



**City of Marlborough
Zoning Board of Appeals
140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3768**

**Minutes
November 26, 2019**

- **Location: 17 Beauregard Circle (continuation) – Zoning Board of Appeals Case #1461-2019**

Applicant: Thomas Potter

Date of Appeal: Sept. 20, 2019

Location of Subject Property: 17 Beauregard Circle

Petition: Thomas Potter desires to construct a 16 ft. x 15 ft. covered porch and a 14.5 ft. x 15 ft. deck at the rear of his house, and to expand his current driveway at 17 Beauregard Circle. Map 18, Parcel 154, located in Zoning District A-2. The proposal does not comply with Chapter 650-41 "Table of Lot Area, Yards and Height of Structures", Chapter 650-48 "Off Street Parking" and Chapter 650-49 "Driveways and curb cuts" as follows:

1. Total required maximum Lot Coverage is 30% vs. the proposed 35.9%
2. Expanded driveway, Chapter 650-48C(5b-1) Required minimum setback of 5 ft. vs. proposed rear right side setback .8 ft.
3. Proposed driveway expansion attached to the right side of the house. Chapter 650-49(2c) no driveway shall be located within 5 ft. of a building, except for driveway intended for drive-up window service.

Meetings: The Zoning Board of Appeals held a public hearing on October 22, 2019 at 7:30 PM at Marlborough City Hall, 3rd Floor-Memorial Hall, with a continuation hearing on November 26, 2019 at 7:00 PM.

Members present: Paul Giunta-Chairman, Ralph Loftin, Thomas Pope, Thomas Golden and Robert Levine.

Also, present: Thomas Potter, applicant.

The applicant, Mr. Potter, submitted a revised plan dated Rev. 11/25/2019. (copy in Board's file) On the revised plan, the applicant has eliminated the expansion of the proposed driveway at the side of the garage as suggested by the Board.

As a result with the elimination of the proposed expansion of the driveway, and calculating all existing and proposed structures (including deck) on the lot, Lot Coverage is currently at 32.7% vs. the minimum required 30%.

Existing on the lot is the house and an existing shed which sits on a slab. Being proposed is an elevated open deck, and a proposed enclosed porch.

Hardship: The applicant stated hardship is due to the shape of the lot and having less area than a conventional residential lot. This house is located within an Open Space Subdivision, in which the house lots are smaller and everything on the lot is included into the lot coverage calculation. The shape of the lot is an odd rectangular shape. Because of this, his open patio and enclosed porch exceeds the minimum required 30%.


The Board stated they would like the Building Department to review this revised plan, dated November 25, 2019 before the Board voted on this petition. With the applicant's consent, the public hearing was continued to December 10, 2019 in order for the Building Department to reviews said revised plan.

A motion was made by Thomas Golden, to continue the public hearing to December 10, 2019 in order for the Building Department to review the revised plan dated November 25, 2019. Ralph Loftin seconded the motion.

The Board voted 5-0 to continue the public hearing to December 10, 2019 in order to vote on said petition and review some draft conditions.

Being no further business, the public meeting was adjourned.

Respectfully submitted,


Paul Giunta
Zoning Board of Appeals
Chairman