

BOARD OF
ZONING AND BUILDING LAW APPEALS
PEMBROKE, MASSACHUSETTS
02359

Case #01-17

April 6, 2017

The members of the Zoning Board of Appeals hereby certify that the following is a detailed record of all the Board's proceedings regarding the petition of Thomas Gentile, regarding property located at 78 Misty Meadow Road, Pembroke as shown on Assessors' Map D-13, Lot 1H, Book 14627, Page 302 said property owned by the Thomas J. Gentile, which is the property affected by this special permit.

The petition to the Board is dated February 17, 2017. The original petition requests a special permit of the Zoning By-laws of the Town of Pembroke, Sec. IV, 1. B. 4. Uses Allowed by Special Permit to construct an attached in-law apartment to the existing single-family residence. A true copy of the petition will be retained in the file.

A notice of the public hearing on this special permit petition will be retained in the file. It was published in the PEMBROKE MARINER & EXPRESS, a newspaper of general circulation in the Town of Pembroke on March 10, 2017, and March 17, 2017, posted in a conspicuous place in the Town Hall and mailed on March 13, 2016 to abutters whose property is located within 300 feet of the property line of the property in question. The notice was mailed to the names of persons at the addresses as provided by the most recent tax list kept by the Town Assessor.

The public hearings on this special permit petition was held on Monday, March 27, 2017 and Monday, April 3, 2017 at 7:00 p.m. at the Pembroke Town Hall Hearing Room at which time opportunity was given to all those interested to be heard in favor or opposition to said petition. The following members of the Board were present at the hearing Frederick Casavant, Member, James Gallagher, Member, and Linda MacDonald, Alternate. The tape recording of the hearing is attached to the file and a copy of the tape will be provided upon request.

At the meeting of the Board on April 3, 2017, the Board voted unanimously to approve the special permit with conditions.

Monday, March 27, 2017 at 7:00 p.m.

Gallagher: Opens hearing by reading notice as it appeared in the Pembroke Mariner & Express and explains to the petitioner they will have him present his petition, but that a vote could not be taken this evening as the Board does not have a quorum.

Gentile: My home sits on a 246,246 square foot lot. I would like to construction an addition to my home, adding to the garage, an office, storage and an in-

law apartment. My daughter and her family would move into the house and I would live in the in-law apartment.

Gallagher: The drawing shows that it meets the setbacks.

MacDonald: Please remember the in-law is limited to 800 square feet.

Gentile: The in-law will be in conformance to the bylaw, the additional footage goes to the other uses I mentioned.

Gallagher: As I mentioned before we can't act on this petition tonight as we do not have a quorum.

Gentile: After this meeting I'm leaving on a two week business trip.

Gallagher: I believe we have enough information that we can relay to our third member and act on the petition at that time.

I make a motion that we continue this hearing to Monday, April 3, 2017 at 7:00 p.m.

MacDonald: I agree.

Gallagher: Hearing continued to Monday, April 3, 2017 at 7:00 p.m.

MONDAY, APRIL 3, 2017 AT 7:00 P.M.

Casavant: Opens hearing by reading notice as it appeared in the Pembroke Mariner and Express and ask that the other Board Members bring him up to date on what happened last week. I looked over the materials and have no problem with his petition as long as he stays within the bylaw.

MacDonald: We talked about the dimensions and that some of it was for other uses such as office and storage and that he must stay within the 800 square feet.

Dowling: He said he'd make sure the architect knew the apartment stayed under the 800 square feet.

Casavant: I'm okay with it, does someone want to make a motion.

Gallagher: I make a motion to grant a special permit of the Zoning By-laws of the Town of Pembroke, Sec. IV, 1. B. 4. Uses Allowed by Special Permit to Thomas J. Gentile for property located at 78 Misty Meadow Road, Pembroke as shown on Assessors' Map D-13, Lot 1H to establish an attached in-law apartment no larger than 800 square feet as shown on the plans and drawings submitted with conditions as stated.

MacDonald: Second.

Casavant: All in favor

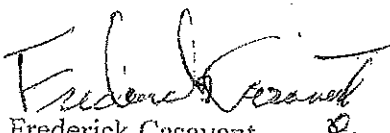
Gallagher: Aye

MacDonald: Aye

Casavant: Aye

Motion carried.

Hearing adjourned.


Frederick Casavant
Member


James Gallagher
Member


Linda MacDonald
Alternate