

BOARD OF
ZONING AND BUILDING LAW APPEALS
PEMBROKE, MASSACHUSETTS
02359

Case #20-17

October 2, 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 Gordon and Geraldine Martin, regarding property located at 230 Birch Street, Pembroke as shown on Assessors' Map G-4, Lot 104, Book 16847, Page 154 said property owned by Gordon and Geraldine Martin, which is the property affected by this special permit.

The petition to the Board is dated August 10, 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 convert a portion of their basement into an in-law apartment. 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 August 25, 2017, and September 1, 2017, posted in a conspicuous place in the Town Hall and mailed on August 28, 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 persons at the addresses as provided by the most recent tax list kept by the Town Assessor.

The public hearing on this special permit petition was held on Monday, September 11, 2017 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, Vice Chairman, James Gallagher, Member, and Christine Griffin, 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 September 11, 2017, the Board voted unanimously to approve the special permit with conditions.

Monday, September 11, 2017 at 7:10 p.m.

Casavant: Opens meeting by reading the notice which appeared in the Pembroke Mariner and turns the floor over to the petitioner for explanation.

Martin: We recently went to refinance our house and had the appraiser come to our house and he said to us you have an illegal kitchen in your basement. I replied no I don't I have a permit to put gas in. I then came down and saw the Building Department and was told that I had a permit, but we don't know anything about a kitchen. That's why I got a permit. I then inquired what should I do. I was told that I should apply for a special permit for the basement unit.

Dowling: Technically, anyone can have a second kitchen, but to get the value of your home for tax purposes to come out right is to run it as a two family. As Pembroke does not allow two family home, that is what an in-law is called.

Martin: My mother lived in the basement unit for twenty-four years.

Dowling: Since you've come this far I'd say get the special permit for an in-law so that you have it for the value of the house.

Casavant: Basically that's what an in-law is and it can only add to the value of your home.

There's no one here on this petition. If the Board has no objection, how about a motion.

Griffin: I make a motion to grant a special permit of the Zoning By-Laws of the Town of Pembroke Sec. IV, 1. B. 4. to Gordon and Geraldine Martin for property located at 230 Birch Street as shown on the Assessors' Map G-4, Lot 104 to legalize the seven hundred seventy-six (776) square foot basement in-law apartment as shown on the drawing submitted with the conditions as stated in the by-laws.

Gallagher: Second.

Casavant: All in favor.

Griffin: Aye.

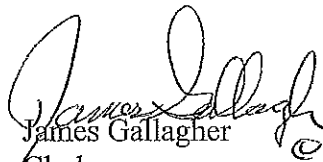
Gallagher: Aye.


Casavant: Aye.

Motion carried.

Hearing adjourned.


Frederick Casavant
Vice Chairman:


James Gallagher
Clerk


Christine Griffin
Alternate