

Town of Southborough
BOARD OF APPEALS

SOUTHBOROUGH, MASSACHUSETTS 01772

9 CORDAVILLE ROAD
SOUTHBOROUGH, MASSACHUSETTS 01772-1662
508-485-0717 ext. 1

RECEIVED
SOUTHBOROUGH TOWN CLERK

2021 MAR 30 P 12:00

AMZ



2021 00056573

Bk: 65011 Pg: 44

Page: 1 of 3 04/26/2021 10:17 AM WD

James F. Hegarty
Town Clerk
Town House
17 Common Street
Southborough, Massachusetts 01772

March 30, 2021

Notice of Decision of an Application for a Special Permit

Property Address: 120 Turnpike Road; Book 51817, Page 223- 226

Appellants: Dr. Susan Erdman, Every Body Balance Corp, 22 Piazza Lane, Hopkinton, MA 01748.

Application Filed: February 11, 2021

The Board opened the Public Hearing on March 17, 2021 at 7:15 P.M. in a virtual meeting through Zoom with regard to the petitions for the appellants for the following:

Petition: Special Permit request to allow the inclusion of an indoor recreation, athletic or exercise facility in the Business Highway District. Relief is requested under Section 174-8.5 (C) (11) and 174-8 (c) (2).

Public Hearing: March 17, 2021 at 7:15 P.M.
Virtual Meeting through Zoom

Sitting as a Board: David Williams, Chair
Deborah DeMuria
Paul Drepanos
Michael Robbins
Craig Nicholson

For the Appellants: Dr. Susan Erdman and Brian Morrison, Applicant
22 Piazza Lane
Hopkinton, MA 01748

Procedural History:

1. An application for a Special Permit was filed in the Office of the Southborough Building Department on February 11, 2021.
2. The application for the Special Permit is to allow the inclusion of an indoor recreation, athletic or exercise facility in the Business Highway District. Relief is requested under Section 174-8.5 (C) (11) and 174-8 (c) (2).
3. The record owner of the subject property is Dr. Susan Erdman, Every Body Balance Corp, 22 Piazza Lane, Hopkinton, MA 01748.
4. A public hearing before the Zoning Board of Appeals was duly noticed in the MetroWest Daily News on Wednesday March 3, 2021 and March 10, 2021.
5. Public Hearing opened on March 17, 2021 and closed the same evening.

Plans/Documents:

1. Letter from Building Commissioner/Zoning Enforcement Officer Laurie Livoli to Dr. Susan Erdman, 22 Piazza Lane, Hopkinton, MA 01748.
2. Certified Copy of Abutters List.
3. Public Hearing Notice for publication in the MetroWest Daily news on 3/3/2021 and 3/10, 2021.
4. Billing Authorization Form for Gatehouse Media.
5. Viewpoint message from Building Commissioner Laurie Livoli to Heather Costanzo dated February 1, 2021.
6. One photograph of Every Body Balance exercise studio at previous location.
7. Proposed Selective Demo Plan for yoga studio at 120 Turnpike Road.
8. Floor plan with locus of proposed space at 120 Turnpike Road.
9. Site plan of 118-120 Turnpike Road prepared for Ferris Development Group.
10. Aerial view printout of 118-120 Turnpike Road.
11. Detailed floor plan for proposed yoga studio at 120 Turnpike Road.

Findings:

1. The proposal constitutes a Special Permit under the Town of Southborough Zoning Bylaw.
2. The property is located in the Business Highway Zoning District.
3. The applicant is seeking to include an indoor recreation, athletic or exercise facility in the Business Highway District which requires a Special Permit from the Zoning Board of Appeals.
4. The inclusion of an exercise facility at 120 Turnpike Road will not adversely affect the town or the vicinity.
5. The relief requested is not substantial, is allowed by special permit and will have no impact on parking or incoming or exiting traffic.

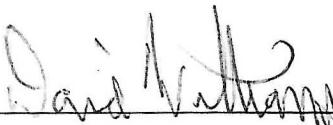
6. There were no objections from the public regarding this application, which is in harmony with the intent of the bylaw.

Decision and Vote of the Board:

At its meeting on March 17, 2021, the Zoning Board of Appeals voted unanimously (5-0-0) to grant the Special Permit pursuant to Section 174-8.5 (C) (11) and 174-8 (C) (2) to allow Dr. Susan Erdman to include an indoor recreation, athletic or exercise facility in the Business Highway District.

After review of all evidence and facts presented at this hearing, and after deliberation of the same, the Board voted unanimously (5-0-0) on a motion made by Mr. Nicholson and seconded by Mr. Robbins, with members voting by roll call as follows to grant the requested Special Permit:

David Williams	Aye
Deborah DeMuria	Aye
Paul Drepanos	Aye
Michael Robbins	Aye
Craig Nicholson	Aye



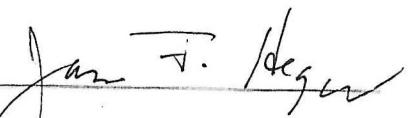
David Williams, Chair

Signing on behalf of the Zoning Board of Appeals

**** NOT VALID FOR RECORDING UNTIL CERTIFIED BY THE TOWN CLERK OF SOUTHBOROUGH****

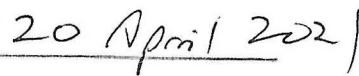
In accordance with Sec. 11 of Ch. 40A of Massachusetts General Law, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Southborough Town Clerk, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Attest:



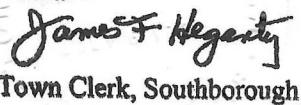
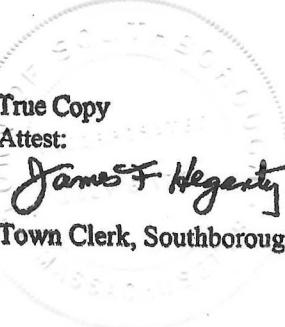
James F. Hegarty, Town Clerk
1775196-109569.001

Date:



A True Copy

Attest:


Town Clerk, Southborough

ATTEST: WORC. Kathryn A. Toomey, Register