



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

**Foxborough Zoning Board of Appeals Minutes  
September 19, 2019**

Members present: Members Barney Ovrut, Kim Mellen and David Brown, Associate Member Kurt Yeghian and Lorraine Brue (at 7:20 p.m.)

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. Continued Public Hearing - Christopher Retos requesting Special Permits 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 detached 2 story, 37.6-foot x 20-foot residential garage with a footprint of 1564 square feet and Section 3.2.2. for a Special Permit to allow a Certified Public Accountant office as a home occupation in the detached garage. The property is located at 41 Mechanic Street, Foxborough, Massachusetts in an R-15 Residential and Agricultural District and is not located in any restrictive overlay district.** Vice Chairman Brown read the notice for this hearing that was continued from June as Mr. Ovrut was not present at that meeting. The applicant was not present for this meeting this evening and no additional information has been provided to the Board since the first hearing in June. Building Commissioner Nick Riccio stated that he had spoken to Mr. Retos on at least two occasions asking for additional information in advance of this meeting.

A motion to deny the Special Permit and Home Occupation request at 41 Mechanic Street due to the failure to provide sufficient information in a timely manner and failure to appear at the hearing this evening was made by Mr. Yeghian and seconded by Ms. Mellen. The motion carried 3-0-0.

Mr. Ovrut resumed the Chair.

**ZBA Comprehensive Permit Case #15-11 - Highland Ridge – 144 Main Street - Modification Request** The Board met with landowner Joe Lynch in regards to a request for a modification to Comprehensive Permit #15-11. Correspondence has also been received from Atty. Jeff Lovely in regards to this request, Mr. Ovrut read the letter into the record. Mr. Lynch would like to change the condition requiring a split rail fencing along the Main Street property line. A couple is interested in purchasing the home on Lot 1 but would like to have a six foot vinyl fence instead of the split rail. The fence will be owned and maintained by the owner of Lot 1 and will match fencing elsewhere on the site.

The Board needs to determine whether this request is a substantial or insubstantial change and whether or not they would like to grant the request. After discussion, the Board feels this is a reasonable request and not a substantial change.

A motion to deem the request to change the style of fencing from split rail to a six foot vinyl fence at the Highland Ridge project on Main Street as an insubstantial change and to grant the requested change was made by Mr. Brown and seconded by Ms. Mellen. The motion carried 3-0-0.

**Minutes**

The Board reviewed the minutes of July 18, 2019.

A motion to approve the minutes of July 18, 2019 was made by Ms. Brue and seconded by Ms. Mellen. The motion carried 5-0-0.

The meeting was adjourned at 7:25 p.m.

Respectfully Submitted,

Diana Gray

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Signed on behalf of the Board

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Kim Mellen, Clerk