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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

November 19, 2024

Notice of Decision of an Application for a Special Permit

Property Address: 20 Sears Road, Southborough, MA 01772
Map/Lot: Map 64, Lot 2
Book/Page: Book 70405, Page 319
Petitioner: Sandra Delbridge
Application Filed: September 24, 2024
Public Hearing: November 13, 2024 at 7:00 P.M.
McAuliffe Hearing Room, Town House, 17 Common Street

Sitting as a Board: David Williams, Chair
Michael Robbins, Clerk
Doris Cahill
Jamie Mieth
Doug Manz

For the Petitioner(s): Ed Tarca, E.W. Tarca Construction

Procedural History:

1. An application for a Special Permit was filed in the Office of the Southborough Town Clerk and the office of the Southborough Building Department on September 24, 2024.
2. The application for the Special Permit is to allow more than three garage bays. Relief was requested under Section 174-8.2 B (12) of the Southborough Zoning Bylaw.
3. The record owner of the subject property is Sandra Delbridge, 10 Andrea Drive, Hopkinton, MA 01748.
4. A public hearing before the Zoning Board of Appeals was duly noticed in the MetroWest Daily News on October 30, 2024, and November 6, 2024.
5. The applicant was heard at the November 13, 2024 Zoning Board of Appeals meeting after describing they are proposing to build a detached 2-car garage in place of a 1-car carriage house

garage on a lot where a 2-car attached garage exists, bringing the total number of garage bays to four (4).

6. The public hearing opened on November 13, 2024 and closed the same evening.

Plans/Documents:

1. Special Permit Application Form – 20 Sears Road
2. Project Narrative, prepared by E.W. Tarca Construction Inc, dated September 19, 2024
3. Current Plan Set titled “The Delbridge Residence, 20 Sears Road, Southborough, Massachusetts”, prepared by John Dvorsack Architect LLC, dated June 3, 2024 with the most recent revision date of July 23, 2024
4. Plot Plan of 20 Sears Road in Southborough, MA, prepared by Connorstone Engineering, Inc, dated May 2, 2024
5. Proposed Sewage Disposal System plan, prepared by Connorstone Engineering, Inc, dated April 29, 2024 with the most recent revision date of May 8, 2024
6. Proposed Change Plan Set titled “The Delbridge Residence, 20 Sears Road, Southborough, Massachusetts”, prepared by John Dvorsack Architect LLC, dated June 6, 2024 with the most recent revision date of July 23, 2024
7. Photographs of subject property
8. Quitclaim Deed, Book 70405, Page 320
9. Supporting Documents:
 - a. Notice of Decision of an Application for a Special Permit, 12 Wolfpen Lane
 - b. Notice of Decision of an Application for a Special Permit, 45 Sears Road
 - c. Notice of Decision of an Application for a Special Permit, 39 Sears Road
10. Certified Abutters List – 20 Sears Road, dated September 26, 2024
11. Legal Ad Billing Agreement

Findings:

1. The proposal requires a Special Permit under the Town of Southborough Zoning Bylaw, 174-8.2 B (12).
2. The property is located in the Residence A Zoning District.
3. The applicant is seeking to construct a 2-car detached garage in place of a 1-car carriage house garage. The property currently has a 2-car attached garage, which would result in a total number of four (4) garage bays where three (3) are allowed by-right in the Residence A Zoning District.
4. The proposal and evidence presented meet the criteria to grant the Special Permit:
 - a. The Board finds the use sought and its characteristics are in harmony with the intent and purpose of Chapter 174 of the Southborough Zoning Bylaw, is not in conflict with public health, safety, convenience, and welfare, and will not be substantially more detrimental or offensive to the neighborhood or destructive of property values therein.
 - b. Location
 - i. The proposal is located near similar uses other properties in the area have been granted Special Permits for more than three garage bays as evidenced by the supporting documents submitted.
 - ii. Providing adequate water and drainage for this location will pose no special public problems.
 - iii. The site is able to accommodate the proposal without substantial environmental damage due to wetland loss, habitat disturbance or damage to valuable trees or other natural assets.

- c. Activity Type & Mix
 - i. The proposal is residential and will serve the housing needs of local residents.
- 5. There are no objections from the public regarding this application, which is in harmony with the intent of the bylaw.

Decision and Vote of the Board:

At its meeting on November 13, 2024, the Zoning Board of Appeals voted unanimously (5-0-0) to grant the Special Permit pursuant to Section 174-8.2 B (12) of the Southborough Zoning Bylaw to allow four (4) garage bays.

After review of all evidence and facts presented at this hearing, and after deliberation of the same, the Board voted (5-0-0) on a motion made by Mr. Robbins and seconded by Ms. Cahill, with members voting by roll call as follows to grant the requested Special Permit:

Doug Manz	Aye
Jamie Mieth	Aye
Doris Cahill	Aye
Michael Robbins	Aye
David Williams	Aye

Pursuant to the vote taken by the Zoning Board of Appeals on September 20, 2023, the following signatures are made in accordance with M.G.L. c.110G and pursuant to said Board's electronic signature authorization vote recorded on November 6, 2023, with the Worcester Registry of Deeds, Book 69850, Page 154.

David Williams, Chair

Signing on behalf of the Zoning Board of Appeals

Notice: Appeals, if any, shall be made pursuant to MGL c. 40A, Section 17, and shall be filed within twenty (20) days after the filing of this notice in the Office of the Southborough Town Clerk. Further, no special permit, variance, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the city or town clerk that twenty days have elapsed after the decision has been filed in the office of the city or town clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, or that if it is a special permit or variance which has been approved by reason of the failure of the permit granting authority or special permit granting authority to act thereon within the time prescribed, a copy of the petition for the special permit or variance accompanied by the certification of the city or town clerk stating the fact that the permit granting authority failed to act within the time prescribed, and no appeal has been filed, and that the grant of the petition resulting from such failure to act has become final, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Pursuant to the Town of Southborough Zoning Bylaws, Section 174-9, if the rights authorized by a special permit are not exercised within two years from the date of grant thereof, they shall lapse, and a new petition, notice and hearing will be required for their reestablishment.

**** 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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