

Town of Southborough
BOARD OF APPEALS
SOUTHBOROUGH, MASSACHUSETTS 01772

James Hegarty
Town Clerk
Town House
Southborough, MA 01772

17 COMMON STREET
SOUTHBOROUGH, MASSACHUSETTS 01772-1662
508-485-0717 ext. 1

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SOUTHBOROUGH, MA JH

May 26, 2016

Notice of Decision for an Application for a Special Permit

Property Address: 45 Sears Rd.

Appellants: Mr. Robert Fields & Ms. Lisa McCarthy

Application Filed: April 1, 2016

The Board opened the public hearing on May 25, 2016 at 6:30pm in the Public Meeting Room of Southborough Town Hall with regard to the petition for the appellants for the following:

Petition: Special Permit request(s) to construct a detached two car garage with the existing home already containing an attached two car garage, putting the property over the three parking space limit for one dwelling. The Special Permit is pursuant to Sec. 174-8.2 B (12).

Sitting as a Board: Thomas Bhisitkul, Acting Chairperson
Paul N. Drepanos
Andrew R. Dennington
David Eagle
David Williams

For the Appellants: Gemma Ypparila, Attorney for Applicant
Bowditch & Dewey, LLP
311 Main St.
Worcester, MA 01615

Procedural History:

1. An application for a Special Permit was filed in the Office of Southborough Building Department on April 1, 2016
2. The application for a Special Permit is to construct a detached two car garage.
3. The applicant is seeking a Special Permit from Sec. 174-8.2 B (12)
4. The Record Owner of the subject property is Robert Fields and Lisa McCarthy

5. A public hearing before the Zoning Board of Appeals was duly noticed, opened on May 25, 2016 and closed in the same evening.

Plans/ Documents:

1. Authorization letter from Robert Fields to the Building Department dated May 20, 2016.
2. Locus map off of Google Maps of the subject property.
3. Letter from the Building Commissioner/ Zoning Officer Mark Robidoux to Robert Fields and Lisa McCarthy dated March 10, 2016.
4. Five (5) pages of elevations/construction drawings from the applicant dated 2/13/16.
5. One (1) page plot plan of land from the applicant dated 2/26/16.

Findings:

1. The proposal constitutes a Special Permit request under the Town of Southborough Zoning Bylaw.
2. The Property is located in the RA zoning district.
3. The applicant is proposing a two car detached garage adjacent to an existing driveway.
4. The proposal meets all dimensional setback requirements.
5. The proposal was currently unclear as to whether or not it would meet the height requirement under the Zoning Bylaw, so a determination will need to be made by the Building Commissioner at a later date as to whether or not the applicant will need to return to the Board with an application for a Variance or not.

Decision and Vote of the Board:

At its meeting on May 25, 2016, the Zoning Board of Appeals voted 5-0 to grant the Special Permit pursuant to Sec. 174-8.2 B (12) for the construction of a detached two car garage.

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 T. Bhisitkul, and seconded by A. Dennington, with members voting as follows to grant the requested Special Permit:

| | |
|----------------------|-----|
| Thomas Bhisitkul | Yes |
| Paul N. Drepanos | Yes |
| Andrew R. Dennington | Yes |
| David Eagle | Yes |
| David Williams | Yes |



Thomas Bhisitkul, Acting Chairperson

Signing on behalf of the Zoning Board of Appeals

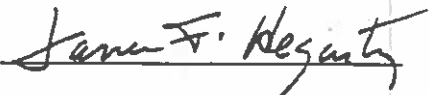
Filed with the Town Clerk on:

6/6/16 J 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

6/23/16 4:02 pm

Date