



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

**Foxborough Zoning Board of Appeals Minutes  
July 18, 2019**

Members present: Members Barney Ovrut, Kim Mellen and David Brown, Associate Member Kurt Yeghian and Lorraine Brue

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. Lindsey Whitehouse seeks a Special Permit from the Code of the Town of Foxborough, Massachusetts, Chapter 275: Zoning, Section 3.2.2 Home Occupation to allow an in home salon with up to three chairs at 139 North Street. The property is located in the R-40 Zoning District and is not located in any restrictive overlay districts.**

Mr. and Mrs. Whitehouse were present and represented themselves. They would like to convert the in-law apartment space in their home into a hair salon. Lindsey Whitehouse is one of the owners of the Sheer Bliss Salon on Bird Street, they are closing that business and would be moving it to this home occupation. There would be three stylists working at this location each with about one client per hour. They have a circular driveway on the property so there would be no backing up onto North Street. They will be putting in a ramp for handicap access. Ms. Whitehouse stated that she uses all natural organic hair products so there will be no chemicals on site. They would have a dedicated sink for rinsing. They would receive one or two deliveries every two weeks or so from UPS. The hours would be Tuesday thru Saturday 9 a.m. to 3 p.m. with occasional evening hours, but not on stadium event days. They propose having a small sign that would meet the sign bylaw requirements, it will not be lighted.

A letter from Richard Conroy of 143 North Street supporting the home occupation was read into the record. There were no other abutters present.

The Board advised Ms. Whitehouse that she should look into any requirements the Board of Health or Town Clerk may have in regards to hair salons and business certificates.

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 Board reviewed the standards of an intensive home occupation under Section 3.2.2 of the Bylaws and feel that this home occupation satisfies all the standards.

A motion to approve the Special Permit for a Home Occupation at 139 North Street with conditions that they fully comply with Section 3.2.2 of the Zoning Bylaws at all times; the hours of operation be 9:00 a.m. – 3:00 p.m. Tuesday through Saturday with two evenings until 8:00 p.m. allowed; no more than three clients allowed at one time; the home occupation will be in the area as shown on the plans only; parking will be provided for up to eight cars plus the family cars; disposal of all hair products including dyes in accordance with Board of Health regulations was made by Mr. Brown and seconded by Ms. Mellen. The motion carried 3-0-0.

**7:10 p.m. Marion and Jeffrey Howe request a Special Permit pursuant to the Code of the Town of Foxborough, Massachusetts, Chapter 275: Zoning, Section 3.1.6., Table 3-1 Table of Uses, Use L.5, to construct a 24' x 38' 1 ½ story detached residential garage with porch and open loft above to be used as office/recreation area. The property is located at 13 Summer Place in the R-40 Zoning District and is not located in any restrictive overlay districts.** Mr. Howe was present and represented himself. They are proposing a garage addition that is greater than 625 square feet. They need garage space as well as a home office for his small business and for his wife who is a teacher. They are currently sharing the fourth bedroom in their home as a home office but have three small children and need the extra room. They are proposing moving the offices to the upper level of a soon to be constructed garage. Mr. Howe has a custom woodworking business for private yachts, he needs a space for paperwork as all labor and meeting of clients is done onsite at a shop in Norwood. Mrs. Howe is a teacher for a school in Walpole which has a virtual program also, twice a week she teaches virtually from home, the other three days she goes to a physical building in Walpole. The area would be one large room with two desks. There will be no bathroom or water to the garage. They would have an open porch with patio pavers on the lower level.

The garage itself will be a two car garage with an unenclosed porch with a 38' x 24' footprint with approximately 868 sq. ft. with a full second floor. The Board reviewed the floorplans with Mr. Howe. The external finish of the garage will be the same as that of the existing home, which is wood shingle.

The garage will be located 17 feet from the lot line and 15 feet from their home at the location of a previous shed, the foundation of which is still there. The Board will require a certified plan showing the location of the garage on the lot.

There were no abutters present.

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.

A motion to approve the Special Permit for a detached residential garage with conditions that the garage not exceed 38' x 24' and the footprint not exceed 868 feet; the garage will be constructed according to the plan specifications; the exterior materials will match the existing house; the first floor will be used for cars and other personal property; the second floor will not exceed 792 sq. ft. and will be used for storage, personal gym area and office area to be used in accordance to non-intensive home occupation uses; a certified plot plan be submitted by August 22, 2019; no commercial or business activities are allowed; no running water is allowed; single phase electric service only; no spot lights or storage of combustible materials are allowed was made by Mr. Brown and seconded by Ms. Mellen. The motion carried 3-0-0.

## **Minutes**

The Board reviewed the minutes of June 20, 2019.

A motion to approve the minutes of June 20, 2019 as amended was made by Ms. Mellen and seconded by Ms. Brue. The motion carried 5-0-0.

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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Kim Mellen, Clerk