



TOWN OF YARMOUTH  
BOARD OF APPEALS  
DECISION

**FILED WITH TOWN CLERK: November 9, 2016**

**PETITION NO: #4672**

**HEARING DATE: October 27, 2016**

**PETITIONER: Kenneth J. Doyle**

**PROPERTY: 214 Old Main Street, South Yarmouth, MA  
Map & Lot#: 0060.243; Zoning District: RS-40  
Book/Page: 26515/190**

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

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, Kenneth J. Doyle, as Trustee of Bubba Realty Trust, seeks a Special Permit under Zoning By-law §407 to allow an affordable apartment in connection with Mr. Doyle's primary residence. This residence is located at 214 Old Main Street, South Yarmouth, MA and is within an RS-40 Zoning District.

The Petitioner was accompanied by Trish Venckauskas both of whom did a fine job in presenting the merits of the Petition.

The property has been well developed, maintained and improved by the owner. The unit to be let as an affordable apartment is slightly smaller than that ordinarily required. However, the matter was fully vetted by the Community Housing Committee and approved by it, subject to certain conditions.

Each Board member expressed support for the development of affordable housing in general and in this specific circumstance. The Board unanimously agreed that the requirements of §407 had been met and, on Motion made by Mr. Campbell, seconded by Mr. Palmer, it was unanimously voted in favor of the grant of the petitioned Special Permit subject to the conditions set-forth in the Community Housing Committee's Memorandum dated 10.25.16 which conditions (1-6) are specifically incorporated herein by reference.

**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)**

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Steven DeYoung, Chairman