

Town of Yarmouth

Per M.G.L.: All town and school boards, committees, commissions, and authorities shall post a notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays, and legal holidays. Notice shall contain a listing of topics/agenda that the chair reasonably anticipates will be discussed at the meeting.

Notice of Meeting

Name of committee, board, etc.:	Board of Appeals
Date of Meeting:	Thursday – JANUARY 28, 2021
Time:	6:00 PM
Place:	Virtual Meeting

The meeting will be held by remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law dated March 12, 2020. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. An audio or video recording, transcript, or other comprehensive record of proceedings will be posted on the town's website as soon as possible after the meeting.

JOINING THE VIRTUAL MEETING: Members of the public can join the meeting using one of the following methods:

- To attend the meeting online, click and follow the prompts or navigate to <https://us02web.zoom.us/j/87623174286> **OR**
- <https://zoom.us/join> and enter meeting/webinar ID **876 2317 4286** and follow the prompts.
- To attend the meeting by dial-in phone, call +1 301 715 8592 and enter meeting ID **876 2317 4286**. The dial-in number can also be used to access the audio while watching the online meeting (if you don't have speakers and/or a microphone).
- Please plan to join the virtual meeting at least five minutes before the start of the meeting to troubleshoot any issues you may have joining.
- The virtual meeting will also be live streamed and uploaded to the Town of Yarmouth YouTube Channel. This live feed will not be monitored for public comment.

APPLICANTS:

- Applicants will be called upon by the Chair to present their request. Applicants can use the "Raise Hand" button to identify themselves (all participants will be muted, you must be recognized by the Chair to participate).
- Applicants attending by dial-in should press *9 to notify the Chair of their presence when called upon. The meeting Moderator will un-mute applicants when they are called upon to speak.

PUBLIC PARTICIPATION: During the Public Comment period for Public Hearings, the Chair will invite the audience to comment:

- Online audience members wishing to participate during the public comment section of a hearing can use the "Raise Hand" button to notify the Chair. All participants will be muted, you must be recognized by the Chair to participate.

- Dial-in audience members wishing to participate during the public comment section of a hearing should press *9 on their phone to notify the Chair. All participants will be muted, you must be recognized by the Chair to participate.
- **As an alternative to making comments via the online audio or phone, you may also submit** comments to the Moderator via the virtual meeting “chat” function. To do this click on the “chat” icon and type your message. When prompted, the Moderator will read comments and questions into the record.

MEETING MATERIALS:

Meeting materials may be displayed at the online meeting and are available by address on the Town Website at <https://lf.yarmouth.ma.us/WebLink/Welcome.aspx?cr=1> or by using the direct link by Petition noted below.

AGENDA (Topics to be discussed):

Continued from 01-14-2021 (never opened)

PETITION #4872: **Kenneth P. Tomasian**, 96 Greenwood Avenue, Hyannis, MA. **Property location: 12 Town Brook Road, West Yarmouth.** Map & lot#: 0037.90; Zoning District: R-25. The applicant seeks a Special Permit under Zoning By-law §104.3.2 to construct a single family dwelling on a pre-existing non-conforming lot which was previously improved with a structure.

PETITION #4873: **Brandon J. Zelch and Jessica Zelch, 51 Park Avenue, West Yarmouth, MA** Map & lot#:0020.24; Zoning District: R-25. The applicant seeks a Special Permit under Zoning By-law §104.3.2(2) to raze and replace a pre-existing nonconforming single family dwelling with new single family dwelling.

PETITION #4874: **Dennis Yarmouth Regional School District, c/o Carol Woodbury, 296 Station Avenue, South Yarmouth. Property location: 296 & 276 Station Avenue, South Yarmouth.** Map & lot: 0078.315 & 0078.316; Zoning District: R-40 & APD. The applicant seeks a Special Permit under Zoning By-law §301.2 to increase parking in the front and encroach into required buffer with fire access driveway and/or Variances from §301.4.1 (parking) and §301.4.4 for buffer encroachment.

New Petitions:

PETITION #4875: **Applicant: Wise Living Development, LLC, Christopher D. Wise, Manager, 822 Route 28, 834 Route 28, and 30 Frank Baker Road, South Yarmouth.** Map & Lot #'s: 0033.70.1, 0041.12 and 0041.11.1; Zoning Districts: B2, HMOD1, ROAD, VOCD, and VC2. The Applicant seeks Special Permit relief in accordance with Sections, 104.3.2 and 104.4.1 of the Yarmouth Zoning By-Law in order to convert the combined property to the condominium form of ownership.

PETITION #4876: **Thomas and Denise Thibaut, 206 Blue Rock Road, South Yarmouth.** Map & Lot: 0101.165; Zoning District: R-40. The applicant seeks a Special Permit under Zoning By-law §104.3.2 to allow for steps/stoop in the required setback.

PETITION #4877: Audrey A. Miller, P.O. Box, 1912 Ogunquit, ME 03907. **Property location:** 7 Evergreen Street, South Yarmouth. Map & Lot#: 0034.156; Zoning District: R-25. The applicant seeks to Modify Decision #3817, specifically conditions #1 & #4 or in the alternative a new Special Permit from Zoning By-law §104.3.2(2) to allow the stairway and window to remain.

PETITION #4878: Cellco Partnership d/b/a Verizon Wireless, c/o Duval & Klasnick LLC, P.O. Box 254, Boxford, MA 01921 **Property location:** Utility Pole #37/124S in ROW on Route 28 (nearest parcel to utility pole for reference only 703 Route 28) Yarmouth - Map 32, Parcel 120; Zoning District: B3 & VC1. The applicant seeks a Special Permit under Zoning By-law §408 and Use §202.5 (F7) to attach small cell wireless equipment to an existing utility pole in public right of way.

Posted By (Name):	Sandi Clark
Signature:	<i>Sandi Clark</i>