

Town of Southborough

BOARD OF APPEALS

SOUTHBOROUGH, MASSACHUSETTS 01772

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James F. Hegarty
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Town House
Southborough, MA 01772

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

SOUTHBOROUGH, MA

July 1, 2016

Notice of Decision for an Application for a Variance

Property Address: 19 Liberty Dr.

Appellants: Nicholas Cosentino

Application Filed: May 23, 2016

The Board opened the public hearing on June 29, 2016 at 7:30pm in the Public Meeting Room of Southborough Town Hall with regard to the petition for the appellants for the following:

Petition: Variance request(s) to build a 3 season porch measuring 14ft x 13ft, putting the rear corner of the structure 30 feet instead of 35 feet from the nearest point. The Variance is pursuant to Sec. 174-8.3 D.(3)(b) rear seatbacks.

Sitting as a Board: Leo F. Bartolini Jr., Chairman
Andrew R. Dennington
Paul Drepanos
David Eagle
Jeff Walker

For the Appellants: Brian Beaton, Applicant's Attorney
One Research Dr., Suite 100
Westborough, MA 01581

Procedural History:

1. An application for a Special Permit was filed in the Office of Southborough Building Department on May 23, 2016
2. The application for a Special Permit is to construct a new 14 ft. by 13 ft., 3-season porch.
3. The applicant is seeking a Variance from Sec. 174-8.3 D.(3)(b) rear seatbacks
4. The Record Owner of the subject property is Nicholas Cosentino, 19 Liberty Dr., Southborough, MA

5. A public hearing before the Zoning Board of Appeals was duly noticed, opened on June 29, 2016 and closed in the same evening.

Plans/ Documents:

1. Three (3) letters of support from property owners along Liberty Drive.
2. Picture of the subject property outlining the proposed porch location.
3. Letter from the Building Commissioner/ Zoning Officer Mark Robidoux to Edward Wallace, Agent of Mr. Cosentino, dated April 25, 2016.
4. Three (3) pages of elevations/floor plan drawings from the applicant dated 11/16/15.
5. One (1) page plot plan of land from the applicant dated 7/8/2015.

Findings:

1. The proposal constitutes a Variance request under the Town of Southborough Zoning Bylaw.
2. The Property is located in the Residence B zoning district.
3. The applicant is proposing a porch that will tie into an ongoing addition on the existing home as well.
4. The proposal meets all other requirements with exception to the proposed rear setback.
5. The addition should take drainage into consideration since there are additional homeowners down gradient of the proposed addition.

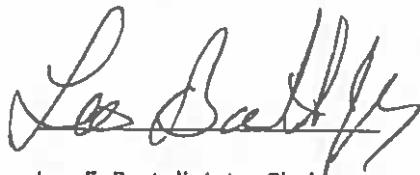
Decision and Vote of the Board:

At its meeting on June 29, 2016, the Zoning Board of Appeals voted 5-0 to grant the Special Permit pursuant to Sec. 174-8.3 D. (3)(b) rear seatbacks for the construction of a new 14 ft. by 13 ft., 3-season porch.

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 J. Walker, and seconded by P. Drepanos, with members voting as follows to grant the requested Variance with the following conditions:

- To have a plan to mitigate roof runoff reviewed and approved by the Building Commissioner

Leo F. Bartolini Jr.	Yes
Andrew R. Dennington	Yes
Paul Drepanos	Yes
David Eagle	Yes
Jeff Walker	Yes



Leo F. Bartolini, Jr., Chair

Signing on behalf of the Zoning Board of Appeals

Filed with the Town Clerk on: July 11, 2016

****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