

Town of Southborough
BOARD OF APPEALS
SOUTHBOROUGH, MASSACHUSETTS 01772

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

May 1, 2019

Notice of Decision of an Application for a Variance

Property Address: 32 Cordaville Road, Map 45, Lot 2; Recorded Worcester Registry of Deeds Book 58227, Page 178

Appellants: Mark Purple, Town Administrator, 17 Common Street, Southborough, MA 01772

Application Filed: April 10, 2019

Public Hearing: May 1, 2019 at 7:00 P.M.

Southborough Library, Ella Eaton Meeting Room, 25 Main Street, Southborough, Massachusetts

Sitting as a Board: Craig Nicholson, Chair

David Williams

Deborah DeMuria

Paul Drepanos

For the Appellants: Lisa Braccio, Chair, Southborough Board of Selectmen

14 Common Street

Southborough, MA 01772

Procedural History:

1. An application for a Variance was filed in the Office of the Southborough Building Department on April 10, 2019.
2. The application for the Variance is to allow enlargement of the Public Safety Building driveway entry sign from the allowable 10 sq. ft. for a municipal building in a residential district.
3. Relief was requested under Section 174-11 (D) (E) (2).

4. The record owner of the subject property is Town of Southborough, 17 Common Street, Southborough, MA 01772
5. A public hearing before the Zoning Board of Appeals was duly noticed in the Metro West Daily News on Wednesday April 22, 2019 and Wednesday April 29, 2019.
6. Public Hearing opened on May 1, 2019 and closed the same evening.

Plans/Documents:

1. Memorandum from Planning Board in support of the Public Safety Building – Driveway Entry Sign dated April 29, 2019.
2. Copy of Context Engineering Building Sign Elevation dated March 1, 2019 depicting proposed sign size and detail.
3. Letter from Building Commissioner/Zoning Enforcement Officer Laurie Livoli to Ellen Light of Context Architecture.

Findings:

1. The proposal constitutes a sign Variance under the Town of Southborough Zoning Bylaw.
2. The property is located in the Residence B Zoning District.
3. The applicant is proposing that the proposed Public Safety Building sign, which exceeds the allowable 10 sq. ft. for a municipal building in a residential district, be allowed because a larger sign is needed for visibility for safety reasons and due to the size of the building.
4. The proposal and evidence presented meets the criteria required to grant the relief:
 - a. Literal enforcement of this bylaw would result in a substantial hardship for the public, as those destined for the Police or Fire Departments would have a difficult time seeing the signage.
 - b. The hardship is related to creating better visibility and safety for travelers.
5. The Board was satisfied that the Applicant, if denied this request, would suffer a hardship in that the allowable size of the signage is not suitable for the unusually large dimensions of the building and the potential lack of visibility for drivers from the road.
6. The Board decided that the granting of this relief would not substantially affect the public's good nor denigrate the spirit or purpose of the law. It was determined that the sign will not be visible from any residents of Southborough and therefore would not cause an unsightly view.

Decision and Vote of the Board:

At its meeting on May 1, 2019, the Zoning Board of Appeals voted, 4 in favor, 0 opposed, and 1 absence (Andrew Dennington) to grant the Variance pursuant to Section 174-11 (D) (E) (2) to allow the Public Safety Building – driveway entry sign to be larger than the allowable 10 sq. ft. for a municipal building in a residential district.

After review of all evidence and facts presented at this hearing, and after deliberation of the same, the Board voted (4-0-1) on a motion made by Mr. Drepanos and seconded by Mr. Williams, with members voting as follows to grant the requested Variance:

Craig Nicholson Approve

Deborah DeMuria Approve

David Williams Approve

Paul Drepanos Approve

Andrew Dennington Absent



Craig Nicholson, Chair

Signing on behalf of the Zoning Board of Appeals

**** 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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