



TOWN OF YARMOUTH
BOARD OF APPEALS
DECISION

FILED WITH TOWN CLERK: May 29, 2012

PETITION NO: #4393

HEARING DATE: May 10, 2012

PETITIONER: Robert F. Kennedy Children's Action Corps, Inc.

PROPERTY: 137 Run Pond Road, South Yarmouth, MA
Map & Parcel: 0034.15; Zoning District: R-25
Doc. #: 1,069,965; Ctf. #:183759

MEMBERS PRESENT AND VOTING: Steven DeYoung, Chairman, Joseph Sarnosky, Debra Martin, Bryant Palmer and Robert Howard.

Notice of the hearing has been given by sending notice thereof to the Petitioner and all those owners of property as required by law, and to the public by posting notice of the hearing and publishing in *The Register*, the hearing opened and held on the date stated above.

The Petitioner is the Robert F. Kennedy Children's Action Corps, Inc. which seeks a Special Permit pursuant to Zoning By-law §104.3.2 in connection with the demolition of an existing storage building and its replacement as per submitted plans for property in an R-25 Zoning District located at 137 Run Pond Road, South Yarmouth, MA Mr. John Wegman provided a fine presentation on behalf of the Petitioner.

Relief is necessary as the existing structure, while pre-existing, is non-conforming to the Zoning District.

Finding that the grant of the requested relief would create no nuisance, hazard or congestion nor would any substantial harm be created to the established or future character of the neighborhood or Town, Motion was made by Mr. Palmer, seconded by Mr. Sarnosky, to grant the requested relief without condition to which the Board voted unanimously in favor.

No permit shall issue until 20 days from the filing of this decision with the Town Clerk. This decision must be recorded at the Registry of Deeds and a copy forwarded to the Board of Appeals. Appeals from this decision shall be made pursuant to MGL c40A section 17 and must be filed within 20 days after filing of this notice/decision with the Town Clerk. Unless otherwise provided herein, the Special Permit shall lapse if a substantial use thereof has not begun within 24 months. (See bylaw, MGL c40A §9)

Steven DeYoung, Chairman

