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**Town of Southborough**  
**BOARD OF APPEALS**

2020 SEP -8 A 11:41

RC

SOUTHBOROUGH, MASSACHUSETTS 01772

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

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

September 4, 2020

**Notice of Decision of an Application for a Special Permit**

Property Address: 12 Richards Road; Book 5587, Page 326

Appellants: John Boland, 12 Richards Road, Southborough, MA 01772

Application Filed: July 28, 2020  
The Board opened the Public Hearing on August 26, 2020 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 demolition of a shed to be replaced with a larger structure located within the 15-foot minimum required side setback on a non-conforming lot in the Residence B District. Relief is requested under Section 174-8.3 (D) (3) and 174-19.

Public Hearing: August 26, 2020 at 7:15 P.M.  
Virtual Meeting through Zoom

Sitting as a Board: David Williams, Chair  
Deborah DeMuria  
Paul Drepanos  
Michael Robbins  
Doris Cahill

For the Appellants: John Boland, Applicant  
12 Richards Road  
Southborough, MA 01772

Procedural History:

1. An application for a Special Permit was filed in the Office of the Southborough Building Department on July 28, 2020.
2. The application for the Special Permit is to allow the demolition of a shed to be replaced with a larger structure located within the 15-foot minimum required side setback on a non-conforming lot in the Residence B District. Relief is requested under Section 174-8.3 (D) (3) and 174-19.
3. The record owner of the subject property is John Boland, 12 Richards Road, Southborough, MA.
4. A public hearing before the Zoning Board of Appeals was duly noticed in the MetroWest Daily News on Wednesday August 12, 2020 and August 19, 2020.
5. Public Hearing opened on August 26, 2020 and closed the same evening.

**Plans/Documents:**

1. Letter from Building Commissioner/Zoning Enforcement Officer Laurie Livoli to John Boland, 12 Richards Road, Southborough, MA.
2. Certified Copy of Abutters List.
3. Public Hearing Notice for publication in the MetroWest Daily news on 8/12/2020 and 8/19, 2020.
4. Billing Authorization Form for Gatehouse Media.
5. Four current photographs of the property depicting the current structure and location of proposed structure.
6. Site Plan drawn by John Boland for 12 Richards Road dated February 2, 2013 and revised January 27, 2020.
7. Elevation Plans dated February 5, 2020, February 7, 2020, February 8, 2020 and February 10, 2020.
8. Foundation Plan dated February 10, 2020.

**Findings:**

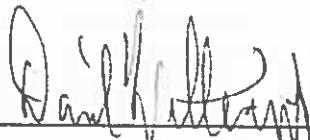
1. The proposal constitutes a Special Permit under the Town of Southborough Zoning Bylaw.
2. The property is located in the Residence B Zoning District.
3. The applicant is seeking to demolish an existing shed and replace it with an attached garage which will violate the minimum side setback requirement of 15 feet on a non-conforming lot.
4. The replacement of the shed with the garage will not adversely affect the town or the vicinity.
5. The relief requested is not substantial and will improve the aesthetics of the home.
6. There are 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 August 26, 2020, the Zoning Board of Appeals voted unanimously (5-0-0) to grant the Special Permit pursuant to Section 174-8.3 (D) (C) and 174-19 to allow John Boland to demolish a shed and replace it with a larger structure located within the 15-foot minimum side setback requirement on a non-conforming lot in the Residence B 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. Robbins and seconded by Mr. Drepanos, 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
Doris Cahill	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: \_\_\_\_\_

Date: \_\_\_\_\_

James F. Hegarty, Town Clerk  
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