



TOWN OF YARMOUTH
BOARD OF APPEALS
DECISION

FILED WITH TOWN CLERK: March 21, 2018

PETITION NO: #4731

HEARING DATE: March 8, 2018

PETITIONER: Annette M. Mayo and Frederick R. Mayo

**PROPERTY: 90 Seaview Avenue, Unit #C6f, South Yarmouth, MA
Map & Lot#: 0025.99; Zoning District: R-25
Book/Page: 27407/179**

MEMBERS PRESENT AND VOTING: Steven DeYoung, Chairman, Thomas Nickinello, Richard Neitz, Susan Brita and Tom Baron.

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 are Annette M. Mayo and Frederick R. Mayo who seek relief with respect to property located at 90 Seaview Ave., Unit #C6f, South Yarmouth, MA. The Petitioners were present along with their representative, Brad Sprinkle, of Sprinkle Home Improvement. This property is in an R-25 Zoning District. Specifically, the relief sought by the Petition is for the grant of a Special Permit in order to permit the construction of an extension to an existing deck. The Petitioners did a fine job in presenting their request. No one spoke in opposition to the requested relief. The need for relief is that the Petitioner's property is part of a condominium complex and due to its proximity to other units, etc. relief is necessitated before additions to the exterior area of the Petitioners' unit are allowed.

Prior to coming before the Zoning Board of Appeals, the Petitioners had sought the approval of the Pilgrim Acres Village Board of Trustees, the managing entity for the condominium units. By its decision dated 2/26/18, the condominium Board of Trustees approved the construction plan and was marked Exhibit 1.

The Board considered the input from the Pilgrim Acres Village Board of Trustees and generally felt that the grant of relief in this circumstance would not result in any undue hazard, nuisance nor congestion nor cause any substantial detriment to the existing or future character of the neighborhood or Town. The project was modest in scope and reasonable in nature.

A Motion was made by Mr. Neitz, seconded by Mr. Nickinello to approve the Special Permit. The Board voted unanimously in favor of this Motion.

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)

Steven DeYoung, Chairman