

Town of Southborough

BOARD OF APPEALS

SOUTHBOROUGH, MASSACHUSETTS 01772

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SOUTHBOROUGH, MA 11/14

James Hegarty
Town Clerk
Town House
Southborough, MA 01772

17 COMMON STREET
SOUTHBOROUGH, MASSACHUSETTS 01772-1662
608-485-0717 ext. 1

October 1, 2016

Notice of Decision for an Application for a Variance

Property Address: 15 Meadow Ln.

Appellants: Robert Morrison

Application Filed: August 30, 2016

The Board opened the public hearing on September 28, 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 new garage seeking relief for a 7.2 feet encroachment in a side setback. The Variance is pursuant to Sec. 174-8.3 D.(3)(c) side setbacks.

Sitting as a Board: Andrew R. Dennington, Chairman
Leo F. Bartolini Jr.
Paul Drepanos
Craig Nicholson

For the Appellants: Robert Morrison, Applicant
15 Meadow Ln.
Southborough, MA 01772

Procedural History:

1. An application for a Variance was filed in the Office of Southborough Building Department on August 30, 2016
2. The application for a Variance is to construct a new 22ft by 22ft two-car garage to be attached to the main dwelling.
3. The applicant is seeking a Variance from Sec. 174-8.3 D.(3)(c) side setbacks
4. The Record Owner of the subject property is Robert Morrison, 15 Meadow Ln., Southborough, MA
5. A public hearing before the Zoning Board of Appeals was duly noticed, opened on September 28, 2016 and closed in the same evening.

Plans/ Documents:

1. Southborough Assessor map outlining the property.
2. Two (2) Pictures of the subject property outlining the proposed garage location.

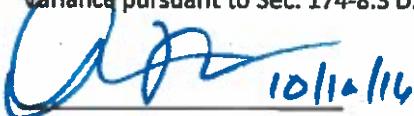
3. Letter from the Building Commissioner/ Zoning Officer Mark Robidoux dated August 22, 2016.
4. Six (6) pages of elevations/floor plan drawings from the applicant dated 8/9/16.
5. One (1) page plot plan of land from the applicant dated 6/30/2016.

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 garage that will tie into the existing home.
4. The proposal meets all other requirements with exception to the proposed side setback.
5. The garage proposal is looking to mitigate the impact on the existing septic system on the property.
6. The Board discussed with the applicant the possibility of investigating different designs of the garage in order to mitigate the impact on the most westerly neighbor. A new design may be able to bring the garage into compliance with the Town's bylaw. The applicant agreed to withdraw the application, talk to the adjacent property owner once the house is sold and consider other designs.

Decision and Vote of the Board:

At its meeting on September 28, 2016, the Zoning Board of Appeals voted 5-0 to Allow the Withdrawal of the Variance pursuant to Sec. 174-8.3 D. (3)(c) side seatbacks without prejudice.



10/16/16

Andrew R. Dennington, Chair

Signing on behalf of the Zoning Board of Appeals

Filed with the Town Clerk on: _____

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