



TOWN OF YARMOUTH
BOARD OF APPEALS
DECISION

YARMOUTH TOWN CLERK

FILED WITH TOWN CLERK: May 29, 2015

'15MAY29PM2:13 REC

PETITION NO. #4592

HEARING DATE: May 14, 2015

PETITIONER: Mary Galvin

PROPERTY: 25 Gingerbread Lane, YarmouthPort, MA
Map and Lot #:0121.80; Zoning District: R-40
Book & Page: 20181/253

MEMBERS PRESENT AND VOTING: Steven DeYoung, Chairman, Sean Igoe, Debra Martin, Bryant Palmer and Chuck Hart.

It appearing that notice of said hearing has been given by sending notice thereof to the Petitioner and all those owners of property deemed by the Board to be affected thereby, and to the public by posting notice of the hearing and published in The Register, the hearing was opened and held on the date stated above.

The Petitioner is Mary Galvin who, fittingly, resides at 25 Gingerbread Lane, YarmouthPort, MA, property located in an R-40 Zoning District. The Petitioner seeks relief (Variance) under §202.5 to allow for her food preparation within her home for sale at other locations.

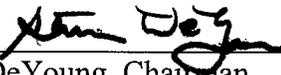
To say that the Petitioner charmed the Board members would be an understatement. She made a fine presentation of her desire to engage in an in-home business of making Gluten Free Cookie Dough and provided samples of her finished product which each Board member enjoyed.

The Petitioner was benefited by having obtained a ServeSafe food handling certificate and was to be issued a license by the Board of Health. In addition, the Board had several letters endorsing the proposal.

No one spoke in opposition to the requested relief. No exhibits were received (save for the cookie samples which the Board members ate).

The Board members concurred that the requested relief was reasonable and that the Variance relating to the use table restrictions (By-law §202.5) should be granted. A Motion was made by Mr. Igoe, seconded by Ms. Martin to grant the relief as requested and without condition. On this Motion, the Board voted unanimously in favor and the Variance was, therefore, granted.

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, a Variance shall lapse if the rights authorized herein are not excised within 12 months. (See MGL c40A §10)



Steven DeYoung, Chairman