



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

**Foxborough Zoning Board of Appeals Minutes  
December 21, 2017**

Members present: Chairman Barney Ovrut, Members David Brown and Kris Behn

Chairman Ovrut opened the meeting at 7:00 p.m. in the Gala Meeting Room of the Foxboro Town Hall, 40 South Street.

**7:00 p.m. Charles and Joan Robbins seek a Variance pursuant to the Code of Foxborough, Chapter 275, Section 4.1.1 to allow a 26' x 28' two-car attached garage within 10' of the property line where 15' is required. The property is located at 6 Angela Drive in the R-40 Zoning District and is not located in any restrictive overlay districts.** Mr. and Mrs. Robbins were present and represented themselves. They are the original owners of the property and have lived there for thirty years. They would like to add a garage addition to the house. The home is located on an odd shaped lot and the structure is placed where it is due to the drop off in the back of the property. They would like to have an attached garage to keep out of the winter weather, a detached garage would defeat the purpose. If they try to put the garage in another location, they will lose the use of a ½ bath in the home. The front corner of the garage will be 10.2 feet from the lot line where 15 feet is required. There are also wetlands on the property.

Mr. Robbins has staked out the proposed location of the garage on the site. They have also spoken to the neighbor who had no concerns with the garage being built. They are proposing a two car garage with two garage doors, it will be constructed to match the house.

There were no abutters present.

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

The Board immediately moved into deliberations. The petition satisfies the criteria for a Variance as it is an odd shaped lot with ledge. The Board discussed conditions of having the new structure match the old in color and appearance and the locations of the garage.

A motion to grant the Variance for a two-car attached garage at 6 Angela Drive with the conditions that the garage be constructed as shown on the plans no closer than 10 feet from the lot line and color match the existing dwelling was made by Mr. Brown and seconded by Mr. Behn. The motion carried 3-0-0.

**7:05 p.m. John O'Sullivan seeks a Special Permit pursuant to the Code of the Town of Foxborough, Chapter 275, pursuant to Table of Use 3-1, L.5 to allow the construction of a detached 1-story, 24' foot x 40' foot detached garage with a footprint of 960 square feet. The subject property is located at 42 Walnut Street in an R-40 Residential District and is not located in any restrictive overlay districts.** Mr. O'Sullivan was present and represented himself. He owns a small masonry business and plows in the winter, he would like a garage big enough to park his truck with the plow and sander attached and also to store his tool trailer. He

is proposing a metal garage 24 feet by 40 feet with two 10 foot by 10 foot doors in front and a pass through door on the side. He will have a cement slab under the garage. He will have a paved driveway leading to the garage. The location will meet the setback requirements, being more than 15 feet from the side and thirty feet from the rear lot lines. The lot is mostly wooded.

The Board members had concerns that the garage would not match the character of the neighborhood, it is a metal building with no windows. The allowed size is 625 square feet, this structure is proposed to be 960 square feet. The Board members feel it will be too commercial looking. Mr. O'Sullivan noted that he does have a wooden gated fence that will be used to shield the garage from the street. He also stated that he talked with the neighbor and they did not have any concerns. Mr. O'Sullivan also offered to put up a hedge in the future to shield the garage.

The Board members noted that if the garage could be attached to the current home, it would be an allowed use and would not need to come before the Zoning Board. The Board members are not looking favorably on the garage as presented this evening, Mr. O'Sullivan was advised that he could proceed with the proposal as is or ask for a continuance to see if any changes could be made; he could also withdraw the petition. Mr. O'Sullivan asked for a continuance to the next Zoning Board meeting.

A motion to continue the hearing for 42 Walnut Street to January 16, 2018 at 7:00 p.m. was made by Mr. Brown and seconded by Mr. Behn. The motion carried 3-0-0.

**GENERAL BUSINESS**

The Board reviewed the minutes from November 16, 2017.

A motion to approve the minutes of November 16, 2017 was made by Mr. Behn and seconded by Mr. Brown. The motion carried 3-0-0.

The meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Diana Gray

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Signed on behalf of the Board

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Barnett Ovrut, Chairman