



FERRIS DEVELOPMENT GROUP

July 29, 2024

VIA EMAIL – dwilliams@southboroughma.com

Mr. David Williams, Chair
Southborough Zoning Board of Appeals (“Board”)
9 Cordaville Road
Southborough, MA 01772

Re: Comprehensive Permit Application – 120 Turnpike Road, Southborough (“CPA”)

Dear Chair Williams,

As you know, I represent FD 120 Turnpike, LLC, the Applicant in the above-referenced matter.

In conjunction with the CPA, a Special Permit modification application was submitted pursuant to the provisions of G.L. c. 40A and is on the Board’s docket as matter # 23-12 (“SPA”). The SPA asks that the Board modify a 2005 Special Permit to allow the project which is the subject of the CPA to use the existing driveway serving the two existing office buildings. Modification of the 2005 Special Permit was suggested by Town Counsel to be appropriate because after the comprehensive permit is issued the driveway would be used by both the two existing buildings *and* the comprehensive permit project. There would be an access easement granted across the driveway, benefiting the 40B parcel and burdening the office buildings parcel.

In addition to the SPA, the Applicant hereby amends its CPA to include a request that the Board grant the same relief requested in the SPA, but in this case pursuant to its separate authority under G.L. c. 40B, to wit: that the Board as part of the comprehensive permit amend the 2005 Special Permit and allow shared use of the driveway by the existing office buildings and the comprehensive permit project. The aforesaid request for shared use of the driveway is, therefore, being requested in *both* the CPA and SPA, and approval of either application shall be deemed to permit shared use of the driveway.

This letter shall not operate as a waiver of any right or remedy FD 120 Turnpike, LLC may have under any applicable law, rule or regulation.

Thank you very much for your attention to this matter. Please do not hesitate to contact me if you have follow-up questions.

Yours sincerely,
FD 120 Turnpike, LLC


Brian R. Charville, Esq.

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