



BOARD OF APPEALS  
TOWN OF FOXBOROUGH  
40 SOUTH STREET  
MASSACHUSETTS  
02035

**Foxborough Zoning Board of Appeals Minutes  
October 18, 2012**

Members present: Chairman Erik McKenzie, Members Neil Forster and Barney Ovrut, Alternate Kim Mellen.

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

**7:00 p.m. Richard Moschella requests a variance pursuant to Foxborough Zoning By-Laws, Section 5.3.3 and in accordance with Board of Appeals decision dated April 12, 1954 to extend a pre-existing, nonconforming structure by constructing a 14' X 22" single story addition onto the front of the Foxboro Animal Hospital located at 200 Mechanic Street. The property is located in an R-40 Residential Zoning District and Zone II Water Resource Protection District.** Dr. Moschella was present; he lives in Rehoboth but has been the owner of the Foxboro Animal Hospital since 1999. His builder, Kevin Cahill, was also present.

He would like to add a 280 square foot addition (14 x 22) to the animal hospital. This addition would help to alleviate crowding near the entrance to the animal hospital.

The building is located on a corner lot and therefore has two front yards. Dr. Moschella submitted three drawings showing the location of the building with setbacks. Mr. Cahill estimated the setback from the building to Beach Street at 35 feet.

The Board discussed whether the petition should be under Section 5.2 as a non-conforming use or 5.3 as a non-conforming structure.

There were two previous decisions for this property, one in 1954 which allowed the use of the animal hospital and one in 1991 which granted a variance to expand the use.

Kelly Robinson of 7 Spruce Street spoke in favor of the petition.

A motion to close the Public Hearing was made by Mr. Ovrut and seconded by Mr. Forster. The motion carried 3-0-0.

A motion to grant the variance as shown on the plans with conditions that the materials match the existing building and the addition have the same characteristics as the existing building was made by Mr. Ovrut and seconded by Mr. Forster. The motion carried 3-0-0.

The Board discussed the need for plot plans with dimensions shown to be submitted with all future applications.

## **GENERAL BUSINESS**

A motion to approve the minutes of September 20, 2012 was made by Mr. Ovrut and seconded by Mr. Forster. The motion carried 4-0-0.

The meeting was adjourned at 7:30 p.m.

Respectfully Submitted,

Diana Gray