

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

SOUTHBOROUGH, MASSACHUSETTS 01772

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

Jim Hegarty  
Town Clerk  
Town House  
Southborough, MA 01772

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SOUTHBOROUGH, MA *JH*

July 24, 2018

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

**Property Address:** 10 Turnpike Rd.d. Map 39 Lot 56; Recorded Worcester Registry of Deeds Book 16682 Page 36 ("premises")

**Appellants:** Mr. Raj Malhotra, 10 Regency Ridge, Andover, MA. 01810

**Application Filed:** May 23, 2018  
The Board opened the public hearing on June 20, 2018 at 7:00pm in the Public Meeting Room of Southborough Town Hall with regard to the petition for the appellants for the following:

**Petition:** Special Permit request to add a 3 story addition to an existing building which will exceed the allowed 50,000sf use to create a self-storage building. Relief requested pursuant to Sec. 174-8.5 C (1) allowed uses exceeding 50,000sf.

**Sitting as a Board:** Craig Nicholson, Chairman  
Andrew R. Dennington  
Debbie DeMuria  
David Williams

**For the Appellants:** Mr. James DeVellis  
P.O. Box 307  
Foxboro, MA. 02035

Mr. Peter R. Barbieri, Esq.  
161 Worcester Rd., Suite 501  
Framingham, MA. 01701-5315

Ms. Christine A. Walsh  
Annino Incorporated  
125 North Washington St.  
North Attleboro, MA. 02760

Mr. Raj Malhotra  
10 Regency Ridge  
Andover, MA. 01810

**Procedural History:**

1. An application for a Special Permit was filed in the Office of Southborough Building Department on May 23, 2018.
2. The application for a Special Permit to allow for a 3 story addition to an existing building which will exceed the allowed use of 50,000sf. To be constructed as depicted in proposed site plan dated May 22, 2018 and renderings A1.1, A1.2, A1.3 and A2.1 by Annino Inc. dated May 22, 2018.
3. The applicant is seeking a Special Permit from Sec. 174-8.5 C(1) allowed uses exceeding 50,000sf.
4. The record owner of the subject property is CJS Holdings II Inc., 10 Turnpike Rd., Southborough, MA. 01772.
5. A public hearing before the Zoning Board of Appeals was duly noticed in the Metro West newspaper on both Wednesday, June 6, 2018 and June 13, 2018.
6. Public Hearing for the Special Permit application opened on June 20, 2018, continued and closed on July 11, 2018.

**Plans / Documents:**

1. Memorandum in support of application prepared by Amanda E. Risch, Esq. Fletcher Titton PC.
2. Letter from Building Commissioner / Zoning Enforcement Officer Mark Robidoux to REIM Corporation, Mr. Raj Malhotra dated April 11, 2018.
3. Certified list of abutters from both Town of Southborough and City of Framingham.
4. Stamped topographic plan of land dated May 20, 2018, stamped proposed site plan dated May 22, 2018, renderings of American Self Storage dated May 22, 2018.
5. Letter from Ron Muller & Associates, traffic engineering and consulting services dated June 18, 2018 provided to the Board during Board meeting on July 11, 2018.
6. Town of Southborough Assessor's GIS map.
7. Photos of existing building on site
8. Letter from Framingham Planning Board dated June 20, 2018.

**Findings:**

1. The proposal constitutes a Special Permit request under the Town of Southborough Zoning Bylaw.
2. The property is located in the Business Highway, BH zoning district.

3. The applicant is proposing construction of modern 3 story self-storage building approximately 123,000sf which will exceed the allowed 50,000sf use.
4. The construction of the new modern self-storage facility will be an improvement to the site as well as the existing building.
5. The proposed use of a self-storage facility is an allowed use and is in harmony with the intent of the bylaw.
6. The proposed structure will not be a detriment to the public health, safety or convenience of the community.

**Conditions:**

1. Special Permit granted with the condition to provide appropriate vegetative screening on route 9 with substantial conformity with proposed site plan.

**Decision and Vote of the Board:**

At its meeting on July 11, 2018, the Zoning Board of Appeals voted unanimously (4-0), to grant the Special Permit pursuant to Sec. 174-8.5 C(1) allowed uses exceeding 50,000sf for the construction of a (3) story building, 123,000sf.

After review of all evidence and facts presented at this hearing, and after deliberations on the same, voted unanimously (4-0) on a motion made by Mr. Dennington, and seconded by Mr. Williams, with member voting as follows to grant the requested Special Permit to allow for constructions of a modern (3) story self-storage facility with the condition to provide appropriate vegetative screening on Route 9 in substantial conformity with proposed site plan presented at the July 11, 2018 Board meeting:

Andrew R. Dennington	yes
Craig Nicholson	yes
Debbie DeMuria	yes
David Williams	yes



Craig Nicholson, Chair

Signing on behalf of the Zoning Board of Appeals

Filed with the Town Clerk on: 24-July-2018

**\*\* 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