



TOWN OF YARMOUTH
BOARD OF APPEALS
DECISION

FILED WITH TOWN CLERK: August 31, 2009

PETITION NO. #4214

HEARING DATE: August 13, 2009

PETITIONER: Linear Retail Yarmouth #1, LLC by: The Super Stop & Shop

**PROPERTY: 484 Station Avenue, South Yarmouth
Map and Parcel: 0097.22; Zoning District: B1
Registry of Deeds Doc: 1029687**

MEMBERS PRESENT AND VOTING: Steven DeYoung, Chairman, Sean Igoe, Joseph Sarnosky, Debra Martin, John Richards, and Thomas Roche, Alternate.

It appearing that notice of said meeting has been given by sending notice thereof to the petitioner and to the public by posting notice of the meeting. The meeting was opened and held on the date stated above.

The applicant seeks an extension of six (6) months from the grant of a Variance dated 10/09/08. This Variance would, if not acted upon, be extinguished by its terms on 10/09/09. The petitioner seeks the extension, recognizing that, in the interim since its grant, the Town has acted to enact revisions to the so-called "Sign Code", that portion of the Town of Yarmouth By-Laws (§303.4, et seq.) under which the Variance was granted. These revisions await Attorney General's approval and the petitioner notes that, if approved, this might result in a change to the requested relief previously granted.

Accordingly, for good cause shown and on a Motion by Mr. Igoe, seconded by Ms. Martin, it was voted unanimously to extend the Variance granted in Petition #4214 for a period of six (6) months or until and including April 8, 2010.

Steven DeYoung, Chairman