



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

**Foxborough Zoning Board of Appeals Minutes  
January 18, 2018**

Members present: Chairman Barney Ovrut, Member David Brown, Associates, Kim Mellen and Kurt Yeghian

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

**7:05 p.m. Continued Public Hearing - 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. Ovrut appointed Mr. Yeghian to this petition in the absence of Mr. Behn. Though Mr. Yeghian was not present at the hearing of this matter on December 21, 2017, the Board without objection from Mr. O'Sullivan heard and considered the matter ab initio. The evidence and other information that Mr. O'Sullivan presented was identical to that which was provided to the Board on December 21, 2017. Mr. O'Sullivan recapped that he would like to construct a 24' x 40' oversized garage for his small masonry business and he also does plowing in the winter. The garage would be a pre-fab metal building with two 10' x 10' doors in front with a man door on the side; it will also have four windows. It can be bought in a color to match the house. He also noted that there is a six-foot fence around his property so he feels only the peak of the roof would be visible from the street; the peak would be 15 feet in front. He would also like to install an addition to the driveway to reach the new garage. Mr. O'Sullivan would like to install three phase electric to be able to use his welder, there will be no water installed. He also noted that there will be no storage of materials or commercial activity on the site; he will use the garage to store his one ton dump truck and his utility trailer.

Scott Johnson of 41 Walnut Street who is the direct abutter across the street informed the Board that he had no issues with the garage, he feels Mr. O'Sullivan takes pride of ownership in his property as compared to previous owners of the property since he has lived in the neighborhood.

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.

Mr. Brown has difficulty in the size of the garage, the allowed size is 625 square feet and Mr. O'Sullivan is proposing 960 square feet. He also feels that a metal building will not blend in well with the neighborhood.

Mr. Yeghian also has problems with the aesthetics of the proposed garage, the rendering is not very descriptive. However, he does understand the reasoning behind the request and there seems to be no neighborhood opposition.

Ms. Mellen feels it will not fit in with the character of the neighborhood, other garages match the existing homes; this may be detrimental to the neighborhood.

Mr. Ovrut noted that there are two metal structures that were allowed in town, one on Oak Street and one on Main Street; he still has concerns with how this would fit into the neighborhood.

A motion to approve the Special Use Permit for a 1-story, 24' foot x 40' foot detached garage at 42 Walnut Street was made by Mr. Brown and seconded by Mr. Yeghian. The motion failed 0-3-0 with Board members noting the reasons given this evening for the denial.

**GENERAL BUSINESS**

The Board reviewed the minutes from December 21, 2017.

A motion to approve the minutes of December 21, 2017 was made by Mr. Yeghian and seconded by Mr. Brown. The motion carried 4-0-0.

Mr. Ovrut noted that he would not be available for the ZBA meeting in March if there is one.

The Board members discussed having a revised Accessory Structure definition article for the Spring Town Meeting.

The meeting was adjourned at 7:45 p.m.

Respectfully Submitted,

Diana Gray

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Signed on behalf of the Board

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Barnett Ovrut, Chairman