



TOWN OF YARMOUTH
BOARD OF APPEALS
DECISION

FILED WITH TOWN CLERK: April 19, 2019

PETITION NO: 4800

HEARING DATE: April 11, 2019

PETITIONER: Town of Yarmouth-Police Department

PROPERTY: 340 Higgins Crowell Road, West Yarmouth, MA
Map & Parcel: 0055.26; Zoning District: R-40
Book/Page: 1598/53

MEMBERS PRESENT AND VOTING: Richard Martin, Acting Chairman, Thomas Nickinello, 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 Petitioner seeks to modify Special Permit #3594 to expand municipal use and a Variance for trees removed from existing lots.

Chief Frank Fredrickson, Steve Bobola, Sand Dollar Customs, and Bruce Wilson, Project Manager, presented the Petition. The proposal is for a 6400 sq. foot two story training facility behind the existing Police Station. It will be equipped with a separate locker room building for officers to lock up weapons prior to entering the training building, an 8 foot security fence and 21 new parking spaces. It will also be used for K-9 training complete with obstacle courses. The Chief indicated that the funding was privately raised by the Yarmouth Police Foundation. Also, the building cannot be used for public use but can be used by other departments.

This will be a utility grade building with 600 linear feet of moveable plastic walls. The design is such that the use will vary and provide exercises for officer training using various formations; going thru a window, how to get to the attic of a dwelling, school situation and SWAT. The Project Manager is looking into powering the facility using solar energy.

Discussion regarding the trees that were removed, the difficulty of plowing this area in winter, resulted in 5 new trees that will be planted in the existing island between the drive and parking area and irrigation has been installed. The trees that were removed had died, probably due to the lack of irrigation, and were not replaced.

No one was in the audience either in favor or opposed.

Board discussion:

Two options were shown on the proposed training building layout plan and the Petitioner proposes to use Option 1. This training facility is not military grade, it is customized for Yarmouth Police Department needs. Trees will be replaced in island as discussed.

Motion was made by Mr. Nickinello to modify Special Permit #3594 for expansion of the municipal building. Motion seconded by Mr. Baron. Motion carries unanimously.

Variance Motion was made by Mr. Baron to replace trees south of the parking lot. This Motion was seconded by Mr. Nickinello. Motion carried unanimously.

The Board felt that no undue nuisance or congestion would arise by grant of the relief nor would there be any harm to the neighborhood or town presently or in the future by the grant of the relief.

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, the Special Permit shall lapse if a substantial use thereof has not begun within 24 months. (See bylaw §103.2.5, MGL c40A §9) Unless otherwise provided herein, a Variance shall lapse if the rights authorized herein are not exercised within 12 months. (See MGL c40A§10). This Decision must be filed with the Barnstable County Registry of Deeds, Route 6A, Barnstable.

Richard Martin, Acting Chairman