



TOWN OF YARMOUTH  
BOARD OF APPEALS  
DECISION

**FILED WITH TOWN CLERK: October 16, 2009**

**PETITION NO: #4276**

**HEARING DATE: October 8, 2009**

**PETITIONER: Beverly B. Greig Revocable Trust-2008**

**PROPERTY: 121 Pawkannawkut Drive, South Yarmouth  
Map & Parcel: 0025.29; Zoning District: R25  
Book & Page#: 23324/251**

**MEMBERS PRESENT AND VOTING: Steven DeYoung, Chairman, Sean Igoe, Diane Moudouris, Joseph Sarnosky, and Robert Palmer.**

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 Applicant, Beverly B. Greig appeared as Trustee of the Beverly B. Greig Revocable Trust relating to property located at 121 Pawkannawkut Drive, South Yarmouth, MA. The property is located in the R-25 zoning district and the Applicant seeks a Special Permit pursuant to §104.3.2 to raze the existing single family home located at this property and to replace it with a structure to be located as shown on the Plan of Land at #121 Pawkannawkut Drive in Yarmouth, MA, BSC Group, Inc., Craig A. Field, PLE, dated 09/09/09.

The proposed structure is shown on Sheets A-1 – A-8, Bayside Building, Inc. dated 08/20/09 and received by the Board on 09/18/09. The existing structure is a single story, single family dwelling with three (3) bedrooms and attached garage. The lot contains approximately 12,138 square feet of area. The new two-story structure will remain a 3 bedroom single-family home, with attached garage. The existing right side setback is 8' 6" from the lot line; the new structure will be 10' 8" from the right side setback. The left side setback will be 15.2'. The raised septic system will be placed at the front of the structure and will contain a retaining wall around it.

The Board received a presentation by the Applicant's representatives. While the Applicant's lot is, admittedly, small, it is comparable to other lots throughout this neighborhood. The Board was impressed not only with the plans depicting the new structure but, also, the support of the project by the Applicant's neighbors. No one spoke in opposition to the Petition. The Applicant represented that they had received Conservation Commission approval upon the condition that the driveway be relocated to the left side of the property and that a cobblestone apron be installed at the driveway entrance.

The Board was satisfied and agreed unanimously, that the new structure would be an improvement and consistent with the developing neighborhood; that the grant of a Special Permit

would create no nuisance, hazard, congestion or other harm, substantial or insubstantial, to the established or future character of the neighborhood or Town; and that the proposed relief would enhance the Applicant's property and the neighborhood in general.

Accordingly, on Motion made by Mr. Igoe, and seconded by Mr. Sarnosky, to grant the Special Permit as requested and represented, it was voted unanimously to grant the Special Permit as prayed for by the Petition and pursuant to §104.3.2.

No permit shall issue until 20 days from the filing of this decision with the Town Clerk. 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 §103.2.5, MGL c40A §9)

---

Steven DeYoung, Clerk