



TOWN OF YARMOUTH
BOARD OF APPEALS
DECISION

FILED WITH TOWN CLERK: September 3, 2010

PETITION NO: #4317

HEARING DATE: August 26, 2010

PETITIONER: Teresa A. Praetz

**PROPERTY: 28 Lorena Road, West Yarmouth
Map & Parcel: 0017.51; Zoning District: R25
Book & Page: 3377/084**

MEMBERS PRESENT AND VOTING: Steven DeYoung, Chairman, Sean Igoe, Diane Moudouris, Richard Neitz, Bryant Palmer and Robert Howard, 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.

The Petitioner, Teresa Praetz, seeks a Special Permit in connection with her desire to add a 9' by 12' bath to the westerly side of her home located at 28 Lorena Road, West Yarmouth, Massachusetts.

Ms. Praetz appeared on her own behalf. No exhibits were received at the hearing and no one spoke in opposition to the petition. Several letters had been received from neighbors who supported the petition.

The Petitioner's request is very modest. It will result in a finished structure 13.31 feet from the westerly lot line. The neighbor, Lisa Vitalini, corresponded with the Board and expressed her support for the grant of the requested relief. As she would be the party most affected by such grant, her correspondence was considered helpful to the Board's deliberation.

After due consideration, it was the finding of the Board that a grant of Special Permit for construction of the 9' by 12' addition as shown on the plot plan of Paul Sweetser, Professional Land Surveyor, and stamped by Donald Moncevicz, Professional Registered Engineer, dated 07/09/10, would not create any undue nuisance, hazard or congestion nor would it cause any substantial harm to the established or future character of the neighborhood or Town. On Motion

made by Ms. Moudouris, seconded by Mr. Neitz, it was unanimously voted to grant such Special Permit, without conditions.

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 §103.2.5, MGL c40A §9)

Steven DeYoung, Chairman