

BOARD OF
ZONING AND BUILDING LAW APPEALS
PEMBROKE, MASSACHUSETTS
02359

Case #34-17

February 23, 2018

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 Dona Tehranian-Burns and Rick Burns regarding property located at 234 Forest Street, Pembroke as shown on Assessors' Map E-5, Lot 18D, Book 44798, Page 129 said property owned by Dona Tehranian-Burns and Rick Burns, which is the property affected by this special permit and variance.

The petition to the Board is dated November 21, 2017. The original petition requests a special permit and a variance of the Zoning By-laws of the Town of Pembroke, Sec. IV, 1. B. 4. And Sec. IV, 1. D. 3. Side Yard Setbacks to construct an attached in-law apartment that will come to fifteen feet of the side lot line. 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 January 5, 2018, and January 12, 2018, posted in a conspicuous place in the Town Hall and mailed on January 8, 2018 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, January 22, 2018 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 James Gallagher, Clerk, and Christine Griffin, Alternate, 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 January 22, 2018, the Board voted unanimously to approve the special permit and variance with conditions.


Monday, January 22, 2018 at 7:15 p.m.

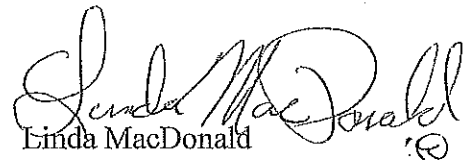
Griffin: Opens meeting by reading the notice which appeared in the Pembroke Mariner and turns the floor over to the petitioner for presentation.

Tehrani-Burns: I want to have constructed a one-bedroom in-law apartment to our home for my mother.

Griffin: This little area, what is that?
Tehrani-Burns: An open porch or a screen porch, just so she can sit out.
Dowling: An open porch or screen porch is fine, but not an enclosed porch, that is counted as living space.
Griffin: When you take out the porch area, it's under 800 square feet.
Dowling: Do I have a variance on this?
Griffin: Yes.
Dowling: How closed is it to the side lot line?
Tehrani-Burns: Fifteen feet.
Dowling: It should be twenty feet.
Griffin: Anyone here on the Tehrani-Burns petition?
(no response)
Gallagher: I don't have any problems with this.
MacDonald: Fine with me.
Griffin: I make a motion to grant a special permit and a variance of the Zoning By-Laws of the Town of Pembroke Sec. IV, 1. B. 4. and Sec. IV, 1. D. 3. Side Yard Requirements to Dona Tehrani-Burns and Rick Burns for property located at 234 Forest Street as shown on the Assessors' Map E-5, Lot 18D to construct an in-law apartment to the existing single-family dwelling as shown on the plan submitted, dated October 18, 2017 with the conditions as stated in the by-laws and to come no closer than fifteen (15) of the side lot line and total square footage of the apartment not to exceed 800 square feet and square footage of the porch not to be included.
Gallagher: Second.
Griffin: All in favor.
MacDonald: Aye.
Gallagher: Aye.
Griffin: Aye.
Motion carried.
Hearing adjourned.


Christine Griffin
Alternate


James Gallagher
Clerk


Linda MacDonald
Alternate