



TOWN OF YARMOUTH
BOARD OF APPEALS
DECISION

FILED WITH TOWN CLERK: February 29, 2016

PETITION NO: #4632

HEARING DATE: February 25, 2016

**PETITIONER: Derek A. and Lindsey M. Malouin, dba, Paws Dream
Doggie Daycare**

**PROPERTY: 10 Corporation Road, Units C,D,E & F, YarmouthPort
Map & Lot#: 0093.26; Zoning District: B3 & APD
Book/Page: 28663/259**

**MEMBERS PRESENT AND VOTING: Steven DeYoung, Chairman, Sean Igoe, Bryant Palmer,
and Gerald Garnick.**

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 Petitioners, Derek and Lindsey Malouin, did a fine job in presenting their Petition in connection with their business "Paws Dream Doggie Daycare" located at units D,E,F, 10 Corporation Road, YarmouthPort, MA property in the B3 and Aquifer Protection District. The Petitioners seek to modify Special Permit #4324 so as to pursue expansion of their business into another commercial bay/unit for purposes of installing a pool (above ground) for dogs.

The Petitioners explained how the pool was manufactured and how it would be used to the general satisfaction of Board members. Each member felt the project to be creative and well-thought-out by the Petitioners and that the use-table relief was warranted at this location.

Mr. Igoe moved and Mr. Palmer seconded, that the Petition for Special Permit be granted on certain conditions. The Board members agreeing that the Special Permit criteria had been met, voted unanimously in favor of the Motion. Therefore, the Special Permit was granted on the conditions that;

- 1) A supervisor be present whenever the pool was in use and only to be used by dogs;
- 2) That an annual record be kept of the regular maintenance to be performed on the pool and the chemicals used in its maintenance;

- 3) That the relief was to these Petitioners only; any transfer of ownership requires further review by this Board.

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