



**TOWN OF YARMOUTH  
BOARD OF APPEALS  
DECISION**

YARMOUTH TOWN CLERK

'17JUL27PM3:48 REC

**FILED WITH TOWN CLERK: July 27, 2017**

**PETITION: #4696**

**HEARING DATE: June 22, 2017**

**PETITIONER: The Point LLC d/b/a The Cape Point Hotel**

**PROPERTY: 476 Route 28, West Yarmouth  
Map and Parcel: 0031.77; Zoning District: B2  
Book/Page: 22107/313**

**MEMBERS PRESENT AND VOTING: Steven DeYoung, Chairman, Sean Igoe, Dick Martin, Tom Nickinello and Susan Brita, Alternate.**

It appearing that notice of the hearing has been given by sending notice to the petitioners and all of those owners of property deemed 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, The Point LLC d/b/a The Cape Point Hotel, 476 Route 28, West Yarmouth, MA, property in an B2 Zoning District. The Petitioner is seeking a Special Permit under Zoning By-law 202.5 (N3) to allow outdoor entertainment.

Prior to the hearing date a letter was received from Paul Swartz, Cape Point Hotel, requesting to withdraw without prejudice.

Mr. Igoe made a Motion, seconded by Mr. Martin to allow withdrawal of the Petition, without prejudice, to which a unanimous favorable vote was given.

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Steven DeYoung, Chairman