



BOARD OF APPEALS
TOWN OF FOXBOROUGH
40 SOUTH STREET
MASSACHUSETTS
02035

RECEIVED
TOWN CLERK

2022 DEC 21 P 2:33

FOXBOROUGH, MA 02035

APPLICATION FOR BOARD OF APPEALS HEARING

Name of Applicant: Jeffrey A Cook Sandra E Cook Tel #: 508-698-9744
Mailing Address: 79 Spring St Email: cookstandt@gmail.com
Location of Property Subject of the Hearing: 79 Spring St
Assessors Map #: 148, Lot 044 Parcel #: 148-044 Zoning District: R40
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): Same
Address of Owner (if different than applicant's address): Same
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): See enclosed letter

4. **OTHER** (i.e. Comprehensive Permit, Finding or Sign Bylaw - Chapter 213 Signs)
Explain: _____

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

I, Jeffrey Cook Sandra Cook as applicant, hereby request a hearing before the Foxborough Zoning Board of Appeals as referenced in the above application.

Applicant's Signature: Jeffrey Cook Sandra Cook Date: 12-14-22

***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: _____ Date: _____

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: Paula Maloney Date: 12/13/22

Town Clerk Receipt

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

Town Clerk or Agent's Signature: Candice Linn Date: 12-21-22

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.

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TOWN OF FOXBOROUGH

Building Department
Scott C. Shippey, Building Commissioner
40 South Street
Foxborough, MA 02035
Telephone: (508)543-1206
www.foxboroughma.gov

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FOXBOROUGH, MA 02035

Gil Bonoan
Building Inspector

Michael T. Eisenhauer
Plumbing-Gas Inspector

Shawn P. Wills
Electrical Inspector

Kevin M. Duquette
Sealer of Weights and Measures

December 19, 2022

Jeffrey A. Cook & Sandra Cook
79 Spring Street
Foxborough, MA 02035

Delivered via email.

Subject: Unlawful storage (Junkyard)/Contractor Yard

Location: 73 Spring Street, Foxborough, MA
Assessor's Map 148, Lot 044

Dear Mr. & Mrs. Cook,

It was brought to this department's attention that the above-referenced premises is being utilized as a contractor's yard and storage of "junk", in violation of the Code of the Town of Foxborough, Massachusetts, Chapter 275: Zoning, Table 3-1 Table of Uses, Use C.9, Contractor Yard & D.4 Junkyard, Auto Graveyard. Both of these uses are prohibited in residential zoning districts in accordance with said sections of the Zoning By-Laws.

As the property owners of record you are hereby directed to immediately cease and desist the illegal activity and shall remove all construction equipment, sheds, trailers, abandoned tanks and any other materials or waste from the premise within thirty (30) days of receipt of this notice.

Failure to comply with this Order can and will be subject to a fine up to Three Hundred Dollars (\$300.00). Each day the unauthorized use continues, will constitute a new violation in accordance with Section 275-10.1.4.

Please also be aware, Section 10.1.5 of the Zoning By-Laws states: *In addition to the procedures for enforcement as described above, the provisions of these bylaws may also*

be enforced by the Building Commissioner by noncriminal complaint pursuant to the provisions of MGL c. 40, § 21D. Each day on which a violation exists shall be deemed to be a separate offense. The penalty for violation of any provision of these bylaws shall be \$50 for the first offense; \$100 for the second offense; and \$300 for the third and each subsequent offense.

You have the appellate rights pursuant to statute (M.G.L c.40A) should you wish to appeal this order.

Respectfully,


Scott Shippey

Building Commissioner/Zoning Officer
Town of Foxborough

CC: William Keegan, Town Manager
Paige Duncan, Director of Land Use and Economic Development
Matthew Brennan, Director of Public Health

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FOXBOROUGH, MA 02035

Jeffrey A. Cook
79 Spring Street
Foxboro, MA 02035
508-698-9744

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2022 DEC 21 P 2:33

FOXBOROUGH, MA 02035

12/6/2022

Town of Foxborough
Scott C Shippey, Building Commissioner
40 South Street
Foxborough, MA 02035

Subject: Unlawful Storage

Location: 73 Spring Street Foxborough MA

Dear Mr Shippey,

As owner of 73 Spring Street Foxboro, I would like to bring to your attention that the premises are not being used for a contractor's yard or junkyard.

Any equipment on site is not being used for contracting or construction, It is only being used for agricultural use and improvement of land. Agricultural activities require the use of equipment and machinery to prepare land and soil. Foxboro does not have any restrictions on equipment or machinery being used at a 61A Location.

The sheds and trailers are not any violation. There are no abandoned tanks. The only tanks on site are there for the purpose of irrigation.

Before scheduling a site visit I would like to avoid any arguing on site over whether a shed or trailer is in violation. Would you please be more specific on the subject?

I will be bringing these issues to the zoning board.

Jeffrey A Cook



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BOARD OF ASSESSORS
DEC 12 2022
TOWN OF FOXBOROUGH

BOARD OF ASSESSORS
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH MASSACHUSETTS 02035

(508) 543-1215

Fax: (508) 543-6278

CERTIFICATION OF ABUTTERS

PROPERTY OWNER: Jeffrey A & Sandra E Cook

MAILING ADDRESS: 73 Spring St Foxboro

PROPERTY LOCATION: 73 Spring St Foxboro

ASSESSORS MAP/PARCEL: MAP 148 PARCEL 044

APPLICANT: Jeffrey A & Sandra E Cook PHONE: 508-698-9744

AUTHORITY REQUESTING LIST: ZBA

DATE SUBMITTED: 12/12/2022

LIST REQUESTED: 500 FT DIRECT ABUTTER
X 300 FT ABUTTER TO ABUTTER
100 FT

I, KELLIE RICHARD, 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

MAP 148 PARCEL 044 300 FT

Date: 12/12/2022

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."

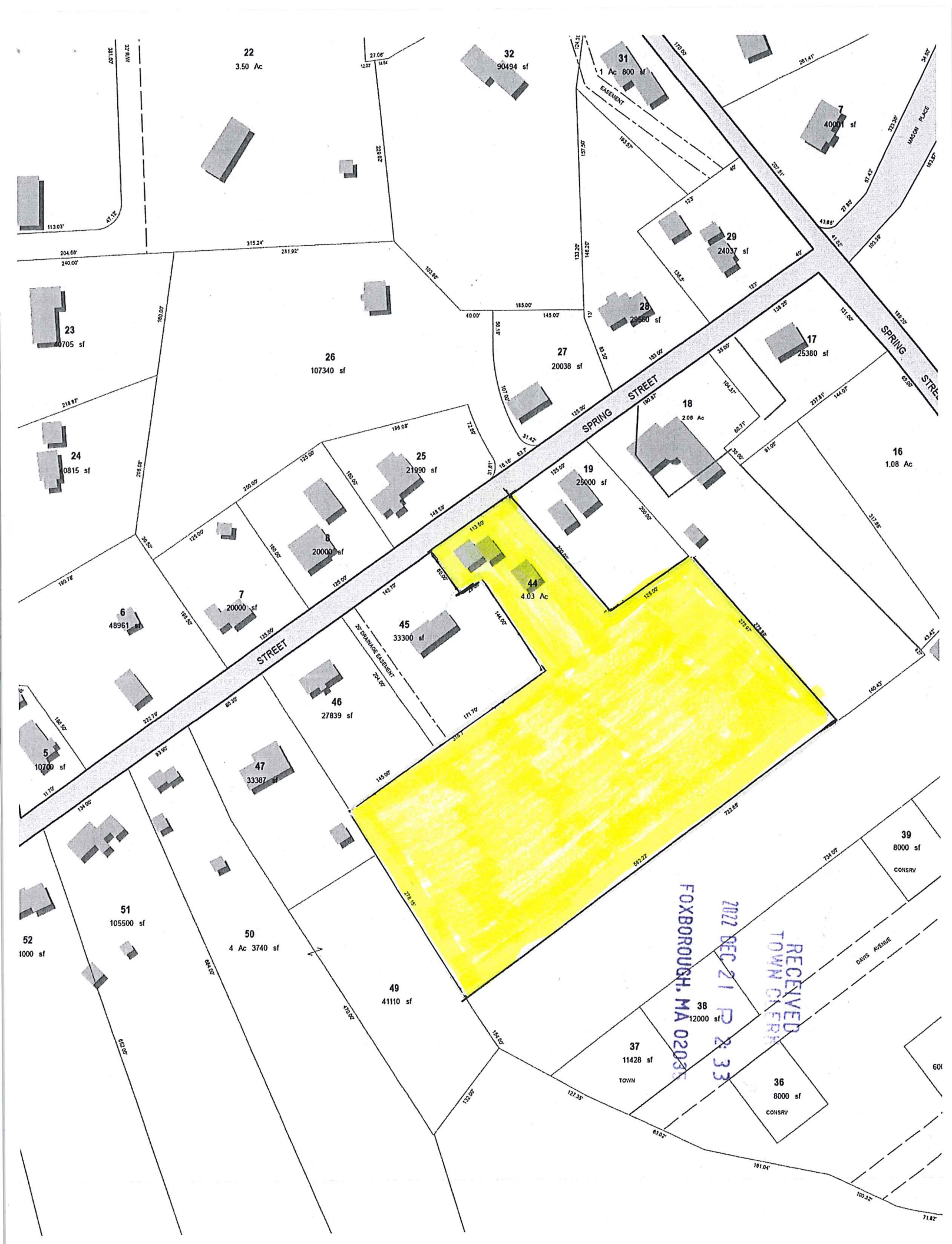
The Assessors Office will complete the abutters list within 7-10 business days. There is a \$25.00 fee for an abutters list.

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

Abutting Properties for
 73 SPRING ST
 FOXBOROUGH, MA 02035
 148-044-000-000-0000
 (300 Feet)
 12/12/2022

RECEIVED
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Parcel Number	Property Address	Owner Name	Owner Address	Owner City	Owner State	Owner Zip
136-016-000	91 SPRING STREET	J COOK REALTY LLC	79 SPRING STREET FOXBOROUGH, MA 02035	FOXBOROUGH	MA	02035
136-017-000	83 SPRING STREET	STANLEY SUSAN M TR	83 SPRING STREET	FOXBOROUGH	MA	02035
136-018-000	79 SPRING STREET	COOK JEFFREY A & SANDRA E TE	79 SPRING STREET	FOXBOROUGH	MA	02035
136-019-000	77 SPRING STREET	TREWEEK JAMES A TR	77 SPRING STREET	FOXBOROUGH	MA	02035
136-025-000	72 SPRING STREET	TOBICHUK JOHN F & SHEILA E	72 SPRING STREET	FOXBOROUGH	MA	02035
136-026-000	74 SPRING STREET	MARTIN GREGORY L & SHERRY T CHIN TE	74 SPRING STREET	FOXBOROUGH	MA	02035
148-008-000	70 SPRING STREET	VINTON VALERIE J & KRISTINE L GOZBEKIAN TR	70 SPRING STREET	FOXBOROUGH	MA	02035
148-020-000	SPRING STREET	TOWN OF FOXBOROUGH	40 SOUTH STREET	FOXBOROUGH	MA	02035
148-029-000	SPRING STREET	TOWN OF FOXBOROUGH CONSERVATION	40 SOUTH STREET	FOXBOROUGH	MA	02035
148-036-000	SPRING STREET	TOWN OF FOXBOROUGH CONSERVATION	40 SOUTH STREET	FOXBOROUGH	MA	02035
148-037-000	SPRING STREET	GUERRINI DEBORAH L	65 SPRING STREET	FOXBOROUGH	MA	02035
148-038-000	SPRING STREET	GUERRINI DEBORAH L	65 SPRING STREET	FOXBOROUGH	MA	02035
148-039-000	SPRING STREET	TOWN OF FOXBOROUGH CONSERVATION	40 SOUTH STREET	FOXBOROUGH	MA	02035
148-040-000	SPRING STREET	VANDENBERGHE MARK H	0 SPRING STREET	FOXBOROUGH	MA	02035
148-041-000	97 SPRING STREET	FELCIANO JOVANI & SAMANTHA BARIAS JT	97 SPRING STREET	FOXBOROUGH	MA	02035
148-043-000	95 SPRING STREET	BOOTH CHRISTOPHER R & ALLISON G TE	95 SPRING STREET	FOXBOROUGH	MA	02035
148-045-000	71 SPRING STREET	YOUNG DAVID M & KATHLEEN M TE	71 SPRING STREET	FOXBOROUGH	MA	02035
148-046-000	69 SPRING STREET	HURWITZ JAKE D & DONNELLY KRISTIN E JT	69 SPRING STREET	FOXBOROUGH	MA	02035
148-047-000	67 SPRING STREET	WHITEHOUSE ADAM E & STEPHANIE A TR	67 SPRING STREET	FOXBOROUGH	MA	02035
148-049-000	SPRING STREET	GUERRINI DEBORAH L	65 SPRING STREET	FOXBOROUGH	MA	02035
148-050-000	65 SPRING STREET	GUERRINI DEBORAH L	65 SPRING STREET	FOXBOROUGH	MA	02035
148-051-000	61 SPRING STREET	MARTINS JOSEPH TR	61 SPRING STREET	FOXBOROUGH	MA	02035





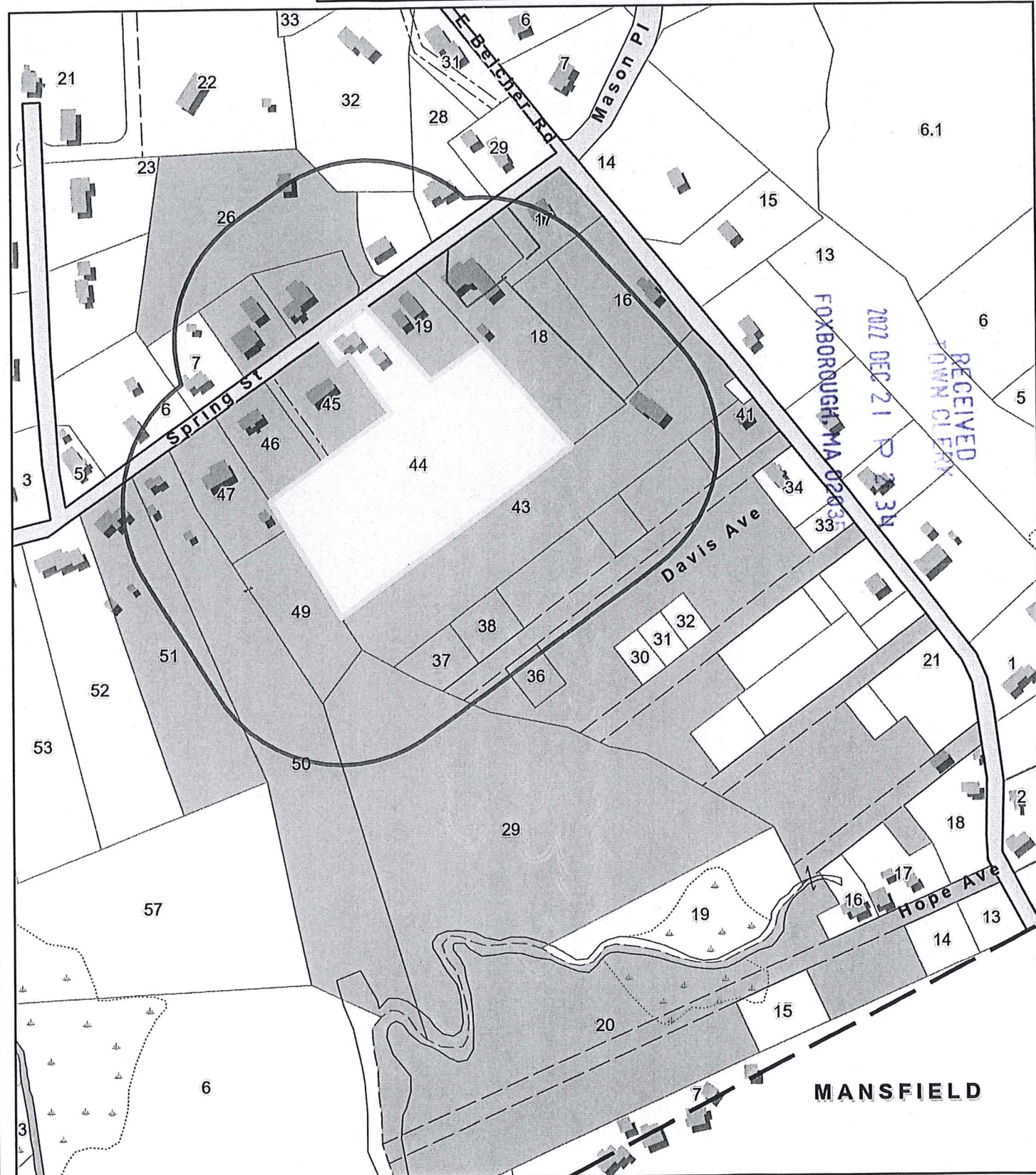
Foxborough, MA

1 inch = 279 Feet



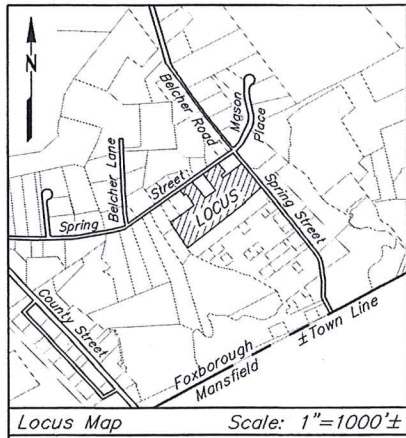
www.cai-tech.com

December 12, 2022



MANSFIELD

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



Assessor's Reference: Parcel ID: 0136-016-000
 Address: 91 Spring Street
 Owner: J. Cook Realty, LLC
 Deed Reference: Book 34273, Page 592
 Plan References: Plan Book D2945, Page 368.
 Plan Book D4063, Page 317.
 Plan Book D4679, Page 109.
 Plan Book 459, Page 672.
 Plan Book 303, Page 510.
 Plan Book D6586, Page 706.
 Zone: R-40
 Minimum Area: 40,000 s.f.
 Minimum Frontage: 200'
 Minimum Width: 134' (At 100' Depth)
 Yard Requirements:
 Front - 35'
 Rear - 30'
 Side - 15'

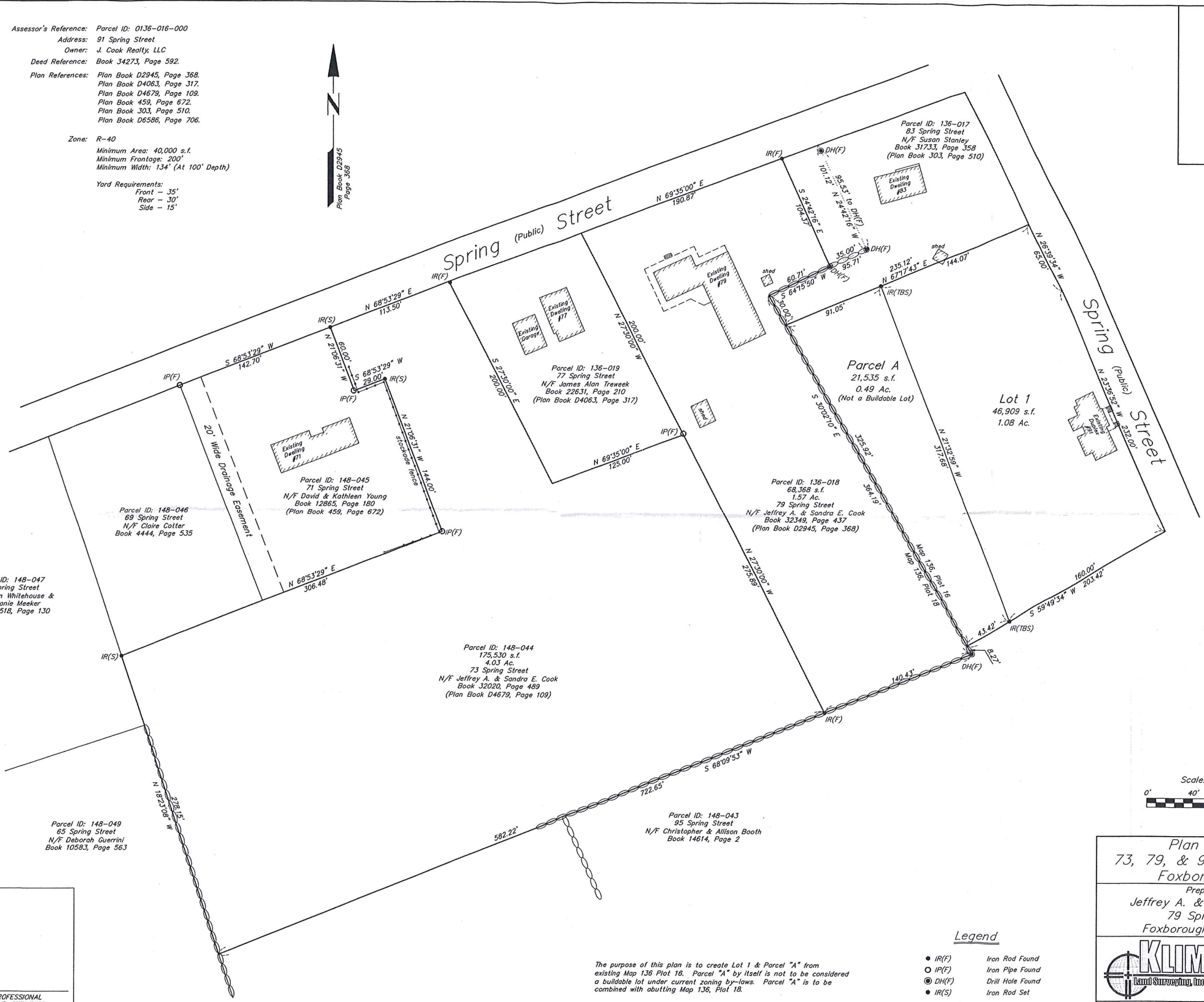


APPROVAL UNDER SUBDIVISION
 CONTROL LAW NOT REQUIRED

TOWN OF
FOXBORO
 PLANNING BOARD

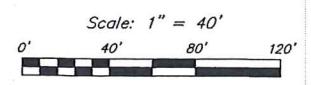
DATE _____

THE ABOVE ENDORSEMENT DOES NOT
 CONSTITUTE A DETERMINATION AS TO
 COMPLIANCE WITH THE ZONING BYLAWS.



Registry Use

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 2012 DEC 21 P 2:34
 FOXBOROUGH, MA 02035



I CERTIFY THAT THIS PLAN HAS BEEN
 PREPARED IN CONFORMITY WITH THE
 RULES AND REGULATIONS OF THE
 REGISTERS OF DEEDS AND WAS PREPARED
 IN ACCORDANCE WITH THE PROCEDURAL
 AND TECHNICAL STANDARDS FOR THE
 PRACTICE OF LAND SURVEYING IN THE
 COMMONWEALTH OF MASSACHUSETTS.

DATE _____ PROFESSIONAL
 LAND SURVEYOR

Legend

- IR(F) Iron Rod Found
- IP(F) Iron Pipe Found
- ⊙ DH(F) Drill Hole Found
- IR(S) Iron Rod Set

The purpose of this plan is to create Lot 1 & Parcel "A" from existing Map 136 Plot 16. Parcel "A" by itself is not to be considered a buildable lot under current zoning by-laws. Parcel "A" is to be combined with abutting Map 136, Plot 18.

Plan of Land
 73, 79, & 91 Spring Street
 Foxborough, MA
 Prepared For:
 Jeffrey A. & Sandra E. Cook
 79 Spring Street
 Foxborough, MA 02035



340 Manly St., Unit 3
 West Bridgewater, MA
 508-386-0624

Date: 7/31/2017 Scale: 1"=40'
 Revised Thru: JN_391