

**Town of Southborough**

**BOARD OF APPEALS**

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 18, 2019

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

Property Address: 7 Winchester Street; Book 51118, Page 325

Appellants: Kevin Quinlan, 7 Winchester Street, Southborough, MA 01772

Application Filed: July 31, 2019

The Board opened the Public Hearing on September 18, 2019 at 7:15 P.M. in the McAuliffe Hearing Room of Southborough Town Hall with regard to the petitions for the appellants for the following:

Petition: Special Permit request to allow the enclosure of a pre-existing non-conforming carport located within the 10 foot minimum setback into a one-car garage in a Residence B District. Relief is requested under Section 174-8.3 (D) (C).

Public Hearing: September 18, 2019 at 7:15 P.M.  
McAuliffe Hearing Room  
17 Common Street  
Southborough, MA 01772

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

For the Appellants: Kevin Quinlan, Applicant  
7 Winchester Street  
Southborough, MA 01772

Isaac Low, Custom Concepts, LLC  
140 Forest Avenue  
Hudson, MA 01749

**Procedural History:**

1. An application for a Special Permit was filed in the Office of the Southborough Building Department on July 31, 2019.
2. The application for the Special Permit is to allow the enclosure of a pre-existing non-conforming carport located within the 10 foot minimum setback into a one-car garage in a Residence B District. Relief is requested under Section 174-8.3 (D) (C).
3. The record owner of the subject property is Kevin Quinlan, 7 Winchester Street, Southborough, MA.
4. A public hearing before the Zoning Board of Appeals was duly noticed in the MetroWest Daily News on Wednesday September 4, 2019 and Wednesday September 11, 2019.
5. Public Hearing opened on September 18, 2019 and closed the same evening.

**Plans/Documents:**

1. Letter from Building Commissioner/Zoning Enforcement Officer Laurie Livoli to Kevin Quinlan, 7 Winchester Street, Southborough, MA.
2. Certified Copy of Abutters List.
3. Special Permit Certification filed on July 31, 2019.
4. Letter of support from Ms. Linda and Mr. Michael Maguire, 9 Winchester Street, Southborough MA to Southborough Zoning Board of Appeals dated April 18, 2012.
5. Certified Plot Plan for 7 Winchester Street, Southborough, MA.
6. Certified Building Plan for 7 Winchester Street, Southborough, MA.
7. Two current photographs of the property illustrating the proposed project area.

**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 proposing to enclose the pre-existing non-conforming carport located within the 10 foot minimum setback into a one-car garage in a Residence B District.
4. The enclosure of a pre-existing non-conforming carport will not change the existing setback encroachments and the footprint and foundation will remain the same.
5. Completion of this project will not produce adverse effects to the Town or the vicinity.

**Decision and Vote of the Board:**

At its meeting on September 18, 2019, the Zoning Board of Appeals voted unanimously (4-0-0) to grant the Special Permit pursuant to Section 174-8.3 (D) (C) to allow Kevin Quinlan to enclose his pre-existing non-conforming carport located within the 10 foot minimum setback into a one-car garage.

After review of all evidence and facts presented at this hearing, and after deliberation of the same, the Board voted unanimously (4-0-0) on a motion made by Mr. Drepanos and seconded by Mr. Williams, with members voting as follows to grant the requested Special Permit:

Craig Nicholson	Approve
David Williams	Approve
Deborah DeMuria	Approve
Paul Drepanos	Approve



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Craig Nicholson, 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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