



TOWN OF YARMOUTH  
BOARD OF APPEALS  
DECISION

**FILED WITH TOWN CLERK:** May 20, 2010

**PETITION NO:** #4301

**HEARING DATE:** May 13, 2010

**PETITIONER:** Richard A. Bunker, dba Northeast Cycle Specialists  
300 Queen Anne Road, Harwich, MA

**PROPERTY:** 5-7 Rosemary Lane, West Yarmouth  
Map & Parcel: 0037.129 Zoning District: R25

**MEMBERS PRESENT AND VOTING:** Sean Igoe, Vice-Chairman, Joesph Sarnosky, Diane Moudouris, Robert Howard and Bryant Palmer, Alternate.

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.

Petition #4301, Richard A. Bunker, dba Northeast Cycle Specialists, 300 Queen Anne Road, Harwich, MA. The applicant seeks a Special Permit and/or Variance from bylaw §202.5 (H-4 & H-6) to modify use by adding motorcycle repair service identified as use H-6 (no fuel dispensers proposed) and modify existing Petition #2012 issued in 1984 for repair service to motorcycles, have a sign on building, sale of motorcycles and retail sales accessories. Mr. Igoe read the legal ad and called for Mr. Bunker or a representative forward but no one appeared for the petition. The petition was first opened on April 8, 2010 and continued to May 13, 2010 in order for the petitioner to seek counsel. No contact was made by the petitioner to the Board of Appeals office.

Therefore, a motion was made by Robert Howard to deny Petition #4301 without prejudice, seconded by Joseph Sarnosky. The members voted unanimously in favor. The application is denied.

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.

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Sean Igoe, Vice- Chairman