

**ZONING AND BUILDING LAW APPEALS**  
**PEMBROKE, MASSACHUSETTS**  
**02359**

Case #35-17

February 2, 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 Nicholas Wilson regarding property located at 35 School Street, Pembroke as shown on Assessors' Map A-5, Lot 45, said property owned by Mayflower Grove Realty LLC, which is the property affected by this request for a special permit.

The petition to the Board is dated November 28, 2017. The petition requests a special permit of the Zoning By-Laws of the Town of Pembroke. Sec. IV, 3. B. 5. Uses Allowed by Special Permit to operate a breakfast and lunch restaurant. 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 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 the persons at the addresses as provided by the most recent tax list kept by the Town Assessor.

The public hearing on this petition was advertised to be held on January 22, 2018 at 7:30 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: James Gallagher, Clerk, 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.

Monday, January 22, 2017 at 7:30 p.m.

- Griffin: Opens meeting by reading the notice which appeared in the Pembroke Mariner and Express and turns the floor over to the petitioners for explanation.
- Wilson: I'm here on behalf of Gather Restaurant. We are looking to operate a breakfast and lunch restaurant. We are focused upon family, community, quality food, quality time. We are going to be doing breakfast and lunch from 6:00 a.m. to 2:00 p.m. on Tuesdays thru Saturdays and Sundays we will be closed in the morning and open for family style dinner at night from 2:00 p.m. to 8:00 p.m. and closed on Monday. We're three families with young kids and we all grew up in church so we want to have a big focus on family and community.
- Gallagher: I noticed that you're going to use the same layout as the previous restaurant. Everything the same?
- Wilson: Pretty much the same. We took out two tables.
- Gallagher: You've been in the restaurant business before?
- Wilson: I have been an executive chef for the past fifteen years. My partner and I will be the General Managers of the restaurant. My other partner will be the executive Chef.
- Griffin: Will you be serving alcohol in the dinner service?
- Wilson: We will not.
- Griffin: Any other questions?
- Gallagher: I'm all set.
- MacDonald: Okay with me
- Griffin: Anyone here have something to say?
- D. Lee: I'm surprised that they're not serving breakfast on Sundays. In the past that has been the busiest day.
- K. Breen: I learned a lot from the previous restaurant. They had deliveries at 2:00 a.m. and my house is right by their driveway, and the trash picked up at 4:00 a.m. I'd like something put in their decision so I don't have to go through this again. Anything after 7:00 a.m. is fine.
- Wilson: All of our deliveries right now are set between 7:00-9:00 a.m.
- Breen: My other concern is parking. They only have about 15 parking spaces and that is a concern.
- D.Morrisett: Across the street is the Fire Department and they believe they can park in our parking lot.
- Breen: That's a Town problem.
- Griffin: I make a motion to grant a special permit of the Zoning By-Laws of the Zoning By-Laws of the Town of Pembroke Sec. IV, 3. B. 5. Uses Allowed by Special Permit to Nicholas Wilson, for property located at 35 School Street as shown on the Assessors' Map A-5, Lot 45 to operate a restaurant as shown in the plans submitted with the conditions that trash pick-up and deliveries are not to occur before 7:00 a.m, and the hours of operation are to be 6:00 a.m. to 2:00 p.m. Tuesdays through Saturdays, on

Sundays will be closed in the morning and open for family style dinner from 2:00 p.m. to 8:00 p.m., and closed on Mondays.

Gallagher: Second.

Griffin: All in favor.


Griffin: Aye.


Gallagher: Aye.

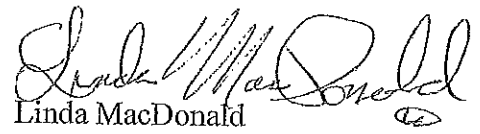
MacDonald: Aye.

Griffin: Motion carried

Hearing adjourned.

  
James Gallagher  
Clerk

  
Christine Griffin  
Alternate

  
Linda MacDonald  
Alternate