



TOWN OF YARMOUTH  
BOARD OF APPEALS  
DECISION

**FILED WITH TOWN CLERK: March 10, 2011**

**PETITION NO: #4331**

**HEARING DATE: February 24, 2011**

**PETITIONER: Joseph Spadea & Deanne Spadea, Boardwalk Light, LLC**

**PROPERTY: 31 Powers Lane, West Yarmouth  
Map & Lot#: 0014.65; Zoning District: R25  
Doc.#:1,151,690; Ctf#:192771**

**MEMBERS PRESENT AND VOTING: Sean Igoe, Vice Chairman, Joseph Sarnosky, Diane Moudouris, Debra Martin, Richard Neitz 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.

The Petitioners, Joseph and Deanne Spadea seek relief by way of Special Permit under Zoning By-law §104.3.2 in connection with a proposed extension and alteration of approximately 4 feet to the height of the roofline and extension of the roofs over the existing decks to their property located at 31 Powers Lane, West Yarmouth, Massachusetts, property in an R-25 Zoning District.

The Petitioners' property is 9,030± sq. ft. and is comparable to other house lots in size and shape in this well-established neighborhood.

The addition when completed would be architecturally and aesthetically similar to the surrounding houses in the neighborhood.

No one spoke in opposition to the requested relief and no exhibits were received at the hearing.

The Board generally felt that the change proposed was minimal and, in fact, would result in a home similar in both design and size to those in the immediate and surrounding neighborhood.

Further, the Board found that the granting of the Special Permit would not create any undue nuisance, hazard or congestion nor substantial harm to the established or future character of the neighborhood or Town.

Accordingly, on a Motion made by Mrs. Martin, seconded by Mr. Neitz, the Board voted unanimously to grant the Special Permit as prayed for by the petition.

**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)**

---

Sean M. Igoe, Vice Chairman