

# Town of Yarmouth

Per M.G.L.: All town and school boards, committees, commissions, and authorities shall post a notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays, and legal holidays. Notice shall contain a listing of topics/agenda that the chair reasonably anticipates will be discussed at the meeting.

## Notice of Meetings

|                                |  |
|--------------------------------|--|
| Name of committee, board, etc: | <b>Board of Appeals</b>  |
| Date of Meeting:               | <b>September 14, 2023</b>  |
| Time:                          | <b>6:00 p.m.</b>   |
| Place:                         | <b>Town Hall Main Hearing Room</b><br><b>1146 Route 28, S. Yarmouth</b><br><b>OR</b><br><b>Zoom Link:</b><br><a href="https://us02web.zoom.us/j/87088854105">https://us02web.zoom.us/j/87088854105</a><br><b>ID: 870 8885 4105</b> |

This is to formally advise that, as required by G.L. Chapter 30A, §§ 18-25, and pursuant to Chapter 20 of the Acts of 2021, *An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency*, signed into law on June 16, 2021, as extended by Chapter 2 of the Acts of 2023, the Yarmouth Zoning Board of Appeals will hold a public meeting at the date and time noted above. The public is welcome to attend either in-person or via the alternative public access provided above.

**REMAND FROM PENDING LITIGATION - [PETITION 4994](#): Evangelical Baptist Church of South Yarmouth Inc., 10 Carter Road, 63 & 69 Pond Street, 1240 Route 28, South Yarmouth, MA. Map & Lot #: 60.101,102,103,104. Zoning District: R-40 & B-2.** The Applicant seeks a Special Permit per §104.3.5 and/or per §202.5 to combine, redivide, and change use of lots from single family & religious institutions to single family & B2 zoning district uses.

**[PETITION 5048](#): Jessica Roos. Property Location: 144 West Yarmouth Road, West Yarmouth, MA Map & Lot #: 39.111. Zoning District: R-25.** The Applicant seeks a Special Permit per §202.5, P7A Use, to allow a family day care for up to 6 children.

**[PETITION 5049](#): Mark Grant dba Quality Construction Co. Property Location: 58 County Road, West Yarmouth, MA Map & Lot #: 83.2. Zoning District: R-40.** The Applicant seeks a Special Permit per §104.3.2(4) to install a new foundation, build a 4' x 5' addition, and extend the existing bump out. The Applicant requests a waiver from the requirement for a certified site/plot plan less than two years old.

**[PETITION 5031](#): (continued from 6/22/23 & 7/27/23) JDB 212 Mid-Tech Drive, LLC, Jeffrey Bilezikian, Manager. Property Location: 186-212 Mid-Tech Drive, West Yarmouth, MA. Map & Lot #: 84.12. Zoning District: B-3/APD.** The Applicant proposes to demolish the existing structure and parking lot and redevelop the property by constructing an 11,360 sq. ft. contractor bay building with 11 units and 33 parking spaces. The Applicant seeks a Special Permit per §§104.4.1 and 104.4.2 of the Zoning Bylaw to allow a condominium form of ownership for the contractor bay building. The Applicant seeks a Special Permit per § 202.5 and § 406.5 of the Zoning Bylaw to allow for a Contractor's yard (non-hazardous) in the Aquifer Protection District. The Applicant seeks a Special Permit pursuant to § 104.3.2.3 of the Zoning Bylaw to raze and replace a nonconforming structure. The Applicant also seeks a Special Permit and/or Variance per § 301.4.1 to waive the requirement that parking areas be located at the side and/or rear of the principal structure; § 301.4.4 to waive the requirement that existing trees of at least 4" caliper within prescribed buffers be retained in parking areas for five (5) or more cars; § 301.4.6 to waive the requirement that the lot contain at least one (1) tree of 3" (three inch) caliper or larger per eight (8) cars be located within the parking area and dispersed throughout the parking area for parking lots for twenty (20) or more cars; and § 301.4.9 to waive the requirement that all lots in the B-3 District which shall contain a business use retain existing trees of at least 4" caliper within prescribed buffers.

**Other Business:**

Meeting Minutes from 08.10.23 & 08.24.23

|                   |                       |
|-------------------|-----------------------|
| Posted By (Name): | Dolores Fallon        |
| Signature:        | <i>Dolores Fallon</i> |

# Town of Yarmouth

YARMOUTH TOWN CLERK

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'23SEP7AM9:55 REC

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