



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

**Foxborough Zoning Board of Appeals Minutes  
March 16, 2017**

Members present: Chairman Barney Ovrut, Members David Brown, Alternates Kurt Yeghian, Kim Mellen

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

**7:00 p.m. Normandy Farms Campground seeks a Modification to Special Permit Case #91-10, Condition #7 to allow the demolition and reconstruction of the storage and maintenance building currently located adjacent to West Street. The building is proposed to be relocated at the westerly corner of the property off Daniels Street as shown on plans drawn by Dunn McKenzie dated 2/7/17.** Kristine Daniels and Colin Kramer represented the applicant. Ms. Daniels explained that they would like to take down the existing maintenance building that is approximately 15,000 sq. ft. and replace it with two buildings that will be 120' x 60' for a total of 14,400 sq. ft. These buildings will be relocated on the property near the end of Daniels Street to open up a parking area for their new function building that will soon be constructed. This would also help to clean up the entrance area to the site. One of the buildings will become the maintenance building and the other will be an unheated storage building. The maintenance building will be for the repair and storage of camp vehicles as well as a carpenter shop. They will not be painting any vehicles on the site. Mr. Kramer is the maintenance manager for the campground; he stated that they will not be storing any hazardous materials or fuel in the buildings. The storage building will be used for equipment, furniture, supplies for the restrooms and cleaning supplies.

The Board would like the plans updated showing the buildings labeled. Mr. Kramer stated that they would be steel metal buildings with concrete knee walls.

There were no comments from the public.

A motion to close the public hearing was made by Mr. Brown and seconded by Mr. Yeghian. The motion carried 3-0-0.

The Board immediately moved into deliberations, they will be replacing one building with two buildings similar in total square footage to the original building and shifting the location of the building elsewhere on the property. The Board feels that this petition satisfies the Special Permit criteria and they have no problems with the requested modification.

A motion to modify Condition #7 of Case 91-10 Special Use Permit to authorize the demolition and replacement of the existing maintenance building with two new buildings as shown on the plans with conditions that the Maintenance building and the Storage building be labeled on the plans and the demolition of the existing building occurs before any occupancy permits are issued for the new buildings was made by Mr. Brown and seconded by Mr. Yeghian. The motion carried 3-0-0.

**7:10 p.m. Normandy Farms Campground seeks a Modification to Special Permit Case #16-04, Condition #1 to allow the utilization of the proposed building for events such as weddings, banquets and other functions and events as provided for in the amended Code of Foxborough, Chapter 275 definition of a Commercial Campground. The property is located at 72 West Street in an R-40 Residential Zoning District and a Zone II Water Resource Protection Overlay District.** The applicant was represented by Kristine Daniels and Albert Daniels. In July 2016 Normandy Farms was granted a permit for a function building with a provision that the definition of Commercial Campground be changed to allow the building to be used for weddings, banquets and other functions by non-campers. This definition was changed at the Fall 2016 Town Meeting so now they are back for a modification to decision #16-04 to allow the use of the function building by non-campers. Mr. Ovrut read the new definition of a commercial campground.

Ms. Daniels reviewed that the proposed building is an 80' x 92' two-story building that is barn like in appearance with post and beam construction with an open floor plan; they are also proposing to have a deck facing the pond. They will be using the ground floor for activities such as arts and crafts and offices and will be using the second floor for functions such as weddings, sports banquets, reunions, etc. Their campground used to be open year round but in 2012 they decided to close for the winters, having this new building will allow them to keep their staff employed all year. The total capacity of the building was discussed, standing only is a maximum of 435 people; most wedding table set ups would be 150-175 seated patrons. The parking will be based on the square footage of the building and will be determined by a Special Permit from the Planning Board since the property is located in the Water Resource Protection Overlay District (WRPOD). The parking and the barn will be located outside of the main entrance to the campground. They are proposing to have approximately 98 parking spaces. All events will end by 11:00 p.m. and none will take place before 8:00 a.m. They will not be requesting a liquor license initially but will seek one day licenses as necessary through the catering company. They will not have cooking facilities on site; all events will be catered and will use a catering kitchen which will have coolers and heating ovens. They will not be storing food in the building.

The Board members asked about the number of events proposed per year; after much discussion it was decided that there could be no more than two events per day for no more than 250 days per calendar year.

Abutter Gary Wentling of 78 West Street wanted to know what the traffic impacts would be as there is already heavy traffic on West Street which is a small narrow street. Mr. Daniels stated that he would have people directing traffic during events but did note that most of the traffic on the street is commuter traffic and not coming or going to the campground. They will try to stagger the traffic throughout the day to try to avoid the commercial traffic. The barn traffic will be encouraged to go towards Route 1. They will also use directional signage.

Building Commissioner Bill Casbarra explained that this is the first step in a two-step process, the construction of the building needs to go before the Planning Board for a Special Permit, they will discuss impact to the neighborhood in regards to traffic, drainage, hours, noise, etc. This permit is to allow the use of the building.

Nancy Wentling of 78 West Street also had concerns with bands and dj's noises being heard on their property. Ms. Daniels stated that the design of the building should keep the noises inside during events.

Patty McNutt of 51 West Street spoke in favor of the proposal; she thinks the traffic on West Street is not from the campground. She also submitted a letter from her father, Earl Ferguson, who was not able to attend this evening. Mr. Ferguson stated that he is in support of the

petition; he feels the business is an asset to the town and would rather have the campground than a number of new houses on the land.

Dorothy Vosburgh of 77 West Street stated that the Daniels have been wonderful neighbors for more than 40 years that she has lived in her home, she feels that they will continue to operate the business responsibly and be good neighbors.

The Wentlings suggested that the building be moved further back on the site and noise controls be used especially the noises that may come from the deck. Ms. Daniels stated that acoustic controls will be part of the construction; they don't want to disturb the campers either. She also noted that there is entertainment in the current recreation building already. Mr. Casbarra stated that Lakeview Pavilion uses automatic door closers for their deck doors.

Mr. Ovrut read a letter from the Wentlings that was received via email into the record.

Arthur Kelly of 102 West Street stated that the land in the area is worth more now than it was and he feels the campground is a good neighbor.

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

The Board immediately moved into deliberations. Traffic concerns were discussed, the number of patrons allowed seated vs. standing was taken into consideration. No more than 175 patrons at any one time should be the maximum occupancy. Any environmental impacted will be addressed with the Planning Board. All previous conditions of the 16-04 decision will remain in effect.

The Board is in agreement that the modifications to Condition #1 of decision #16-04 be granted, conditions were then deliberated on.

A motion to grant the modification to Condition #1 of decision #16-04 with conditions that the first floor of the building be used for administrative and recreational activities and small functions and gatherings in accordance with occupancy regulations, the second floor of the building be used for events and functions such as weddings, reunions, business and educational conferences provided that the events and functions be limited to no more than 250 days per calendar year, there will also be two hours between multiple events in one day, all doors and windows are to be closed during functions and all entertainment be kept within the building and all events conclude by 11:00 p.m. was made by Mr. Brown and seconded by Ms. Mellen. The motion carried 3-0-0.

A motion to delete footnote #6 of Condition 1 of Case #16-04 and to amend Condition #4 of Case #16-04 to note the modification granted in Case #17-01 was made by Mr. Brown and seconded by Ms. Mellen. The motion carried 3-0-0.

**7:20 p.m. Douglas King seeks a Special Permit pursuant to the Code of Foxborough, Chapter 275 section 4.4.2 to increase the height of a building and if applicable a Variance to increase the number of stories to a four story building; garage under with three stories (two units per floor) above. The property is located at 44 Dexter Road in the R-15 Zoning District and the Chestnut Payson Overlay District.** The applicant has requested a continuance to April 20, 2017 per correspondence received from Atty. Frank Spillane.

A motion to continue the Public Hearing for 44 Dexter Road to April 20, 2017 at 7:20 p.m. was made by Mr. Brown and seconded by Ms. Mellen. The motion carried 3-0-0.

**General Business**

The Highland Ridge Comprehensive Permit Regulatory Agreement has been received from the applicant and an acknowledgement needs to be signed by the Chairman on behalf of the Board.

A motion to authorize the Chairman to sign the Highland Ridge Comprehensive Permit Regulatory Agreement was made by Mr. Brown and seconded by Ms. Mellen. The motion carried 4-0-0.

The Board reviewed the minutes of January 19, 2017.

A motion to approve the minutes of January 19, 2017 was made by Mr. Brown and seconded by Mr. Yeghian. The motion carried 4-0-0.

The meeting was adjourned at 9:15 p.m.

Respectfully Submitted,

Diana Gray

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Signed on behalf of the Board

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Kristofor Behn, Clerk