

Town of Southborough

BOARD OF APPEALS

SOUTHBOROUGH, MASSACHUSETTS 01772

9 CORDAVILLE ROAD

SOUTHBOROUGH, MASSACHUSETTS 01772-1662

508-485-0717 ext. 1

Mr. James Hegarty
Town Clerk
Town House
Southborough, MA 01772

October 10, 2017

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2017 OCT 10 1 P

SOUTHBOROUGH

10/10/17 10pm
JFJ

Notice of Decision on Request for Determination of "Insubstantial Change"

Property Address: 1 Fayville Lane (unit #3) and 8, 6, 4, 2 Fayville Lane (units #11, 12, 13, 14)

Appellants: Woodland Meadows, LLC

The Board heard the matter in a public meeting on September 27, 2017 at 7:30pm in the McAuliffe Public Meeting Room located at Southborough Town Hall with regard to the petition for the appellants for the following:

Petition: Request for Determination of whether modification to the project details are "Insubstantial Change" pursuant to 760 C.M.R. Sec. 56.05(11).

Sitting as a Board: Andrew R. Dennington, Chairman
Leo F. Bartolini, Jr.
David Williams
Paul Drepanos
Debbie DeMuria

For the Appellants: Mark Kablack, Applicant's Attorney
176 E. Main St., Ste. 3
Westborough, MA 01581

Procedural History:

1. A comprehensive permit previously was approved under G.L. c. 40B to construct a total of 16 residential units, consisting of 8 two-family dwellings.
2. The applicant is seeking a determination of insubstantial change to certain project details pursuant to 760 C.M.R. Sec. 56.05(11).
3. The Record Owner of the subject property is Woodland Meadows, LLC.
4. A public meeting before the Zoning Board of Appeals was duly noticed, opened on September 27, 2017 and closed in the same evening.

Plans/Documents:

1. Letter from Mr. Bob Heavey, Woodland Meadows LLC dated September 12, 2017.
2. Certified Plan of Layout (as built survey analysis) dated August 31, 2017 depicting 8, 6, 4, 2 Fayville Lane (units #11-14) and 1 Fayville Lane (unit #3).

Findings:

1. The proposal constitutes a request for determination of insubstantial change to certain project details pursuant to 760 C.M.R. Sec. 56.05(11).
2. The property is located in the Residence A zoning district.
3. For each of 8, 6, 4 & 2 Fayville Lane (units 11, 12, 13 & 14), an encroachment into the side setback to accommodate 2 feet of stairs for each unit as referenced in plan dated August 31, 2017 is an insubstantial change and acceptable.
4. For 1 Fayville Lane (unit #3), an encroachment into the side setback to accommodate a proposed 10x10 foot deck located on the Northside of the property as referenced in plan dated August 31, 2017 is an insubstantial change and acceptable.

Decision and Vote of the Board:

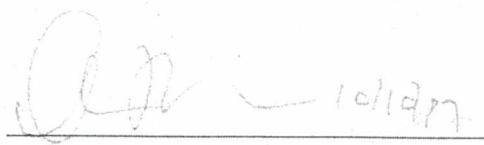
At its meeting on September 27, 2017, the Zoning Board of Appeals voted (5-0) finding the above-referenced changes to the dwellings at 1 Fayville Lane (unit #3) & 8,6,4,2 Fayville Lane (units #11-14) are insubstantial changes to the project.

After review of all evidence and facts presented at this hearing, and after deliberations on the same, voted unanimously (5-0) on a motion made by P. Drepanos and seconded by L. Bartolini that the side setback encroachment(s) related to the 2 ft. stairs for 8, 6 ,4, 2 Fayville Lane (units 11,12,13 & 14) as referenced in plan dated August 31, 2017 are an insubstantial change and acceptable, with members voting as follows:

Andrew R. Dennington	Yes
Leo F. Bartolini, Jr.	Yes
Debbie DeMuria	Yes
David Williams	Yes
Paul Drepanos	Yes

After review of all evidence and facts presented at this hearing, and after deliberations on the same, voted unanimously (5-0) on a motion made by P. Drepanos, seconded by D. Williams that the side setback encroachment related to the proposed 10x10 foot deck on the North side of the property at 1 Fayville Lane (unit #3) as referenced in plan dated August 31, 2017 is an insubstantial change and acceptable, with members voting as follows:

Andrew R. Dennington	Yes
Leo F. Bartolini	Yes
Debbie DeMuria	Yes
David Williams	Yes
Paul Drepanos	Yes

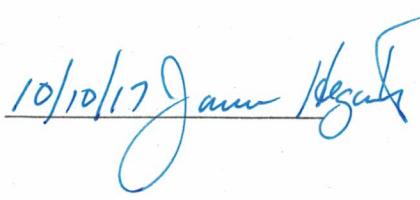


Andrew R. Dennington

Andrew R. Dennington, Chair

Signing on behalf of the Zoning Board of Appeals

Filed with the Town Clerk on:



10/10/17 James Hegarty

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

In accordance with Sec. 11 of Ch. 40A of Massachusetts General Laws, 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

Date

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