service yard or garage.
- E. Airport or landing strip or pad.
- F. Research and philanthropic institutions. **[Amended ATM 4-6-1988, Art. 53; ATM 4-6-1992, Art. 13; ASTM 4-5-1993, Art. 10, approved 7-16-1993]**
- G. The following accessory uses:
  - (1) Garage space for more than two cars if: **[Amended AFTM 11-13-2001, Art. 2, approved 3-15-2002]**
    - (a) The lot is 30,000 square feet or less or;
    - (b) The footprint of the garage is more than 900 square feet or 50% of the footprint of the principal structure whichever is less. **[Amended AFTM 11-13-2006, Art. 4, approved 3-6-2007]**
  - (2) A home occupation. (See §§ 240-162.F(1), 162.F(2) and 162.F(3) for special permit requirements for some home occupations) **[Amended AFTM 11-14-2005, Art. 4, approved 12-8-2005]**
  - (3) Scientific research. (See § 240-158.)

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(4) The outside parking of more than one commercial light panel, delivery or pickup truck; or any school bus; or tow truck. For the purposes of this section, temporary parking of school buses for two hours or less per day shall not require the issuance of a special permit, provided no school buses shall be parked on a public way. **[Amended AFTM 11-13-2000, Art. 4, approved 4-11-2001; ATM 4-7-2008, Art. 9, approved 5-20-2008]**

(a) Any motor home, travel trailer or fifth-wheel trailer not located within the minimum front, side (parking) or rear yard setback requirements;

(b) Any commercially registered vehicle with a gross vehicle weight of more than 13,000 pounds.

(5) Windmills. (See Article XXXIV.)

H. Boat storage as a commercial operation under the following standards in addition to the requirements of Article XLII. **[Added ATM 4-7-1986, Art. 89]**

(1) The lot shall be a minimum of two acres.

(2) The side and rear yard setbacks shall be a minimum of 50 feet. Lesser setbacks to a minimum of 30 feet may be allowed when a combination of landscaping and natural features provide visual screening as necessary and in proportion to the need to buffer from adjacent land uses. All allowed structures, fencing and walls must meet these setback requirements. The dimensional requirements of Article XIV shall otherwise apply. **[Amended STM 10-25-1989, Art. 69]**

(3) Sailboats shall be demasted and no boat on its cradle or other support system shall be higher than 18 feet at any point. **[Amended STM 10-25-1989, Art. 69]**

(4) No structure or signs other than security fencing, one security dwelling which meets all other requirements of this district, and boat supports shall be allowed. Stacking of boats higher than 18 feet shall be prohibited.

(5) No activity such as cleaning, waxing, repairs or painting shall be allowed. All activities must be specifically approved by the Board of Appeals.

(6) To assure the proposed site shall not be located within developed or established residential neighborhoods, the proposed site shall have a common boundary of not less than 20 feet with an industrial or commercial use (a home occupation does not apply), or be located directly across the street from the same so that if property lines were extended across the street, at least 20 feet of street center line would be common boundary. **[Amended STM 10-25-1989, Art. 69]**

(7) This special permit is only for marinas and boatyards within Falmouth's Marine Zoning District. **[Amended STM 10-25-1989, Art. 69]**

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(8) This special permit shall not apply to any Watershed Protection Overlay District.  
[Added ATM 4-3-1989, Art. 43]

I. One accessory apartment per lot added to or created within a single-family dwelling, under the following standards and requirements: [Added ATM 4-5-1989, Art. 51; amended ASTM 4-2-2001, Art. 12, approved 10-31-2001]

(1) The principal or accessory unit must be owner-occupied for a period of seven months in every calendar year or owned by a nonprofit organization or government authority whose purpose is to provide affordable housing. The accessory unit must comply with § 240-161, Accessory use limitation. Amended ATM 3-7-2003 by Art. 17]

(2) The accessory unit must occupy no more than 30% of the floor area of the principal structure, and shall have no more than two bedrooms, and shall have a minimum floor area of 450 square feet and a maximum floor area of 750 square feet.

(3) The minimum lot size for an accessory apartment shall be 15,000 square feet. The total number of bedrooms on the lot in the principal and accessory unit shall not exceed four bedrooms for lots 15,000 to 39,999 square feet in area; five bedrooms for lots 40,000 to 50,000 square feet; and six bedrooms for lots greater than 50,000 square feet of lot area.

(4) If the subject lot is within a Water Resource Protection District (Article XV) or Coastal Pond Overlay District (Article XXI), the total number of bedrooms shall not exceed one per 13,500 square feet of lot area unless (1) for new construction, the total number of bedrooms shall not exceed three, or (2) for an existing dwelling, the total number of bedrooms on the lot in the principal and accessory apartment shall not exceed the number of bedrooms on the lot before the accessory apartment was created, or (3) both the principal unit and accessory apartment are served by either the municipal sewer system or a septic system that has certification from Massachusetts Department of Environmental Protection (Mass. DEP) for general use for nitrogen reduction and is listed in the most current Mass. DEP list of innovative and alternative subsurface sewage disposal technologies approved for use in Massachusetts, but in no case will a technology providing total nitrogen reduction of less than 50% as determined by Mass. DEP be eligible. [Amended ATM 4-6-2009, Art. 13, approved 5-5-2009]

(5) Parking and additional entrances must be screened or placed appropriately to ensure compatibility with the surrounding neighborhood and to reduce visual impact.

(6) No special permit granted under this section may be used for commercial accommodations or summer rentals.

(7) As a condition of the special permit, a deed restriction, covenant or other suitable instrument, acceptable to and enforceable by the Town, shall be recorded with the land records that restricts the leasing of the accessory apartment or principal structure to households with an income 80% or less of the Barnstable County median

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income as determined by the most recent federal census or other method acceptable to the Board of Appeals and further at a gross annual rent not to exceed 30 percent of the median income herein described. The property owner shall provide to the Board of Appeals documentation that certifies the income level and rent paid by the tenant on a yearly basis. However, such requirements shall not apply if:

- (a) The lease is to or through a nonprofit organization or government authority and the occupant(s) receive rental assistance due to income or asset qualification or on account of a disability; or
  - (b) If both the principal unit and accessory apartment are occupied by the property owner or by persons related to the property owner by marriage, blood or adoption or by a domestic partner of the property owner, including minor children in the care of any of them.
- (8) The accessory apartment shall be constructed so that to the degree reasonably feasible, the appearance of the building remains that of the single-family residence.

J. Golf courses. **[Added ASTM 4-5-1993, Art. 15, approved 7-16-1993]**

K. In Agricultural AA and Agricultural A Districts only, a contractor's yard, by special permit from the Planning Board, under the following standards and requirements, in addition to the requirements of Article XLII: **[Added ASTM 4-7-1997, Art. 10, approved 7-1-1997; amended AFTM 11-13-2000, Art. 7, approved 4-11-2001]**

- (1) The lot shall be a minimum of five acres in AGAA districts and three acres in AGA Districts.
- (2) The front yard setback shall be a minimum of 75 feet in the AGAA District and 50 feet in the AGA District. The side and rear yard setbacks shall be a minimum of 30 feet. The Planning Board may require greater setbacks where needed to provide sufficient screening and buffer from the street or adjacent properties.
- (3) No contractor's yard shall be permitted in a Water Resource Protection District.
- (4) For AGAA Districts the lot shall not be located within 500 feet of a Single Residence District, nor within 500 feet of a dwelling existing or for which construction had commenced as of April 1, 2000. For AGA Districts the lot shall not be located within 300 feet of a Single Residence District nor within 300 feet of a dwelling existing or for which construction had commenced as of April 1, 2000, except a dwelling occupied by the owner/operator of the contractor yard or a designee.
- (5) No contractor's yard shall be permitted unless the Planning Board shall determine that operation of the contractor's yard, including traffic between the contractor's yard and arterial roadways such as Route 28 or Route 151 Thomas B. Landers Road, Sandwich Road, Old Barnstable Road or Blacksmith Shop Road, will have no adverse impact on a neighborhood predominantly residential in character, and that the construction, width and grades of the adjacent street and any other street providing access between the

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contractor's yard and any arterial roadway shall be sufficient for safe travel to and from the site by the vehicles to be stored.

- (6) The Planning Board shall specify hours of operation, the type and number or amount of vehicles, equipment or supplies to be stored, what fabrication of subassemblies shall be allowed, if any, and what accessory activities, such as ordinary maintenance and minor repairs, shall be allowed. No activity such as major repair work, painting or engine cleaning shall be allowed.

L. Common driveway, by special permit from the Planning Board. **[Added AFTM 11-17-1997, Art. 6, approved 2-27-1998]** *Editor's Note: This material was originally added as Subsection K, but was redesignated as Subsection L to accommodate the style of the Code.*

M. The Planning Board may grant a special permit to the owner of any lot(s) not located in a Water Resource Protection District, any portion of which is currently in agricultural use for commercial nursery operations, to devote all or a portion of the lot(s) for the storage of equipment and supplies, and the fabrication of subassemblies, and parking of wheeled equipment, for nonagricultural uses, if the Planning Board finds that: **[Added AFTM 11-13-2000, Art. 8, approved 4-11-2001]**

- (1) Such other uses had previously been accessory to the commercial nursery operations;
- (2) The existing structures, parking, and storage areas, and other physical characteristics of the lot(s) are suitable for the proposed uses;
- (3) The lot(s) contain a minimum of five acres;
- (4) Front yard setback shall be a minimum of 75 feet and side yard and rear yard setbacks shall be a minimum of 50 feet, unless the Planning Board finds that a lesser existing setback is adequate to provide sufficient screening and buffer from the street or adjacent properties taking into account existing and potential land uses in the neighborhood;
- (5) The Planning Board shall determine that the activities, including traffic between the subject premises and an arterial roadway such as Route 28 or Route 151, Thomas B. Landers Road, Sandwich Road, Old Barnstable Road or Blacksmith Shop Road, will have no adverse impacts on a neighborhood predominantly residential in character, and that the construction, width and grades of the adjacent street and any other street providing access between the subject premises and an arterial roadway shall be sufficient for safe travel to and from the site by the vehicles to be stored;
- (6) The Planning Board shall specify hours of operation, the type and number or amount of vehicles, and the equipment or supplies to be stored;
- (7) Any extension, alteration or change to the activities approved under this section shall only be allowed by the Planning Board, applying the requirements and standards of § 240-216 and Article XLII (Special Permits). Any such change, alteration or extension

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shall not be substantially more detrimental to the neighborhood than the existing activities;

(8) All reference to "lot(s)" in this section shall mean contiguous lots when more than one lot is considered.

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