

#21Z-3A

Jeffrey M. Lovely, Esq.
Counselor At Law
6 Railroad Ave.
Foxboro MA 02035
lovelylaw3000@gmail.com

508 698 3000

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2021 APR 28 A 11: 56
FOXBOROUGH, MA 02035
Fax 508 543 0798

HAND DELIVERED

April 28, 2021

Foxborough Zoning Board of Appeals
30 South Street
Foxboro MA 02035

Re: 44 Green Street Foxboro MA 02035 Deed Reference: Norfolk Deeds Book 32661 Page
460; Assessors Map 170 Parcel 31

Application for Modification of Special Permit 21-03; Section 3.2, Accessory Uses;
Table 3.1(L)(5)

Dear Board:

Please find, submitted herewith, filing fee (\$150) and 8 of each of the following:

1. Completed application (for modification of the referenced special permit; Case No. 21-03);
2. Copy of special permit 21-03 (exhibits omitted);
3. Elevations for proposed garage;
4. Statement in support;
5. Two neighbor letters in support; and.
6. Abutter's list
7. Assessor's map 170;
8. Original site plan
9. Revised site plan

Thank you.

Very truly yours,
Jeffrey M. Lovely, Esq.

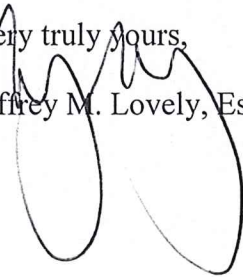


Exhibit 1

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#217-3M

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FOXBOROUGH, MA 02035



BOARD OF APPEALS
TOWN OF FOXBOROUGH

40 SOUTH STREET
MASSACHUSETTS
02035

APPLICATION FOR BOARD OF APPEALS HEARING

Name of Applicant: Mark S. Longa, Trustee Tel # 508 922 5829
Mailing Address: 412 Mansfield Street N.Attleboro MA 02760 Email: longa6661@outlook.com
Location of Property Subject of the Hearing: 44 Green Street
Assessors Map #: 170 Parcel #: 031 Zoning District: R-40
Is the property located in any zoning overlay district? No Yes If yes, please identify
overlay district _____
Owner of Subject Property (if different than applicant): _____
Address of Owner (if different than applicant's address): N/A
Were previous decisions rendered on the subject property?: No Yes . If yes, please
Provide copy of decision(s).

***NATURE OF APPLICATION (complete appropriate hearing request):**

1. Request for a **SPECIAL PERMIT** under Section _____ of the Zoning By-Laws to allow _____


2. Request for a **VARIANCE** from Section _____ of the Zoning By-Laws to allow _____

3. An **ADMINISTRATIVE APPEAL** in accordance with Section 10.2.2 of the Zoning By-Laws (explain): _____

4. **OTHER** (i.e. Comprehensive Permit, Finding or Sign Bylaw - Chapter 213 Signs)
Explain: Modification of Special Permit Case No. 21-03

*If necessary, attach additional description page(s).

I, Mark S. Longa, Trustee as applicant, hereby request a hearing before the Foxborough Zoning Board of Appeals as referenced in the above application.

Applicant's Signature:  Mark S Longa Trustee Date: _____
4/27/2021 4:02:56 PM EDT

***If applicant is other than owner of subject property, owner must sign authorization below.**

I, _____ as owner of subject property, hereby authorize the applicant, _____, to act on matters before the Foxborough Zoning Board of Appeals as referenced in the above application.

Subject Property Owner's Signature:  Mark S Longa Trustee Date: _____
4/27/2021 4:03:02 PM EDT

Official Use Only

Tax Collector's Release

The above referenced applicant is applying for a permit from the Zoning Board of Appeals and is in good standing with respect to any taxes, fees, assessments, betterments or other municipal charges as recorded with the Treasurer's Office.

Tax Collector or Agent's Signature:  Date: 4/28/21

Town Clerk Receipt

The above referenced application has been received and recorded with the Town Clerk.

Town Clerk or Agent's Signature:  Date: 4-28-21

INSTRUCTIONS FOR APPLICATION FILING: INCLUDE EIGHT (8) COPIES EACH.

1. Completed application with all signatures affixed.
2. Copy of assessor's map showing parcel subject to hearing.
3. Plot Plan, certified by land surveyor or civil engineer showing proposed work (Mortgage survey plans will not be accepted).
4. Construction plans showing building elevations with dimensions (if applicable).
5. If an administrative appeal, include denial letter or zoning determination from the Building Commissioner or other Town Official (if applicable).
6. Abutter's List (within 300 feet of subject property), certified by the Town Assessor.
7. Any additional documentation relevant to the hearing.
8. Appropriate fees (See Fee Schedule)

FILING AND ADVERTISING FEES

(a) A filing fee shall be made payable to the "Town of Foxborough" as follows:

Application Type	Filing Fee*
(i) Single and Two-Family Special Permits (including home occupations), Variances and Findings	\$150
(ii) Multi-Family Special Permits, Variances and Findings	\$200 plus \$75 for each unit in excess of 2
(iii) Non-Residential Special Permits, Variances and Findings	\$300
(iv) Signs	\$200
(v) Appeals of Building Commissioner/ Zoning Enforcement Officer	\$150
(vi) Comprehensive Permits	As determined in accordance with Section 5.03 of the Foxborough Zoning Board of Appeals Rules and Regulations

** Each request within an application is subject to and requires payment of the filing fee that is applicable thereto. For example, an application requesting both a special permit and a variance for a non-residential use would require payment of a \$600 filing fee.*

(b) An advertising fee shall be made payable directly to The Sun Chronicle (or such other locally-distributed newspaper in which the Board designates the required hearing notice to be advertised) in such amount as is required thereby.

Exhibit 2

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2021 APR 28 A 11: 57

FOXBOROUGH, MA 02035



BOARD OF APPEALS
TOWN OF FOXBOROUGH
 40 SOUTH STREET
 MASSACHUSETTS
 02035

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2021 MAR 29 P 2:19

FOXBOROUGH, MA 02035

Record and Decision

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 2021 APR 28 A 11:57
 FOXBOROUGH, MA 02035

March 2021

Case No. 21-03

Name of Applicant:

Mark S. Longa, Trustee

Nature of Application:

Request for 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 residential garage with a footprint in excess of 625 square feet and a height that may exceed 1-½ stories. The subject property is located at 44 Green Street, Foxborough, Massachusetts, in the R-40 Residential and Agricultural District. It is not in any restrictive overlay district.

A public hearing on the referenced Application was held by the Foxborough Zoning Board of Appeals (the "Board") at 7:00 pm on Thursday, March 18, 2021, after notification by publication in *The Foxboro Reporter*, by posting on the Notice Bulletin Board in the Foxborough Town Hall, and by mailing to all parties in interest (as defined by G.L. Chapter 40A, Section 11), all as required by law. The hearing was conducted remotely by "Zoom" in accordance with the Commonwealth of Massachusetts Executive Order of March 12, 2020 suspending certain provisions of the state's Open Meeting Law and subsequent orders imposing limits on the number of individuals permitted to gather in a single location. Members of the Board present and acting on the Application throughout were:

Barnett D. Ovrut, Chairman
 David J. Brown, Member
 Kimberly A. Mellen, Member.

This Application concerns the request of Applicant Mark S. Longa for a Special Permit pursuant to the *Code of the Town of Foxborough, Massachusetts, Chapter 275: Zoning* (the "Zoning Bylaw"), Section 3.1.6., Table 3-1 Table of Uses, Use L.5, to construct a detached residential garage (the "Proposed Garage") with a footprint in excess of 625 square feet and a height that may exceed 1-½ stories on the property that is situated at 44 Green Street, Foxborough,

Massachusetts (the "Subject Property"). The Subject Property is located in the R-40 Residential and Agricultural District. It is not situated in any restrictive overlay district. The Subject Property is held in trust with Mr. Longa as trustee, and serves as the residence of his mother, June Longa.

Mr. Longa appeared before the Board at the hearing with his attorney, Jeffrey M. Lovely. Mr. Lovely stated both at the hearing and in a letter to the Board that was submitted as part of the Application that the Proposed Garage will be used to garage antique motor vehicles and to store yard equipment, swimming pool equipment, household items and other personal property. He further indicated that it will serve as the location at which Mr. Longa and his brothers service family-owned motor vehicles. Mr. Longa stated in response to inquiries from the Board that such work would constitute normal motor vehicle maintenance involving the use of general automotive tools, though welding and the use of acetyline torches would be performed as necessary.

The Proposed Garage will be constructed in accordance with plans prepared by DIY Pole Barns & Supplies and certified by Joseph P. Bleehash, Registered Architect (the "Proposed Garage Plans"), a copy of which is attached to this Decision and incorporated herein by reference as Attachment A. The interior of the Proposed Garage will 32-feet wide x 30-feet long, thus having a footprint of 960 square feet. An 8-foot wide "farmer's porch" will run the length of the structure on each of its sides, thus adding an additional 480 square feet to the Proposed Garage's footprint. Accordingly, the total footprint of the structure will be 1,440 square feet in area. Though the exterior of the structure will be metal siding, it is designed to give the appearance of wood planking. Notwithstanding the fact that the Proposed Garage Plans reflect the structure's color to be red, Mr. Longa noted that no decision had been made in this respect and that there would be no issue or concern with a requirement that the color of the Proposed Garage be the same as that of the existing residential structure.

As noted by Mr. Lovely and as reflected in the Proposed Garage Plans, the structure is designed to resemble a barn. Though it will have the external appearance of being a two-story building, Mr. Lovely stated that the Proposed Garage will consist only of the garage floor with no second level or access to any such level. He indicated in this respect that the roof of the Proposed Garage will be framed with trusses, with the structure's upper space to be open and thus not usable for storage or other purposes. Noting in his letter to the Board that *Zoning Bylaw* Section 11.1 defines the term "story" as being "[t]he portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above," Mr. Lovely contended there and at the hearing that the Proposed Garage should be viewed as a one-story structure. He further noted in this respect that the height of the Proposed Garage would be approximately 12 feet from the top of the structure's floor to the bottom of the roof trusses, with the entire building to be approximately 20.4 feet in height above grade.

The intended location of the Proposed Garage on the Subject Property is shown on a certified plot plan prepared by Bay Colony Group, Inc. and entitled ZONING BOARD OF APPEALS PLAN OF LAND FOR 44 GREEN STREET FOXBOROUGH, MA. (the "Subject Property Plot Plan"). A copy of the Subject Property Plan is attached to this Decision and incorporated herein by reference as Attachment B. As reflected in the Subject Property Plan, the Proposed Garage

will be located on the back portion of the Subject Property, situated 56 feet to the rear of the existing residential structure. The Proposed Garage will comply with the dimensional requirements for accessory structures that are set forth in *Zoning Bylaw* Section 4.2.1. as it will occupy less than 25% of the Subject Property's rear yard, and with the requirements of *Zoning Bylaw* Section 4.2.6. that a detached residential garage must be situated at least 15 feet from the pertinent property's side yard line and 30 feet from its rear yard line.¹ Access to the Proposed Garage will be by means of a paved driveway to the east of the existing dwelling, with a paved parking area situated in front of the proposed new structure.

No person appeared at the hearing either in favor of or in opposition to the Application. Support for the Proposed Garage was expressed in letters from Martin and Marie Briggs, direct abutters to the Subject Property residing at 42 Green Street,² and Donna and Garrick Richardson, nearby neighbors residing at 59 Grove Street, each of which was read into the record of the hearing and expressed the "hope" that the Board would authorize construction of the Proposed Garage.

Residential garages that exceed 1-½ stories in height or that have a footprint that is greater than 625 square feet are authorized by means of a Special Permit granted by the Board in accordance with *Zoning Bylaw* Section 3.1., Table of Uses, Use L.5. A Special Permit is required for the Proposed Garage because its footprint of 1,440 square feet when including the proposed "farmer's porches" greatly exceeds the 625 square foot threshold. The requirement of a Special Permit also would apply if, in fact, the Proposed Garage would be greater than 1-½ stories in height. Though the Application requested Special Permit both for the size of the Proposed Garage (i.e., for its footprint being in excess of 625 square feet) and for the number of the structure's stories (i.e., if the Board were to determine that the Proposed Garage exceeds 1-½ stories in height), the Board noted that because the Proposed Garage's footprint will exceed 625 square feet that fact alone conditions its construction on the granting of a Special Permit. Because the Board does not grant separate Special Permits for garages that exceed both the footprint and story criteria of Use L.5., the Board stated that there was no need to determine the number of stories presented by the Proposed Garage.

Section 10.4.1. of the *Zoning Bylaw* authorizes the Board to grant a Special Permit after consideration of the criteria that are set forth in Section 10.4.2. by means of a written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the Town of Foxborough or the neighborhood in view of the particular characteristics of the site and of the proposal in relation to that site. Factors that the Board is to consider in connection with this determination include the following:

1. Community needs served by the proposal;
2. Traffic flow and safety, including parking and loading;

¹ Mr. Lovely in his letter to the Board estimated the Subject Property's rear yard to be approximately 24,766 square feet in area. The 1,440 square feet of the Proposed Garage and the 217 square feet of an existing shed that also is located to the rear of the residential structure occupy in the aggregate approximately 7% of the Subject Property's rear yard.

As reflected in the Subject Property Plan, the Proposed Garage will be 28 feet and 74 feet from its respective side yard lines, and 98.5 feet from its rear yard line.

² Mr. and Mrs. Briggs also own the abutting property that is situated at 46 Green Street. This property has not been developed.

3. Adequacy of utilities and other public services;
4. Neighborhood character and social structures;
5. Impact on the natural environment; and
6. Potential economic and fiscal impact to the Town of Foxborough, including impact on Town services, tax base, and employment.

The Board traditionally has taken a cautious position concerning detached garages that are greater than 1-½ stories in height and/or that have a footprint exceeding 625 square feet. In this respect, concerns relating to large, multiple structures on a single lot and the possibility of “oversized” garages being used for business purposes or for additional housing purposes typically have been the basis for such attitude with respect to requests of this nature. Though the Proposed Garage is significant in size, the statements of Messrs. Lovely and Longa as to the structure’s intended use and design indicates that it does not present the potential for being used for commercial or residential purposes. By imposing appropriate conditions the Board will, moreover, be able to protect against adverse use of the structure. The Board accordingly is of the opinion that any adverse effects of having a structure of this nature and size on the Subject Property will not outweigh its beneficial impact to the Town of Foxborough or the neighborhood in which the Subject Property is located. This determination is based on satisfaction of the criteria for a Special Permit that are set forth in Section 10.4.2. of the *Zoning Bylaw*, as follows:

- Because the Proposed Garage will be privately-owned and will serve the purposes of its owners, it will not affect any specific community needs.
- The Proposed Garage will not present any traffic or safety issues, and will have no perceived impact on the natural environment (other than the necessary removal of some trees and construction of a paved driveway to provide access to the structure). It will have some benefit to the Town of Foxborough from an economic or fiscal perspective as it will result in an increase – small though it may be – to the Subject Property’s tax assessment.
- As the Subject Property currently is adequately served by utilities and public services, the Proposed Garage will not impose the need for any additional requirements of this nature.
- Construction and ultimate use of the Proposed Garage will have no effect on the character or social structure of the neighborhood in which the Subject Property is situated, as the premises will continue as the site of a single-family residence.
- In view of the size of the Subject Property³, the fact that the Proposed Garage will be located in the rear yard of the premises some 56 feet in back of the existing residential structure (and thus largely not visible from Green Street), the Proposed Garage will not be detrimental to the character of the neighborhood in which the Subject Property is situated.

Based on the above, the Board voted unanimously (3-0) on motion duly made and seconded to grant the requested Special Permit subject to the following conditions:

1. The Proposed Garage shall be a detached structure with a footprint that shall not exceed 1,440 square feet. The interior of the Proposed Garage shall not exceed 32-feet in width and 30-feet in length, with exterior porches as shown on the Proposed Garage Plans that

³ The Subject Property is 42.031± square feet in area.

shall not exceed 8 feet in width and that run the length of each side of the structure. The height of the Proposed Garage shall not exceed 20.4 feet above grade.

2. The construction and design of the Proposed Garage shall be in accordance with the Proposed Garage Plans.
3. The Proposed Garage shall be situated on the Subject Property as set forth in the Subject Property Plan.
4. The Proposed Garage shall be constructed of exterior materials that are of a comparable type and color as the exterior materials with which the existing residential structure is constructed.⁴
5. The Proposed Garage shall be used solely to garage motor vehicles, store personal property, and serve as the location in which normal maintenance work may be performed on motor vehicles that are owned by members of the Longa family.
6. The Proposed Garage shall not be used for any business or commercial activities, and shall not be used for residential dwelling purposes.⁵
7. Running water to and within the Proposed Garage is prohibited.
8. Electricity service within the Proposed Garage shall be restricted to single-phase electric service.
9. Spot lights on the Proposed Garage and pole lights on the Subject Property that lead to or are outside the Proposed Garage are prohibited.
10. Storage of combustible or hazardous materials within or outside the Proposed Garage, including gasoline and used motor oil in excess of five gallons, is prohibited.
11. The interior of the Proposed Garage shall be open and shall not include a second floor.

This Decision shall be of no effect until recorded in the Norfolk County Registry of Deeds after certification by the Foxborough Town Clerk as required by G.L. Chapter 40A, Section 11. Any appeals from this Decision shall be made pursuant to G.L. Chapter 40A, Section 17, and shall be filed within twenty (20) days after the date on which this Decision has been filed with the Foxborough Town Clerk.

The foregoing is a true copy of Decision No. 21-03 issued by the Board of Appeals of Foxborough, Massachusetts. Original counterpart copies of this Decision have been filed with the Foxborough Town Clerk and the Foxborough Planning Board.

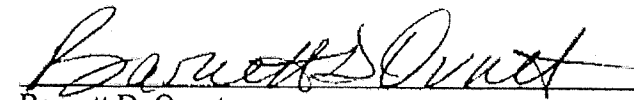
[Remainder of Page Intentionally Left Blank. Next Page is Signature Page.]

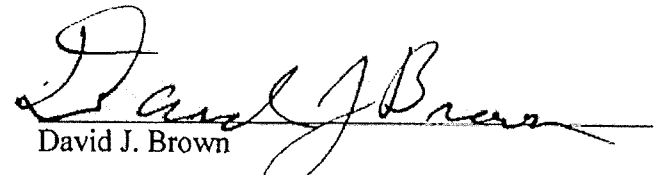
⁴ This condition is consistent with Note 8 of *Zoning Bylaw* Section 3.1.7., Notes to Table of Use Regulations, which provides that " Unless otherwise authorized by the special permit granting authority, the architectural design of an accessory structure, and the type and color of the external materials used in its construction, shall be comparable to that of the principal structure to which it is incidental and subordinate."


⁵ Prohibiting the Proposed Garage from being used for residential dwelling purposes is consistent with the fact that Section 4.1.4. of the *Zoning Bylaw* prohibits more than one residential structure on any lot.

**FOXBOROUGH ZONING BOARD
OF APPEALS**

Dated: 3/26/2021


Barnett D. Ovrut


David J. Brown


Kimberly A. Mellen

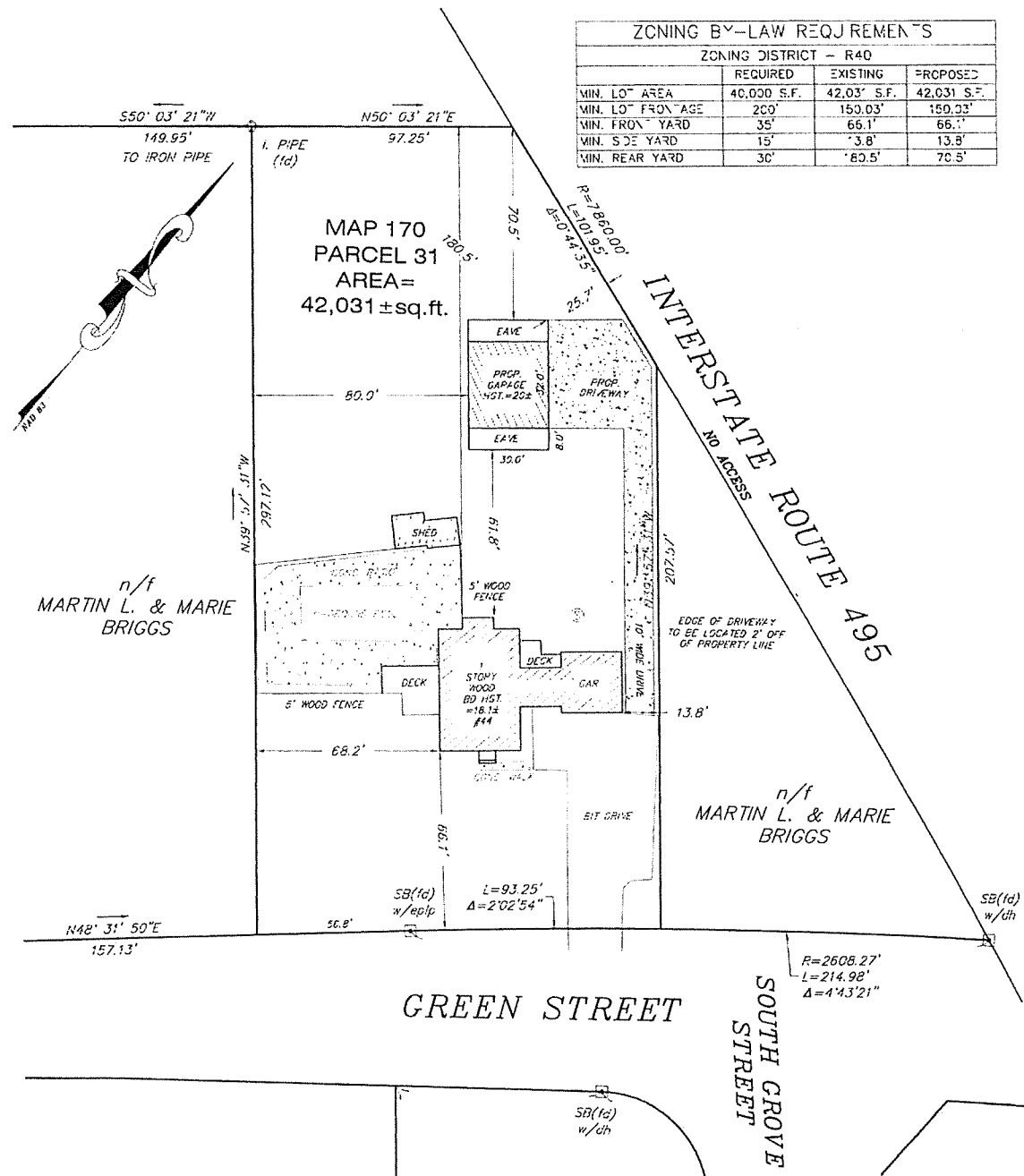
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FOXBOROUGH, MA 02035

PREPARED FOR: ARTHUR LONGA
44 GREEN STREET
FOXBOROUGH, MA 02035



Bay Colony Group, Inc.
Professional Civil Engineers &
Professional Land Surveyors

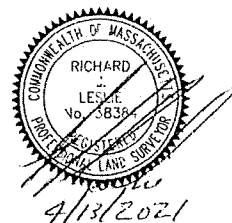
ZONING BY-LAW REQUIREMENTS			
ZONING DISTRICT - R40			
	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	40,000 S.F.	42,031 S.F.	42,031 S.F.
MIN. LOT FRONTAGE	200'	150.03'	150.33'
MIN. FRONT YARD	35'	66.1'	66.1'
MIN. SIDE YARD	15'	3.8'	13.8'
MIN. REAR YARD	30'	80.5'	70.5'



ZONING BOARD OF APPEALS
PLAN OF LAND FOR
44 GREEN STREET
FOXBOROUGH, MA

APRIL 12, 2021 SCALE: 1"=40'

BAY COLONY GROUP, INC.
PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS
FOUR SCHOOL STREET, P.O. BOX 9136
FOXBOROUGH, MA 02035
(508) 543-3939



I hereby certify to the above named Client that to the best of my professional knowledge, information, and belief that the dwelling is located on the ground as shown hereon.

Exhibit 3

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FOXBOROUGH, MA 02035

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FOXBOROUGH, MA 02035

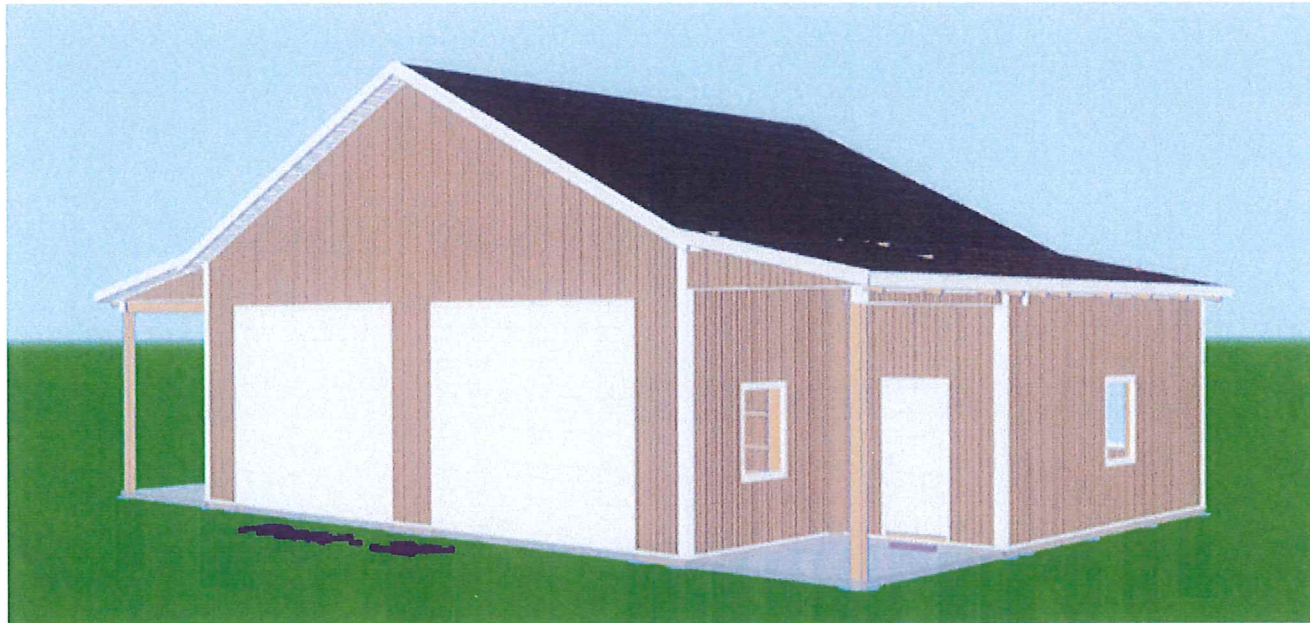








Exhibit 4

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FOXBOROUGH, MA 02035

508 698 3000

Jeffrey M. Lovely, Esq.
Counselor At Law
6 Railroad Ave.
Foxboro MA 02035
lovelylaw3000@gmail.com Fax 508 543 0798

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2021 APR 28 A 11: 58

FOXBOROUGH, MA 02035

HAND DELIVERY

April 28, 2021

Foxborough Zoning Board of Appeals
30 South Street
Foxboro MA 02035

Re: 44 Green Street, Foxboro MA 02035
Special Permit 21-03

Dear Board:

Please consider the following statement in support of the application, filed herewith, to modify the Board's special permit in Case No. 21-03. The project involves construction of an accessory garage at 44 Green Street (the "Property.")

The purpose of the modification is to relocate and rotate the building as shown on the revised site plan filed herewith. The revised plan rotates the building so that the longer side and garage doors face Rte. 495, while the shorter side faces the rear of the existing home at 44 Green Street.

The proposed modified location increases the distance from the garage to the house by 5.8 feet from 56 to 61.8 feet, increases the westerly setback from 74 to 80 feet, and reduces the northerly setback from 98.5 to 70.5 feet and the easterly setback from 28 to 25.7 feet. All setbacks exceed required zoning setbacks.

In addition, during the final planning stages for the building itself, my clients realized that they had excess porch space on the northerly side of the building and therefore seek to convert a portion of the northerly porch to an entryway to the garage. Those changes are shown on the plans submitted herewith. A dimensioned drawing will be submitted prior to the hearing. The proposed change does not increase the total footprint, which remains 1440 s.f.

"Problems Solved and Avoided"

The plans also show, as required by the Special Permit and our zoning bylaw, that the garage colors and materials will match the existing house.

We believe that the requested modifications are in no way detrimental to the neighborhood or the Town of Foxboro and improve the project by expanding the back yard, containing activity in the "495" side of the lot, and allowing my clients to save two large trees that would have needed to be cut for the original plan.

Access to the garage will be via a paved driveway to the east of the existing home; additional paved parking will be located in front of (to the east) the garage. The driveway and parking areas were not shown on the original plan but are shown on the revised "modification" plan.

Note that, although not shown on the revised plan, my clients request that they be permitted to add a small paved radius where the narrow driveway meets the parking area, to make it easier to turn into the parking area and garage.

Further, for the avoidance of doubt, my clients request that the height limitation/condition (worded in the original Special Permit as "shall not exceed 20.4 feet above grade") be reworded as "not to exceed 21 feet above the top of the garage floor slab." The purpose of the requested modification is to avoid an inadvertent violation if the grade of the ground surrounding the building varies, and to give a small amount of leeway in terms of actual height.

As with the original Special Permit, we believe that the proposal is on balance beneficial, not detrimental, to the neighborhood and therefore we respectfully request that the special permit be granted.

In summary, applicants respectfully request the following amendments to the Special Permit (Case No. 21-3):

1. That the garage be located and oriented as shown on the revised site plan;
2. That the garage be constructed as shown on the revised plans
3. That the paved areas shown on the revised site plan be constructed as shown, together with a small radius to round the corner between the narrow driveway and the expanded parking area;
4. That the height limitation be amended so that the height shall not exceed 21 feet above the top of the garage floor slab.

Thank you.

Very truly yours,
Jeffrey M. Lovely, Esq.

Cc: Longa Family
Enc.

Exhibit 5

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FOXBOROUGH, MA 02035

Dear Zoning Board committee,

We have seen the revised plot plan of the Longa's barn and approve this modification.

Thank you,

Marty and Maria Briggs

*Marty & Maria
Briggs*

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FOXBOROUGH, MA 02035

Dear Zoning Board committee,

We have seen the revised plot plan of the Longa's barn and approve this modification.

Thank you

Gary and Donna Richardson

Donna Richardson
Gary Richardson

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Exhibit 6

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BOARD OF ASSESSORS

FEB 18 2021

TOWN OF FOXBOROUGH

2021 APR 28 10 59 AM
BOARD OF ASSESSORS
TOWN OF FOXBOROUGH
FOXBOROUGH, MA 02035
40 SOUTH STREET
FOXBOROUGH MASSACHUSETTS 02035

(508) 543-1215

Fax: (508) 543-6278

CERTIFICATION OF ABUTTERS

PROPERTY OWNER: MARK S. LUNGA, Trustee
MAILING ADDRESS: % JEFFREY M. LOVELY, ESQ. PO BOX 510 FOXBOROUGH MA
PROPERTY LOCATION: 44 GREEN ST. 02035
ASSESSORS MAP/PARCEL: 170/031
APPLICANT: MARK S LUNGA, Trustee PHONE: 508 922 5829
AUTHORITY REQUESTING LIST: Foxboro ZBA
DATE SUBMITTED: _____
LIST REQUESTED: 500 FT 300 FT 100FT ABUTTER TO ABUTTER

I, HARVEY SIMONDS Assessor, acting as a custodian of assessment records, do hereby certify that the attached documents contain true and complete information from the most recent tax list of the Town of Foxborough, Massachusetts.

I further state that these documents include the names and addresses of abutters to the abutters MAP 170 PARCEL 31

Date: Feb. 19, 2021

BOARD OF ASSESSORS
FOXBOROUGH MASSACHUSETTS

Massachusetts General Law c. 40A, s.11, "The assessors maintaining any applicable tax list shall certify to the permit granting authority or special permit granting authority the names and addresses of parties in interest and such certification shall be conclusive for all purposes."

The Assessors Office will complete the abutters list within 7-10 business days. There is a \$25.00 fee for an abutters list.

"The applicant is solely responsible for requesting the appropriate abutters list required by the applicable Mass General Law."

PLS. CALL JEFF LOVELY 508 698 3000 / lovely.law.3000@gmail.com
WHEN AVAILABLE

**Abutting Properties for
44 GREEN STREET FOXBOROUGH, MA
170 / / 031/000 000/000
(300 feet)**

Date: 02/19/2021 Location:

.....
176 / / 103/000 000/000
1 KING PHILIP PLACE
Owner:
FOXBORO GABLES LLC
C/O JOHN MCCARTHY
38 GREEN STREET
FOXBOROUGH, MA 02035

Location:
170 / / 030/000 000/000
42 GREEN STREET
Owner:
BRIGGS MARTIN L & MARIE TE
42 GREEN STREET
FOXBOROUGH, MA 02035

Location:
170 / / 032/000 000/000
46 GREEN STREET
Owner:
BRIGGS MARTIN L & MARIE TE
42 GREEN STREET
FOXBOROUGH, MA 02035

Location:
170 / / 024/000 000/000
45 GREEN STREET
Owner:
FED CAP INC
C/O JULIUS NOSA & DORIS OMUEMU
45 GREEN STREET
FOXBOROUGH, MA 02035

Location:
176 / / 027/000 000/000
43 GREEN STREET
Owner:
HEYDECKER CHRISTIAN R &
MARGARET A TE
43 GREEN STREET
FOXBORO, MA 02035

Location:
170 / / 029/000 000/000
5 KING PHILIP PLACE
Owner:
OSSENFORT SHANNON B & MONTI A
C/O ELIOT AND REGAN WOLF
5 KING PHILIP PLACE
FOXBORO, MA 02035

**Abutting Properties for
44 GREEN STREET FOXBOROUGH, MA
170 / 031/000 000/000
(300 feet)**

Date: 02/19/2021 Location:

.....
176 / 103/000 000/000
1 KING PHILIP PLACE
Owner:
FOXBORO GABLES LLC
C/O JOHN MCCARTHY
38 GREEN STREET
FOXBOROUGH, MA 02035

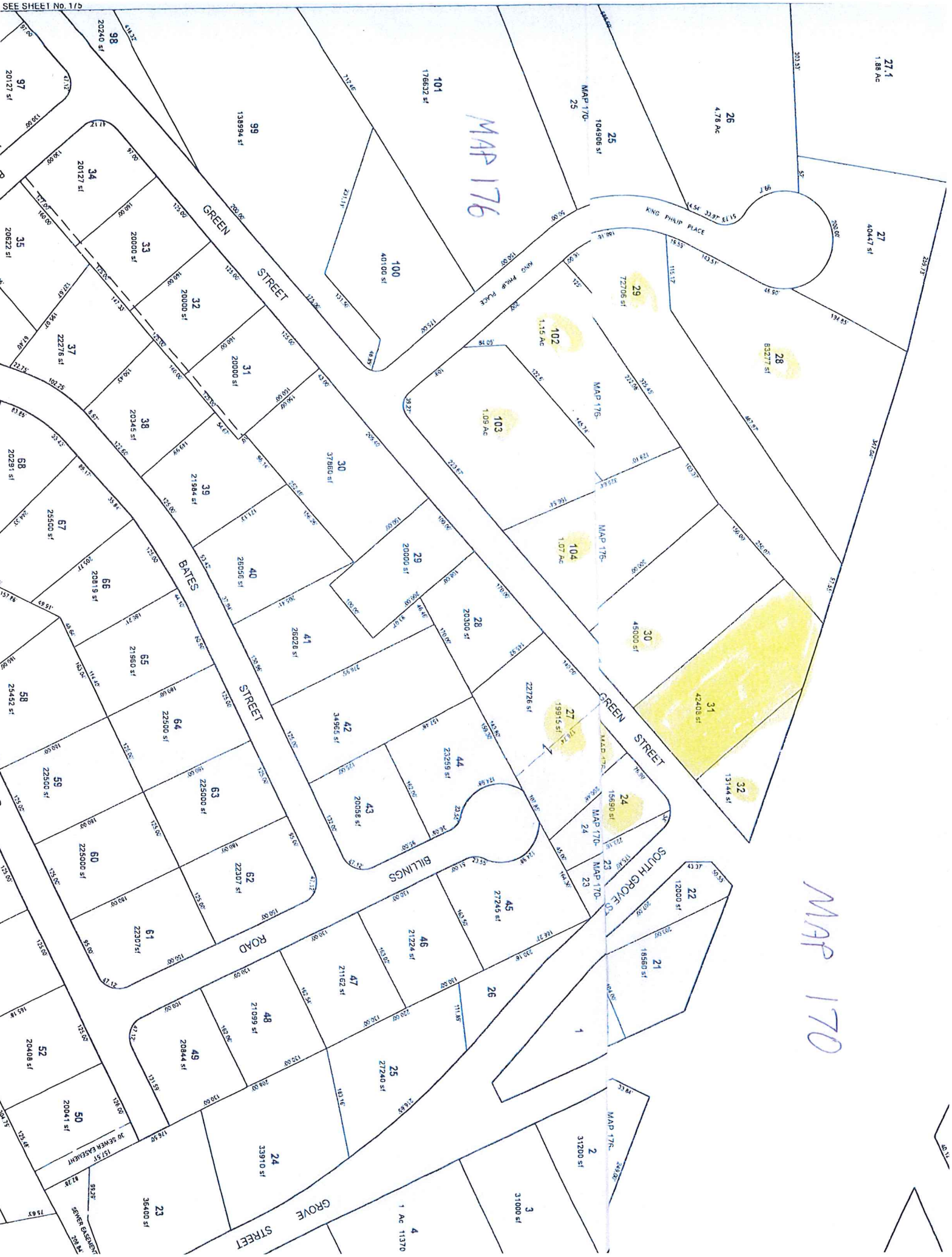
Location:
170 / 030/000 000/000
42 GREEN STREET
Owner:
BRIGGS MARTIN L & MARIE TE
42 GREEN STREET
FOXBOROUGH, MA 02035

Location:
170 / 032/000 000/000
46 GREEN STREET
Owner:
BRIGGS MARTIN L & MARIE TE
42 GREEN STREET
FOXBOROUGH, MA 02035

Location:
170 / 024/000 000/000
45 GREEN STREET
Owner:
FED CAP INC
C/O JULIUS NOSA & DORIS OMUEMU
45 GREEN STREET
FOXBOROUGH, MA 02035

Location:
176 / 027/000 000/000
43 GREEN STREET
Owner:
HEYDECKER CHRISTIAN R &
MARGARET A TE
43 GREEN STREET
FOXBORO, MA 02035

Location:
170 / 029/000 000/000
5 KING PHILIP PLACE
Owner:
OSSENFORT SHANNON B & MONTI A
C/O ELIOT AND REGAN WOLF
5 KING PHILIP PLACE
FOXBORO, MA 02035

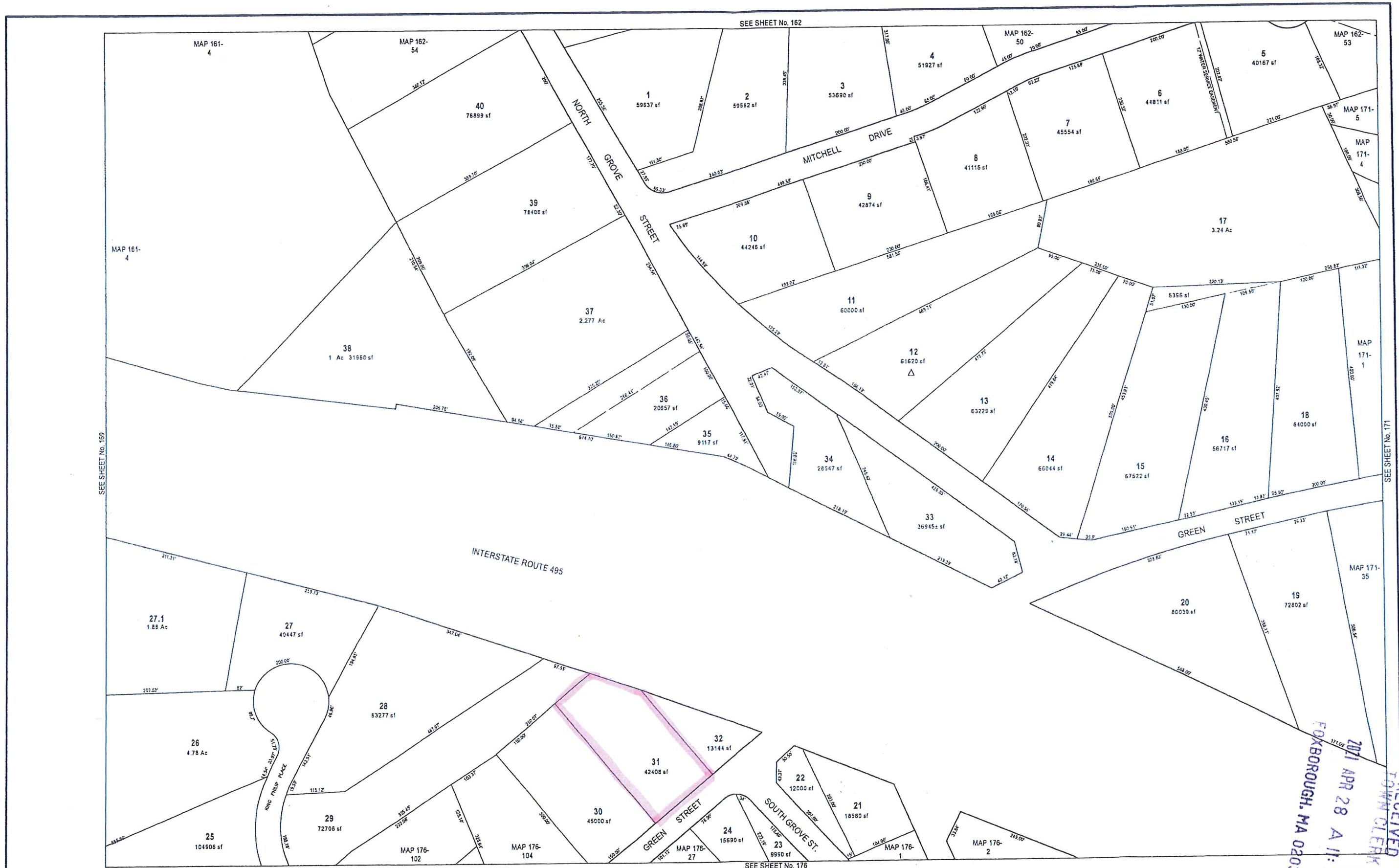


MAP 176

MAP 170



Exhibit 7



THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.

THE HORIZONTAL DATUM IS THE MASSACHUSETTS STATE PLANE COORDINATE SYSTEM, NAD 83.

ORIGINAL MAPS PREPARED BY SOUTH SHORE DRAFTING SERVICE.

REVISED & REPRINTED BY

CAI Technologies
Precision Mapping. Operational Intelligence.
11 Pleasant Street, Littleton, NH 03581
800.322.4540 - www.cai-tech.com

LEGEND

PARCEL AREA Ac / sf
 RECORD DIVISION 100'
 SCALED DIMENSION 100%
 MATCHLINE SEE SHEET No. 61
 WATER -W-

PARCEL NUMBER 5
 RIGHT OF WAY/ACCESS 800'
 COMMON OWNERSHIP OR
 WETLANDS [Symbol]

SCALE: 1" = 80'

REVISOR TO: JANUARY 1, 2019

PROPERTY MAPS

FOXBOROUGH

MASSACHUSETTS

INDEX DIAGRAM

161	162	163
166	167	171
175	176	177

MAP NO. **170**

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FOXBOROUGH, MA 02035

Exhibit 8

RECEIVED
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2021 APR 28 A 11:59

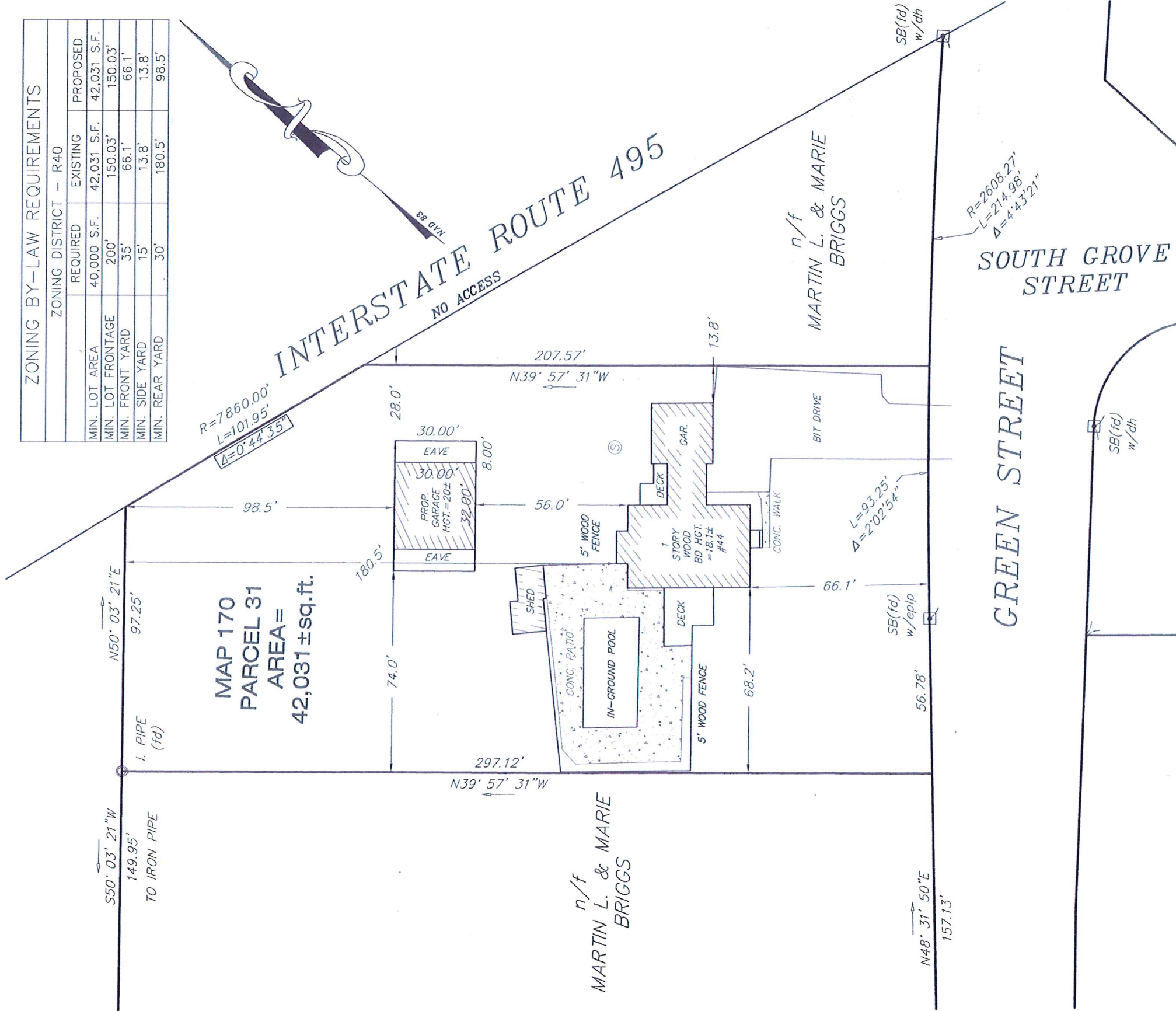
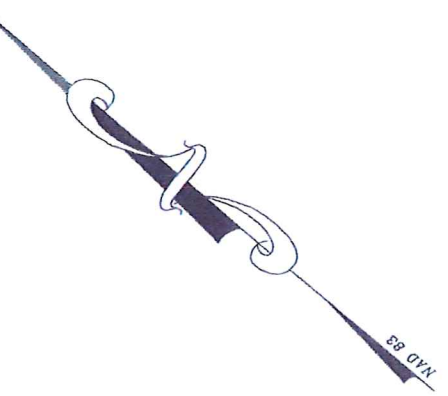
FOXBOROUGH, MA 02035

PREPARED FOR: ARTHUR LONGA
44 GREEN STREET
FOXBOROUGH, MA 02035



Bay Colony Group, Inc.
Professional Civil Engineers &
Professional Land Surveyors

ZONING BY-LAW REQUIREMENTS			
ZONING DISTRICT - R40			
	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	40,000 S.F.	42,031 S.F.	42,031 S.F.
MIN. LOT FRONTAGE	200'	150.03'	150.03'
MIN. FRONT YARD	35'	66.1'	66.1'
MIN. SIDE YARD	15'	13.8'	13.8'
MIN. REAR YARD	30'	180.5'	98.5'



ZONING BOARD OF APPEALS
PLAN OF LAND FOR
44 GREEN STREET
FOXBOROUGH, MA

FEBRUARY 4, 2021 SCALE: 1"=40'

BAY COLONY GROUP, INC.
PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS
FOUR SCHOOL STREET, P.O. BOX 9136
FOXBOROUGH, MA 02035
(508) 543-3939



I hereby certify to the above named Client that to the best of my professional knowledge, information, and belief that the dwelling is located on the ground as shown hereon.

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2021 APR 28 A 1:59
FOXBOROUGH, MA 02035

21-ZBA

Exhibit 9

RECEIVED
TOWN CLERK

2021 APR 28 A 11:59

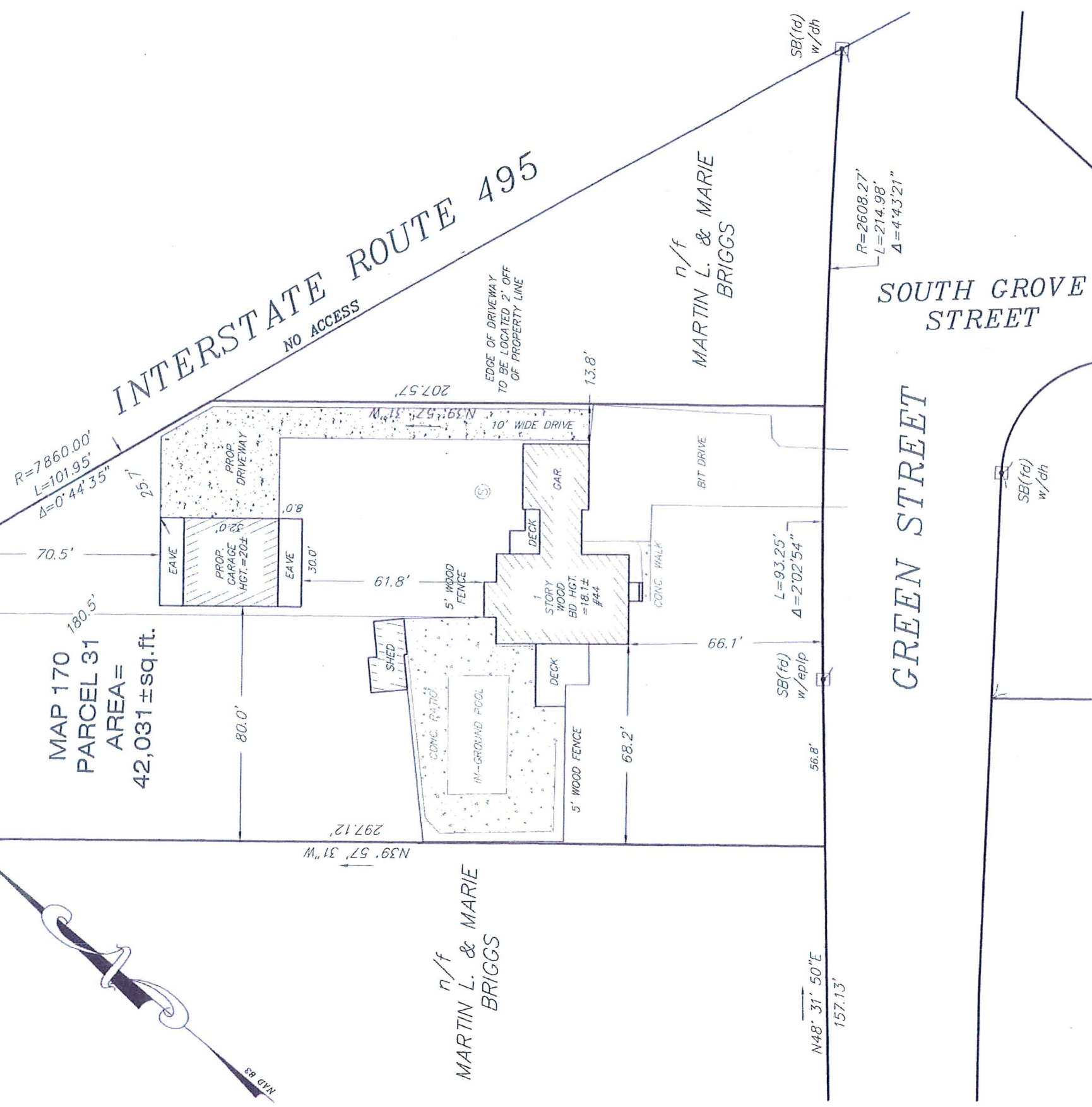
FOXBOROUGH, MA 02035

PREPARED FOR: ARTHUR LONGA
44 GREEN STREET
FOXBOROUGH, MA 02035



Bay Colony Group, Inc.
Professional Civil Engineers &
Professional Land Surveyors

ZONING BY-LAW REQUIREMENTS			
ZONING DISTRICT - R40			
	REQUIRED	EXISTING	PROPOSED
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MIN. SIDE YARD	15'	13.8'	13.8'
MIN. REAR YARD	30'	180.5'	70.5'



ZONING BOARD OF APPEALS
PLAN OF LAND FOR
44 GREEN STREET
FOXBOROUGH, MA



APRIL 12, 2021 SCALE: 1"=40'

BAY COLONY GROUP, INC.
PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS
FOUR SCHOOL STREET, P.O. BOX 9136
FOXBOROUGH, MA 02035
(508) 543-3939

RECEIVED
TOWN CLERK
2021 APR 28 A 11:59
FOXBOROUGH, MA 02035

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