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J.F.H.

Town of Southborough
BOARD OF APPEALS
SOUTHBOROUGH, MASSACHUSETTS 01772

9 CORDAVILLE ROAD
SOUTHBOROUGH, MASSACHUSETTS 01772-1662
508-486-0717 ext. 1

James F. Hegarty
Town Clerk
Town House
17 Common Street
Southborough, Massachusetts 01772

March 24, 2025

Notice of Decision of an Application for a Special Permit

Property Address: 264 Cordaville Road, Southborough, MA 01772
Map/Lot: Map 9, Lot 11
Book/Page: 38084 / 231
Petitioner: Eliot Fontaine, Fine Automotive Services
Application Filed: January 27, 2025
Public Hearing: March 19, 2025 at 7:00 P.M.
McAuliffe Hearing Room, 17 Common Street

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

For the Petitioner(s): Eliot Fontaine, Fine Automotive Services

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 January 27, 2025.
2. The application for the Special Permit is to allow a sign in a residential district for a legal nonconforming use. Relief was requested under Section 174-9, Section 174-11, and Section 174-25.
3. The record owner of the subject property is P and H Management Corp, 43 Walker Street, Newtonville, MA 02460
4. A public hearing before the Zoning Board of Appeals was duly noticed in the MetroWest Daily News on March 5, 2025, and March 12, 2025.

5. The applicant was heard at the March 19, 2025 Zoning Board of Appeals meeting after describing stating they are looking to place a sign for his automotive business within a residential district.
6. The public hearing opened on March 19, 2025 and closed the same evening.

Plans/Documents:

1. Special Permit Application Form – signed January 23, 2025
2. Project Narrative
3. Property Deed – Book 38084, Page 231
4. Site Plan – 264 Cordaville Road
5. Photographs of proposed sign location and size
6. Certified Abutters List – 264 Cordaville Road, dated January 21, 2025
7. Legal Ad Billing Agreement

Findings:

1. The proposal requires a Special Permit under the Town of Southborough Zoning Bylaw, Section 174-11 E (1) (b).
2. The property is located in the Residence B Zoning District.
3. The applicant is seeking to install a sign in the same location as a previous sign, for a legal nonconforming use in a residential 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.
 - i. The sign is proposed in the same position as a previously existing wall sign
 - ii. The sign will not be illuminated.
 - iii. The sign will otherwise comply with Section 174-11 of the Southborough Zoning Bylaw.
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 March 19, 2025, the Zoning Board of Appeals voted unanimously (5-0-0) to grant the Special Permit pursuant to Section 174-9, Section 174-11, and Section 174-25 to allow a sign within a residential district for a legal nonconforming use.

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

Paul Drepanos	Aye
Michael Robbins	Aye
Doris Cahill	Aye
Jamie Mieth	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.

/s/David Williams

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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