

ZONING AND BUILDING LAW APPEALS
PEMBROKE, MASSACHUSETTS
02359

Case #04-17

May 18, 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 Edward and Susan Cain, regarding property located at 1 Nye Street, Pembroke as shown on Assessors' Map B-2, Lot 2734, said property owned by Edward and Susan Cain, which is the property affected by this request for a special permit.

The petition to the Board is dated April 3, 2017. The petition requests a special permit of the Zoning By-Laws of the Town of Pembroke. See, V, §. Non-Conforming Property to build an additional single car garage with storage above. 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 April 14, 2017 and April 21, 2017, posted in a conspicuous place in the Town Hall and mailed on April 17, 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 hearing on this petition was advertised to be held on May 1, 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: Frederick Casavant, Member, 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.

7:15 P.M. HEARING - EDWARD AND SUSAN CAIN

CASAVANT: OPENS HEARING BY READING NOTICE AS IT APPEARED IN PEMBROKE MARINER AND EXPRESS AND TURN S FLOOR OVER TO PETITIONER FOR PRESENTATION.

E. CAIN: THIS WAS MY PARENTS HOME, BUILT IN 1949 AND REMODELED SIX YEARS AGO. THE HOUSE PRESENTLY HAS A ONE-CAR GARAGE AND I WANT TO ADD A SECOND BAY TO THE GARAGE STORAGE ABOVE AND AN 6 FOOT BY 8 FOOT UTILITY SHED IN THE REAR OF THE EXISTING GARAGE, WHICH WILL MAKE IT A 16 FOOT BY 24 FOOT TWO-CAR GARAGE.

CASAVANT: IS IT COMING ANY CLOSER TO THE LOT LINES?

CAIN: THE ONLY QUESTIONABLE LOT LINE IS THE DISTANCE FROM ELMER AVENUE TO THE SECOND BAY WHICH WILL BE FIVE FEET AT THE CLOSEST POINT AND ELMER AVENUE IS A PAPER STREET WHICH WILL NEVER BE CONSTRUCTED. THE PLAN IS MY TWO CHILDREN WANT TO LIVE IN THIS HOUSE AND EACH WANTS TO HAVE A GARAGE. THIS AREA HAS MANY SMALL LOT, USUALLY 30 FEET BY 80 FEET, AND MOST ARE MULTIPLE LOTS TO EACH HOUSE.

DOWLING: AND MR. CAIN OWNS CONSIDERABLE PROPERTY DOWN THERE.

CAIN: TO BE HONEST I OWN FIVE HOUSES DOWN THERE. I OWN THE WHOLE STREET AND I'M PROUD OF IT. I'VE GONE THROUGH THE WHOLE PROCESS ON EACH ONE OF THESE. I'VE TAKEN COTTAGES AND REMODELED THEM INTO LEGITIMATE HOUSES.

CASAVANT: THE BOARD HAVE ANY QUESTIONS?

GALLAGHER: I'M IN FAVOR OF THIS PETITION, BUT I WAS JUST WONDERING ABOUT THE ROOFLINE AS SHOWN ON THE DRAWING.

CAIN: IF YOU LOOK ON THE PLAN I DROPPED THE ROOFLINE BACK A FOOT TO CREATE A SETBACK AND SHOWS USING HIS PLAN WHAT HE IS PROPOSING TO DO. IT WILL ALL MATCH.

GRIFFIN: IS THERE ALREADY A DRIVEWAY ON THAT SIDE?

CAIN: YES.

CASAVANT: ANYONE HAVE ANYTHING ELSE?

GRIFFIN: NOPE.

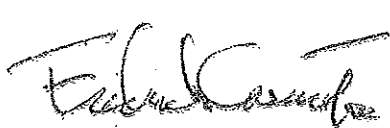
GALLAGHER: ALL SET.

CASAVANT: OKAY THEN, HOW ABOUT A MOTION.

GALLAGHER: I MAKE A MOTION TO GRANT A SPECIAL PERMIT OF THE ZOING BY-LAWS OF THE TOWN OF PEMBROKE, SEC. V, 3. NON-CONFORMING PROPERTY TO EDWARD

AND SUSAN CAIN FOR PROPERTY LOCATED AT 1 NYE
STREET AS SHOWN ON ASSESSORS' MAP B-3, LOT 2734
TO CONSTRUCT AN ADDITIONAL ONE BAY GARAGE
WITH STORAGE ABOVE ADDITION AS SHOWN ON THE
DRAWING SUBMITTED WITH THE APPLICATION.

GRIFFIN: SECOND.
CASAVANT: ALL IN FAVOR.
GALLAGHER: AYE.
GRIFFIN: AYE.
CASAVANT: AYE.
MOTION CARRIED
HEARING CLOSED.



FREDERICK CASAVANT
MEMBER



JAMES GALLAGHER
MEMBER



CHRISTIN GRIFFIN
MEMBER