



BOARD OF APPEALS
TOWN OF FOXBOROUGH
40 SOUTH STREET
MASSACHUSETTS
02035

**Foxborough Zoning Board of Appeals Minutes
June 18, 2015**

Members present: Chairman Neil Forster, Member Kris Behn, Alternates Kim Mellen and David Brown and Building Commissioner Bill Casbarra

Chairman Forster opened the meeting at 7:00 p.m. in the Media Center of the Foxboro High School, 120 South Street.

7:00 p.m. Eve O'Reilly Keddy requests a Special Permit pursuant to Code of Foxborough Chapter 275, Zoning By-Laws, Table of Use 3-1, Section E.7 to allow a dance school to operate as a non-exempt educational use at 14 Church Street. The property, formally known as the Knights of Columbus Hall, is located in an R-15 Residential Zoning District and is not located in any restrictive overlay districts. Mrs. Keddy was present and represented herself. She stated that she started the Foxboro Classical Ballet studio three years ago with six children and it has now grown to 40-50 students and she needs a space to hold them. She holds classes seven days per week afterschool weekdays during the school year as well as weekends; she has expanded hours during the summer. Right now they are renting a space above Judy's Flower's on the second floor. She proposes to have 15 students in a class as well as private lessons for one or two students. The former Knights of Columbus building would be able to hold two studios one for privates and one for classes. Ms. Keddy stated that there would be up to thirty students in the building at one time and two instructors, the parking lot holds forty cars but most students are dropped off; the parents don't stay for the class. There would be no parent observation room in the new building. She is planning on having a waiting room and offices in the basement. The Knights of Columbus will no longer use the building; they will be meeting at St. Mary's Church.

Ms. Keddy will be buying the building with her husband and the dance school will be the only renters of the building. They will have no recitals or performances in the building, they go elsewhere for productions. The first floor will have two studios, a dressing room and a bathroom. The basement will have an office, waiting room and storage room. The building is 32 x 60 and will be divided into two studios 32 x 30 and 32 x 15.

She would like to have a sign on the wall where the current Knights of Columbus sign on the Church Street side; she is not proposing any free standing signs. There will be no additional outdoor lighting other than what is there now, she will be upgrading the out of date fixtures that are currently there.

She will be going to the Planning Board for a Change of Use Permit.

Debbie Moxham of 12 Church Street feels that a dance school is better than the current use as they had a lot of functions there and issues with liquor on the premises. She noted that there are bad parking issues on Sunday mornings during church services, the parishioner's park on both sides of Church Street during Mass. Having classes there on Sunday mornings will add to the problems. She would also not like to see the building rented out to others.

Ms. Keddy is willing to have her Sunday classes in the afternoon to avoid conflict with the Church.

Jeff Ambs of 68 Carpenter Street thinks it is a good idea and his questions about lighting and parking have been answered.

Robert Moxham asked about the dumpster on the site, Ms. Keddy is not planning on keeping it.

A motion to close the Public Hearing was made by Ms. Mellen and seconded by Mr. Behn. The motion carried 3-0-0.

The Board moved immediately into deliberations.

Mr. Forster noted the requirements under 10.4.2 for a Special Permit. He feels that there is adequate parking at the site and this will put the building back on the tax rolls which is a gain for the town.

The Board discussed conditions that the approval run with the applicant, any sign on the premises must conform to the bylaws and the use be restricted to a dance school; the allowed hours will be Monday – Friday from 9:00 a.m. to 8:00 p.m.; Saturday 8:30 a.m. to 3:00 p.m. and Sunday from 1:00 p.m. to 5:00 p.m.; there will be no additional tenants in the building without coming back to the Board and the use will cease upon any transfer of ownership.

A motion to approve the Special Permit to allow a dance school as a non-exempt educational use at 14 Church Street with conditions that the approval run with the applicant, any sign on the premises must conform to the bylaws and the use be restricted to a dance school; the allowed hours will be Monday – Friday from 9:00 a.m. to 8:00 p.m.; Saturday 8:30 a.m. to 3:00 p.m. and Sunday from 1:00 p.m. to 5:00 p.m.; there will be no additional tenants in the building without coming back to the Board and the use will cease upon any transfer of ownership was made by Ms. Mellen and seconded by Mr. Behn. The motion carried 3-0-0.

7:10 p.m. Foxboro Realty Associates LLC requests a Special Sign Permit pursuant to Foxborough General By-Law 15(B) - Signage, Section III.c.1.(a) and Table 15-2 to allow the installation of a 672 sq. ft. two (2) sided billboard sign on a plot of land known on Assessor's Map 30 as Parcel 695. The parcel is located in Sign District 1. Dan Krantz and Woody Beal of the Kraft Group were present. This application is for a billboard that will be located 500 feet from the recently approve Saegh billboard sign on a lot owned by the Kraft's. The sign will be ten feet off of the road on a center post and will be more than 100 feet from the nearest abutter. It was noted that the 2013 plan presented with this application was not certified and does not show the location of the recently approved billboards. Mr. Krantz will request new plans showing the location of all the nearby billboards.

A motion to continue the hearing to July 16, 2015 at 7:00 p.m. was made by Mr. Behn and seconded by Ms. Mellen. The motion carried 3-0-0.

General Business

The minutes of May 21, 2015 were reviewed.

A motion to approve the minutes of May 21, 2015 was made by Mr. Behn and seconded by Ms. Mellen. The motion carried 4-0-0.

The meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

Diana Gray

Signed on behalf of the Board

Kristofor Behn, Clerk