

BOARD OF  
ZONING AND BUILDING LAW APPEALS  
PEMBROKE, MASSACHUSETTS  
02359

Case #02-17

April 12, 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 LU-SEA, LLC, by Andrew Sullivan, Protectowire Corp. regarding property located at 60 Washington Street, Pembroke as shown on Assessors' Map D-15, Lot 80B, said property owned by LU-SEA, LLC, which is the property affected by this request for variances.

The petition to the Board is dated March 1, 2017. The petition requests variances of the Zoning By-Laws of the Town of Pembroke, Sec. IV, 4. D. 5. Side Yard Requirements and Sec. IV, 4. D. 6. Rear Yard Requirements to construct a garage. A true copy will be retained in the file.

A notice of the public hearing on this petition will be retained in the file. It was published in the Pembroke Mariner and 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, 2017 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 the persons at the addresses as provided by the most recent tax list kept by the Town Assessor.

The public hearings on this petition was advertised to be held on March 27, 2017, at 7:15 p.m. and April 3, 2017 at 7:15 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: Rick Casavant, Member, Jim 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 variances with conditions.

Monday, March 27, 2017 at 7:15 p.m.

Gallagher: Opens hearing by reading notice as it appeared in the Pembroke Mariner & Express and explains to the petitioner's representative that the Board does not have a quorum this evening.

Gallagher: I, therefore, make a motion that we continue this hearing to Monday, April 3, 2017 at 7:15 p.m.

MacDonald: I agree.

Gallagher: Hearing continued to Monday, April 3, 2017.  
MONDAY, APRIL 3, 2017 AT 7:15 P.M.

Casavant: Opens hearing by reading notice as it appeared in the Pembroke  
Mariner & Express and turns the floor over to Deborah Keller of  
Merrill Engineering who is here representing LU-SEA, LLC.,  
noting that there are no abutters present.

Keller: For the record the applicant came before the Zoning Board in 2015  
with the same request which was granted at that time, but the  
garage was not built at that time and the variances expired.  
Goes on to say the petitioner now wants to go forward with the  
building of the garage and goes on to explain the site and the  
reason why this is the best location for the garage.

Casavant: I understand the need and that no abutters are here, I'll assume the  
abutters have no problem with the request.

Dowling: I only had one telephone call on this and the abutter was just  
confused that this had already been granted. I explained the  
situation to them and they were satisfied.

Casavant: I don't have have a problem with this.

MacDonald: I agree.

Gallagher: It seems close to the leaching area.

Keller: We do comply. We're 20 feet away from the leaching area and the  
requirement is 10 feet.

Gallagher: Fine.

Casavant: I make a motion to grant variances of the Zoning By-Laws of the  
Town of Pembroke, Sec. IV, 4. D. 5 Side Yard Requirements and  
Sec. IV, 4. D. 6. Rear Yard Requirements to LU-SEA, LLC by  
Andrew Sullivan, Protectowire Corp. for property located at 60  
Washington Street, Pembroke as shown on Assessors' Map D-15,  
Lot 80B to construct a single story garage as shown on the drawing  
by Merrill Engineers and Land Surveyors, dated March. 31, 2015,  
revised February 27, 2017 with the conditions that the six foot  
stockade fence remain and that no repair to the equipment be don.  
in the new garage.

Gallagher: Second.

Casavant: All in favor.


Gallagher: Aye.

MacDonand: Aye.

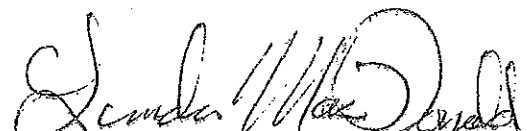
Casavant: Aye.

Motion carried.

Hearing adjourned.

  
Frederick Casavant  
Member

  
James Gallagher  
Member

  
Li MacDonald  
Alternate