

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

May 28, 2025

Notice of Decision of an Application for a Special Permit

Property Address: 250 Turnpike Road, Southborough, MA 01772

Map/Lot: Map 27, Lot 2A

Book/Page: Book 67212, Page 69

Petitioner: FD 250 Turnpike LLC

Application Filed: April 1, 2025

Public Hearing: May 21, 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
Doug Manz

For the Petitioner(s): George Bahnan, FD 250 Turnpike LLC

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 April 1, 2025.
2. The application for the Special Permit is to allow an existing wall sign that exceeds the maximum allowable height and area, and a standing sign that exceeds the maximum allowable area. Relief was requested under Section 174-9 and Section 174-11 (E) of the Southborough Zoning Bylaw.
3. The record owner of the subject property is FD 250 Turnpike LLC, 325 Donald Lynch Blvd, Ste. 205, Marlborough, MA 01752.
4. A public hearing before the Zoning Board of Appeals was duly noticed in the MetroWest Daily News on May 7, 2025, and May 14, 2025.
5. The applicant was heard at the May 21, 2025 Zoning Board of Appeals meeting after describing that they were seeking special permit approval for an existing wall sign that exceeds the maximum height and area and an existing standing sign that exceeds the maximum area.
6. The public hearing opened on May 21, 2025 and closed the same evening.

Plans/Documents:

1. Special Permit Application Form, signed by David Ferris and George Bahnan, both of FD 250 Turnpike, LLC, dated April 1, 2025
2. Project Narrative, prepared by George Bahnan, dated April 1, 2025
3. Sign Plans, prepared by ViewPoint Sign & Awning, dated January 30, 2023 with a most recent revision date of July 10, 2023
4. Site Plan titled "Site Plan of Land at 250 Turnpike Road in Southborough, Mass", prepared for FD 250 Turnpike LLC by Expedited Engineering, LLC, scale 1"=30', stamped by James Tetreault, P.E., no. 38548, dated June 26, 2024 with a most recent revision date of January 6, 2025.
5. Quitclaim Deed, Book 67212, Page 69
6. Certified Abutters List – 250 Turnpike Road
7. Legal Ad Billing Agreement
8. Report from Southborough Planning Board dated May 12, 2025

Findings:

1. The proposal requires a Special Permit under the Town of Southborough Zoning Bylaw, Section 174-11.
2. The property is located in the Industrial and Residence A zoning districts, with the signs located on the portion of the lot located with the Industrial zone.
3. The applicant is seeking special permit approval for an existing wall sign that exceeds the maximum height and area and an existing standing sign that exceeds the maximum area allowed for signs in the Industrial zoning district fronting Route 9.
4. The existing wall sign measures 99.70 square feet in area where a maximum of 75 square feet is allowed, and is 36 feet in height where a maximum of 20 feet is allowed.
5. The existing standing sign is 150 square feet in area where a maximum of 100 square feet is allowed.
6. Both existing signs were previously approved by the Southborough Building Department.
7. The signs will otherwise comply with Section 174-11 of the Southborough Zoning Bylaw.
8. The Board is in receipt of a report from the Southborough Planning Board as required in Section 174-11 E (2) of the Southborough Zoning Bylaw. The report is generally favorable, with the exception of three members of the Planning Board voting that the area for both signs is too large; two members voting that the standing sign is currently illuminated twenty-four (24) hours a day, seven (7) days a week and should comply with the bylaw; and one member voting that the standing sign is located within MassDOT right-of-way and needs to be resolved.
9. The applicant has agreed to comply with Section 174-11 of the Southborough Zoning Bylaw with regards to illumination and will not illuminate the standing sign between 10 am and 6 pm.
10. 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 due to the location of the building and existing signs.
11. 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 May 21, 2025, the Zoning Board of Appeals voted unanimously (5-0-0) to grant the Special Permit pursuant to Sections 174-9 and Section 174-11 of the Southborough Zoning Bylaw to allow a wall sign that exceeds the maximum area and height and a standing sign that exceeds the maximum area.

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 Ms. Cahill, with members voting by roll call as follows to grant the requested Special Permit:

Doris Cahill	Aye
Michael Robbins	Aye
Paul Drepanos	Aye
Doug Manz	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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