



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

**Foxborough Zoning Board of Appeals Minutes  
October 19, 2017**

Members present: Chairman Barney Ovrut, Member David Brown, Alternates Kurt Yeghian and 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. Michael Tedescucci seeks a Variance pursuant to the Code of Foxborough, Chapter 275, Section 4.1 Table 4-1 to allow a reduction in the side yard setback of 12.8 feet where 15 feet is required for a proposed addition to an existing single family dwelling. The property is located at 5 Allen's Way in the R40 Zoning District and is not located in any restrictive overlay districts** Mr. and Mrs Tedescucci were present as well as Engineer Rich Riccio of Field Engineering. They are here for a Variance for an eight foot addition to their family room, the addition will encroach upon the side yard setback. The setback is 15 feet; they will be at 12.8 feet. They did receive an Order of Conditions from the Conservation Commission as they are near wetlands. They are also adding a garage but this structure meets the setback requirements, a permit has been issued for the garage from the Building Department.

The topography of the land is a steep slope from 89' to 77' over a twenty-five foot distance at the edge of the house. The lot is a pre-existing undersized lot (Originally an R20 District); the back of the house is too close to the wetlands to put an addition on the back. Mr. Riccio feels that the proposed addition will not be more detrimental; the addition will have the same materials and roofline as the rest of the house.

Abutters Mr. and Mrs. Cliff Reed of 36 Prospect Street spoke in favor of the petition.

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

The Board immediately moved into deliberations. The topography of the lot supports the Variance; the shape of the lot and the placement of the house on the property are factors.

A motion to approve the Variance for 5 Allen's Way with conditions that the addition be situated and constructed as shown on the plans and the exterior of the addition match the existing dwelling was made by Mr. Brown and seconded by Ms. Mellen. The motion carried 3-0-0.

**GENERAL BUSINESS**

Minutes – September 27, 2017

The Board reviewed the minutes of September 27, 2017.

A motion to approve the minutes of September 27, 2017 as submitted was made by Mr. Yeghian and seconded by Mr. Brown. The motion carried 3-0-0.

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

Respectfully Submitted,

Diana Gray

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Signed on behalf of the Board

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Kristofor Behn, Clerk