

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF PEMBROKE
ZONING BOARD OF APPEALS



Case #22-16

August 26, 2016

DECISION OF THE BOARD OF APPEALS ON THE APPEAL AND PETITION OF
STACY L. AND ROBERT P. HERMAN.

Premises: 53 Adams Avenue, Pembroke as shown on Assessors' Map B-8,
Lot 169, Book 36945, Page 309.

Zoning District: Residence District A

Petitioner: Stacy L. and Robert P. Herman, 53 Adams Avenue, Pembroke,
MA 02359

Date of Filing
Application: July 8, 2016

Dates of Public
Notice: July 15, 2016 and July 22, 2016

Date of Mailing
& Posting Notice: July 18, 2016

Date of Hearing: August 1, 2016, August 10, 2016 and August 17, 2016

Petition: Requesting a special permit of the Zoning By-laws of the Town of
Pembroke, Sec. V, 5. Non-Conforming Property to construct an
above ground pool.

The public hearings were to held on Monday, August 1, 2016 at 7:10 p.m., Wednesday,
August 10, 2016 at 7:10 p.m., and Wednesday, August 17, 2016 at 7:10 p.m. in
accordance with proper notice and advertisement. The full Board consisting of William
Cullity, Vice Chairman, Frederick Casavant, Member, and Linda MacDonald, Alternate
heard the petitioner, Stacy Herman. There were no abutters present
at the hearing.

DECISION: UNANIMOUSLY APPROVED .

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The petitioner explained to the members of the Board that their home sits on a 5,370 square foot non-conforming lot. They would like to construct a fifteen foot by thirty foot oval above ground pool. Pool entrance will be off their existing deck. All as shown on the drawing submitted.

The Board reviewed the information presented by the petitioner and found the request to be in harmony with the general purpose and intent of the by-laws and conforms to all the provisions and standards of the by-laws and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the by-laws.

A motion was made, seconded, and unanimously voted upon to grant a special permit of the Zoning By-Laws of the Town of Pembroke, Sec. V, 5. Non-Conforming Property to Stacy L. and Robert P. Herman for property located at 53 Adams Avenue, Pembroke as shown on Assessors Map B-8, Lot 169 to construct a fifteen (15) foot by thirty (30) foot above ground pool as shown on the drawing submitted.

Any judicial appeal from this decision shall be made pursuant to Massachusetts General Laws, Chapter 40A, Section 17 and any such appeal shall be filed within twenty days from the filing of this decision with the office of the Town Clerk of Pembroke.

If substantial use of the rights authorized by this special permit are not exercised within one (1) year of the date on which a copy of this decision is filed with the Town Clerk, then this special permit shall expire.


William Cullity
Vice Chairman


Frederick Casavant
Member


Linda MacDonald
Alternate