



BOARD OF APPEALS  
**TOWN OF FOXBOROUGH**  
40 SOUTH STREET  
MASSACHUSETTS  
02035

**Foxborough Zoning Board of Appeals Minutes  
May 19, 2011**

Members present: Chairman Erik McKenzie, Member Neil Forster, Alternates Kevin Penders and Barney Ovrut,

The Chairman opened the meeting at 7:00 p.m.

**7:00 p.m. Yan Fisher requests a Special Permit pursuant to Foxborough Zoning By-Law, Section 5.3 to extend a pre-existing non-conforming structure into the front yard setback where 35 feet is required and 23 feet is currently provided. The proposed construction of an addition at 86 Ridge Road will provided a front yard setback of 6' 9". The property is located in an R-40 Zoning District and a Zone II Water Resource Protection Overlay District.** Yan and Margarita Fisher were present and represented themselves. They would like to put an addition on their house with a two car garage and storage space with a playroom above for their children. They live in a neighborhood near the water where the houses are close together, they have the last house on the road. The plow drivers have no place to put the snow in the winter since they are at the end of the street. Mr. Fisher stated that if they have a garage, they could get their vehicles off the street to aid the plows.

They currently have a finished basement with a utility room that cannot be accessed from inside the house; they would like to put the basement access in the garage.

They have been to the Conservation Commission this month and have a Determination of Applicability from them.

The current square footage of the house is 1340 sq. ft.; the proposed addition would be for 1485 sq. ft. The addition cannot be moved to the other side of the house because of a drop off, Mr. Fisher also noted that it would be too close to the water and the driveway would need to be reconfigured.

The Board members would like to see plans of the proposed garage with a representation of the structure and a floor plan of the existing house and the proposed addition.

Abutter Toby Schultze of 88 Ridge Road stated that there are no windows on the side of his house facing Mr. Fisher's property so this addition won't affect him; therefore he is not opposed to the addition.

Dave Warner of 90 Ridge Road stated that the garage would be good to alleviate parking in the winter and would add value to the property.

Judy Schultze of 88 Ridge Road stated that the garage will help with the parking of their family vehicles as there will be more room if Mr. Fisher's vehicles are in the garage.

Building Commissioner Bill Casbarra stated that an elevation plan is needed. An increase of the habitable area by more than 25% requires a Special Permit or finding.

The applicant requested a continuance to get plans drawn up.

A motion to continue the hearing to July 21, 2011 was approved 3-0-0.

### **GENERAL BUSINESS**

The Board discussed the content of minutes versus decisions. If something comes up during the course of the hearing, should it be mentioned in the decision?

The Board postponed the election of officers until all members are available.

Mr. Penders who is an alternate on the Board was also recently elected to the Library Board; he was advised by the Town Clerk to contact the Ethics Commission who has given a verbal confirmation that there is no conflict in serving on both boards.

The minutes of April 21, 2011 were approved 2-0-1 with Mr. Penders abstaining.

The meeting was adjourned at 8:10 p.m.

Respectfully Submitted,

Diana Gray