

2025-05-22 A 11:45

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: 154 Turnpike Road, Southborough, MA 01772

Map/Lot: Map 37, Lot 3

Book/Page: Book 4726, Page 309

Petitioner: 154 Turnpike Road, LLC

Application Filed: April 3, 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): Shannon Boyce, Capital Group Properties as managing agent for 154 Turnpike Road, 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 3, 2025.
2. The application for the Special Permit is to allow a wall sign that exceeds the maximum allowable height. Relief was requested under the Southborough Zoning Bylaw Section 174-9 and Section 174-11.
3. The record owners of the subject property are Frank J. Rossi and Lena A. Rossi, 259 Turnpike Road, Southborough, MA 01772.
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 are seeking to place a wall sign that exceeds the maximum allowable height under the Southborough Zoning Bylaw that will otherwise conform to Section 174-11 of the Southborough Zoning Bylaw.
6. The public hearing opened on May 21, 2025 and closed the same evening.

Plans/Documents:

1. Special Permit Application Form, signed by Shannon Boyce, Capital Group Properties LLC and Frank J Rossi Jr, Trustee, 154 Turnpike Road LLC
2. Project Narrative, prepared by Shannon Boyce, Permitting Manager, Capital Group Properties LLC
3. Deed, Book 4726, Page 309
4. Locus Maps and aerial photographs, 154 Turnpike Road
5. Sign Plan, Concierge Physical Therapy, prepared by ViewPoint Sign & Awning, dated March 11, 2025 with the most recent revision date of March 31, 2025
6. Building Elevations titled "Retail Building, 154 Turnpike Road, Southboro, MA", prepared by Cubellis Saivetz Associates, scale 1/8"=1'-0", dated February 14, 2003.
7. Site Plan titled "Site Development Plan, located on 154 Turnpike Road, Southborough, Massachusetts", prepared for Capital Group Properties by Land Planning, Inc, stamped by Normal G. Hill, P.E. no. 31887, dated September 13, 2002 with the most recent revision date of January 16, 2003
8. Certified Abutters List – 154 Turnpike Road
9. Legal Ad Billing Agreement
10. Report from the Southborough Planning Board, dated April 28, 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 Business Highway zoning district and has frontage on Route 9.
3. The applicant is seeking to install one wall sign at 28 feet, 7/8 inches high.
4. The maximum allowable height under the Southborough Zoning Bylaw, Section 174-11 D, is twenty (20) feet.
5. The sign will otherwise comply with the requirements in Section 174-11 of the Southborough Zoning Bylaw.
6. 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 two members of the Planning Board voting that the sign should comply with Section 174-11, and one member voting that the sign size is a distraction.
7. 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 the location of the tenant space within the building.

8. 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 4-1-0 to grant the Special Permit pursuant to Section 174-11 and Section 174-9 of the Southborough Zoning Bylaw to allow a wall sign that exceeds the maximum allowable height.

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:

Michael Robbins	Aye
Doris Cahill	Nay
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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