



# TOWN OF NORTHBOROUGH Zoning Board of Appeals

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Approved 7.23.19

## Zoning Board of Appeals Meeting Minutes June 25, 2019

**Members in attendance:** Brad Blanchette, Chairman; Dick Rand, Mark Rutan, Paul Tagliaferri and Leslie Harrison

**Others in attendance:** Kathy Joubert, Town Planner; Robert Frederico, Inspector of Building/Zoning Enforcement Officer; Chris Newbould, 63 Brigham Street; John Kelly, 59 Brigham Street

**Chairman Blanchette opened the meeting at 7:00pm.**

**Continued consideration of the petition of Central One Federal Credit Union for a Variance/Special Permit, to allow a proposed double-sided free-standing sign to include a 17.52 square-foot changeable-copy message area; and to be an overall height of 13.7 feet, on the property located at 148 Main Street, Map 53, Parcel 133, in the Business East District**

Chairman Blanchette read the continued public hearing notice for 148 Main Street and noted that Central One Federal Credit Union submitted a letter to Robert Frederico, Inspector of Buildings/Zoning Enforcement Officer, on May 31, 2019, Re: Central One Federal Credit Union, 148 Main Street, from Brian R. Beaton, stating the following:

*"I am writing on behalf of Central One Federal Credit Union ("Central One") regarding the above-reference property. As you are aware, Central One recently filed an application for variances from the Town of Northborough Zoning Board of Appeals related to a proposed sign ("Application"). Central One hereby withdraws the Application without prejudice and reserves all rights thereunder.*

Mr. Rutan motioned to allow Central One Federal Credit Union to withdraw their Application for a proposed double-sided free-standing sign on the property at 148 Main Street, without prejudice and reserves all rights thereunder. Mr. Tagliaferri seconded the motion and the vote was unanimously in favor of the requested withdrawal without prejudice.

**To consider the petition of Christopher Newbould and Shannon Newbould for a Variance to allow an existing pool deck to be less than the required 15 feet (12.3 feet) from the northerly side setback, on the property located at 63 Brigham Street, Map 64, Page 119, in the Residential C District**

Mr. Blanchette noted Alternate member, Leslie Harrison, will be a Voting member for this public hearing, as Ms. Bakstran is not present this evening.

Applicant Christopher Newbould and his neighbor, John Kelly, 59 Brigham Street, were present. Mr. Newbould presented two color photos of the subject deck to those present.

Mr. Newbould explained he is seeking a Variance to allow the rear corner of the existing deck to remain at 14.5' from the northerly property line along the property of 59 Brigham Street and the front corner of the existing deck is allowed to remain at 12.3' along the northerly property line which is less than the required 15 foot side setback in the Residential C District. He stated he did not know he needed a permit for the deck at the time he built it. He obtained a permit for the pool in 2018, but he didn't know he needed one for the deck. He stated it was brought to his attention when a land surveyor came out to the site to prepare the as-built plan. Mr. Newbould stated he wants to comply with the Town's regulations and had a contractor look at moving the deck to comply with the setbacks but the quote was in excess of what he could afford so he is applying for the variance.

Mr. Newbould stated his neighbor, Mr. Kelly, has expressed no concerns about the location of the deck being too close to his property line and, in fact, offered to write a letter stating he is fine with leaving the deck as-built.

Mr. Rutan asked Mr. Newbould where his neighbor's back yard is in relation to his deck, and Mr. Newbould replied he cannot see his neighbor and his neighbor cannot see him. Mr. Kelly agreed.

Robert Frederico, Inspector of Buildings/Zoning Enforcement Officer, was present and stated it would be very difficult to move the deck anywhere else on the property.

Mr. Rand motioned to close the hearing, Mr. Tagliaferri seconded the motion and the vote was unanimously in favor of closing the hearing.

The members agreed there is a lot of foliage on the site; and the next-door neighbor at 59 Brigham Street does not see the pool or the deck from the Applicant's property when he is using his yard.

Mr. Rutan motioned to grant a **Variance** to allow both corners of the deck along the northerly property line to be 3 feet less than the required 15 feet (12 feet) from the North side setback; Mr. Rand seconded the motion and the vote was unanimously in favor of the motion.

### **OLD/NEW BUSINESS**

#### **Approval of Minutes:**

**Minutes of March 26, 2019:** Mr. Rutan motioned to approve the minutes of the March 26, 2019 meeting; Ms. Harrison seconded the motion and the vote was unanimously in favor of the motion.

**Minutes of May 28, 2019:** The minutes of May 28, 2019 will be reviewed at the July 23, 2019 meeting.

Respectfully Submitted by,

Debbie Grampietro  
ZBA Administrative Assistant