



TOWN OF YARMOUTH  
BOARD OF APPEALS  
DECISION

**FILED WITH TOWN CLERK: September 6, 2018**

**PETITION NO: #4765**

**HEARING DATE: August 23, 2018**

**PETITIONER: Michael P. Zamarro**

**PROPERTY: 148 Berry Avenue, West Yarmouth  
Map & lot#: 0022.260.1; Zoning District: R-25  
Book/Page: 30003/307**

**MEMBERS PRESENT AND VOTING: Steven DeYoung, Chairman, Sean Igoe, Dick Martin, Thomas Nickinello, Susan Brita and Tom Baron (nonvoting) 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 Petitioner, Michael Zamarro, seeks relief in connection with property he owns at 148 Berry Avenue, West Yarmouth, MA which is located in an R-25 Zoning District. Specifically, he seeks a Special Permit in order to build a detached garage for housing of more than three vehicles.

The Petitioner demonstrated to the satisfaction of the Board that, if relief was granted, no undue nuisance, hazard or congestion would result nor would there be any detriment to the present or future character of the neighborhood or Town.

From the audience, Mr. Thomas Locke of 25 Winchester Avenue, spoke in support of the project.

Mr. Igoe moved and Mr. Martin seconded that the relief requested be granted on the following conditions: 1) that the structure be located as shown on the Petitioner's site plan; 2) that the roof pitch be no less than 7/1; 3) that as much natural vegetation as possible remain; 4) that the building conform to the design as depicted in what was marked as Exhibit 1; 5) that the Petitioner provide and file "as built" plans upon completion of the construction.

On this Motion, the Board voted unanimously in favor and the Special Permit was, there, granted.

**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)**

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Steven DeYoung, Chairman