



BOARD OF APPEALS  
TOWN OF FOXBOROUGH

40 SOUTH STREET  
MASSACHUSETTS

02035

RECEIVED  
TOWN CLERK

2023 OCT -2 A 10: 20

FOXBOROUGH, MA 02035

**APPLICATION FOR BOARD OF APPEALS HEARING**

Name of Applicant: Amber Orlando-Dauphinee Tel # 774 300 7241  
Mailing Address: 180 Main St., Foxborough Email: HotglueMacaroni@gmail.com  
Location of Property Subject of the Hearing: 180 Main St., Foxborough  
Assessors Map #: 053 Parcel #: 00022 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): Corey Orlando-Dauphinee  
Address of Owner (if different than applicant's address): \_\_\_\_\_  
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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

I, Amber Orlando-Dauphinee as applicant, hereby request a hearing before the Foxborough Zoning Board of Appeals as referenced in the above application.

Applicant's Signature: Amber Orlando-Dauphinee Date: 9/25/23

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

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

Subject Property Owner's Signature: Corey Orlando-Dauphinee Date: 9/25/23

**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: Barbara Monahan Date: 9/28/23

**Town Clerk Receipt**

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

Town Clerk or Agent's Signature: [Signature] Date: 10-2-2023

**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.





# 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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2023 OCT -2 A 10: 20

FOXBOROUGH, MA 02035

Gilbert Bonoan  
Building Inspector

Michael T. Eisenhauer  
Plumbing-Gas Inspector

Shawn P. Wills  
Electrical Inspector

Kevin M. Duquette  
Sealer of Weights and Measures

September 19, 2023

Taunya & Cory Orlando  
180 Main Street  
Foxborough, MA 02035

Hand Delivered: Received at Building Department  
Subject: Zoning complaint: Unlawful storage (Junkyard)/Contractor Yard: 2<sup>nd</sup> Notice  
Location: 180 Main St., Foxborough, MA  
Assessors Map: 053, Lot: 022  
Zone: R-40

To Whom It May Concern,

It was brought to our attention that there is an unauthorized use of land located on the property mentioned above. Upon driving by the property, the existence of two (2) construction storage containers and possible unregistered vehicles are being stored at this location.

This is a clear 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.

### CONTRACTOR YARD

*A parcel of land utilized by a contractor for the storage of building supplies, and storage and/or maintenance of trucks and other equipment.*

### JUNKYARD

*Any area, lot, land, parcel, building or structure or part thereof used for the storage, collection, processing, purchase, sale or abandonment of junk, or two or more unregistered or inoperable motor vehicles.*

As the property owners of record, you are hereby directed to immediately cease and desist the illegal activity and shall remove all construction containers, unregistered vehicles 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.

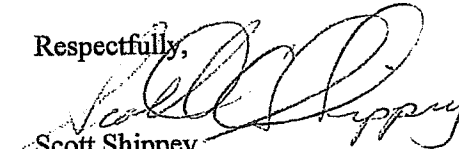


*Please also be aware, Section 10.1.5 of the Zoning By-Laws states: In addition to the procedures for enforcement as described above, the provisions of these bylaws may also be enforced by the Building Commissioner by noncriminal complaint pursuant to the provisions of MGL c. 40, § 21D. Each day on which 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.

Please contact this department to schedule a site visit so we may verify the use status.

Respectfully,

  
Scott Shippey  
Building Commissioner/Zoning Officer  
Town of Foxborough





3. An **ADMINISTRATIVE APPEAL** in accordance with Section 10.2.2 of the Zoning By-Laws: We kindly wish to appeal the determination of our property, 180 Main Street, Foxborough as a Junkyard and or Contractor Yard. We have provided information proving the vehicles on property are in accordance with authorized land use, and would like the board to *determine the shipping containers as accessory structures— not intended for the use of Contractor Storage and or maintenance of fleet vehicles.*

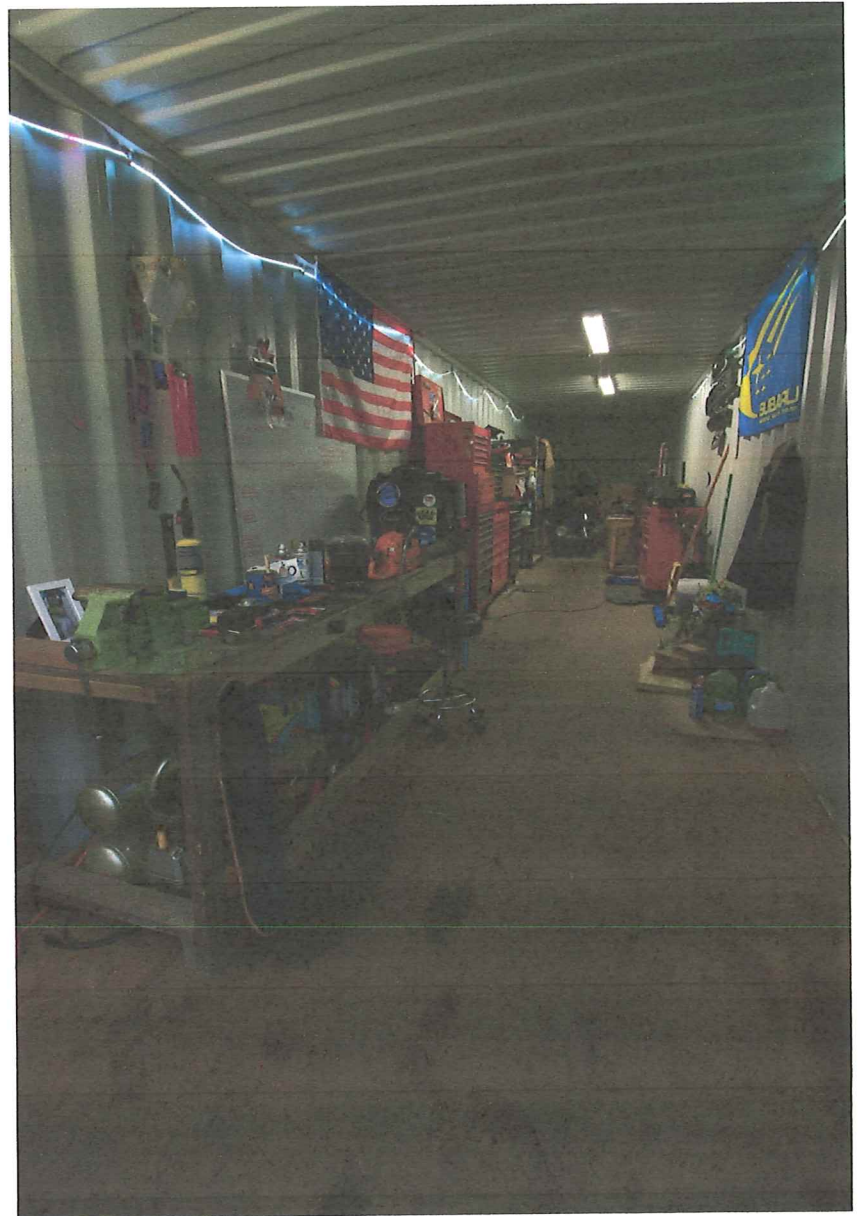
Currently the containers are in violation of setback requirements, which was made aware to us by Town of Foxborough Building Commissioner, Scott Shippey during his site visit. This was not our intended location for the containers, and we deeply apologize for the delay in their relocation while a more suitable location is discussed in accordance. *Inside the containers is personal property such as sports equipment; snowboards, camping gear, bikes, tools of our own which pertain to our trades and hobbies, as well as the inheritance of tools from the death of two direct family members who shared similar disciplines.*

On the property, previously, was a wooden shed which was built some time in the 1980's by Corey's late grandmother, Gail. Despite many efforts by both her and Corey, we lost the wooden shed some time after her passing last summer. Corey, having been raised in the house, saw the effort and cost associated with maintaining the wooden structure. Even before the wooden shed fell down, rotted by the years, the storage space it provided in conjunction with another equally precarious plastic shed failed to meet our growing needs. Amber's father passed away from cancer in 2020 leaving behind a sizable collection of tools. After the passing of Corey's grandmother in 2022 and subsequent collapse of the wooden shed in 2023, the collection of inherited tools along with everything we own in regards to tools and hobby equipment far surpassed the amount of storage space provided. We needed a more viable option for storage.

Corey had previously worked as the lead fabricator at Mini Warehousing in Mansfield Ma, specializing in modification of shipping containers, into various accessory structures. It is because of this experience that we know how malleable and diverse these structures can be, as well as durable and sustainable. Mini Warehousing and JP Rivard (where we purchased each of the containers respectively) both assured us *with confidence no permitting would be required, given they are not permanent structures*. No permanent foundation has been made for the use of the containers. They are currently moveable, leveled on wooden blocks.

It was our conclusion that purchasing the containers would be the best solution, being both temporary and more sustainable long term. Being that *each of the containers are 320 sq/ft (measuring 40' long and 8'wide) they meet the dimensional requirements of an accessory structure under the Zoning By-Laws Section 3.1 Table of Uses L.3, by being less than 400 sq/ft individually and no more than 21' high*. We provided a map with the current location of the containers, and where we want to move them further back on the property— which will be concealed by trees, from street-view and surrounding properties.

Contents of Red Container:







Street View:



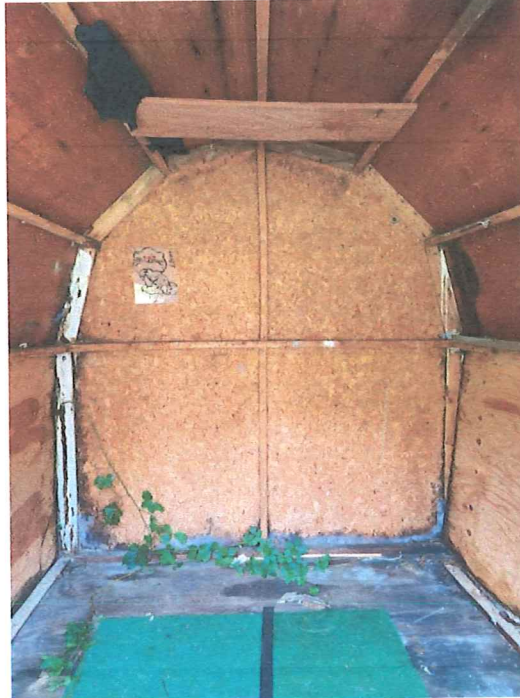
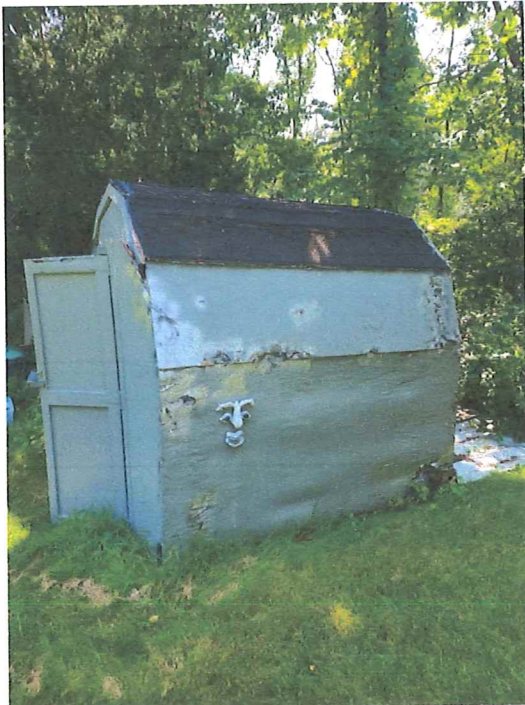




Condition of the Wooden Shed, before it fell down:



These pictures were taken after the arrival of the containers.



The shed was emptied because of its condition, and fell over shortly after.

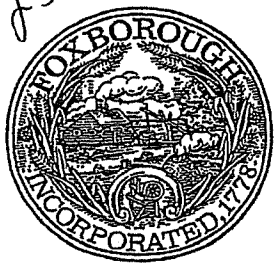
It is now in a pile in the yard, which we will have to pay to send away to Waste Management.







paid \$ 25.00



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SEP 21 2023  
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: Corey Orlando Dauphinee  
MAILING ADDRESS: 180 Main St. Foxborough  
PROPERTY LOCATION: 180 Main St. Foxborough  
ASSESSORS MAP/PARCEL: Map #53 Parcel # ~~1462~~ 022  
APPLICANT: Amber Orlando-Dauphinee PHONE: 774 300 7241  
AUTHORITY REQUESTING LIST: Amber Orlando-Dauphinee  
DATE SUBMITTED: 9/21/23  
LIST REQUESTED:  500 FT  300 FT  100 FT  
 DIRECT ABUTTER  
 ABUTTER TO ABUTTER

I, Anna Galante, 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 053 Lot 022  
Date: 9/21/2023

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."





# 300 feet Abutters List Report

Foxborough, MA  
September 21, 2023

## Subject Property:

Parcel Number: 053-022-000  
CAMA Number: 053-022-000  
Property Address: 180 MAIN STREET

Mailing Address: ORLANDO TAUNYA L & CORY J JT  
180 MAIN STREET  
FOXBOROUGH, MA 02035

## Abutters:

Parcel Number: 053-014-000  
CAMA Number: 053-014-000  
Property Address: 2 VANDOORN AVENUE

Mailing Address: RYAN ROBERT & EILEEN TE  
2 VANDOORN AVENUE  
FOXBOROUGH, MA 02035

Parcel Number: 053-015-000  
CAMA Number: 053-015-000  
Property Address: 4 VANDOORN AVENUE

Mailing Address: AKHTAR MUHAMMAD N & FARZANA  
SIDDIQUI TE  
4 VANDOORN AVE  
FOXBORO, MA 02035

Parcel Number: 053-020-000  
CAMA Number: 053-020-000  
Property Address: 7 VANDOORN AVENUE

Mailing Address: BROWN JAMES R & CAITLIN H TE  
7 VANDOORN AVENUE  
FOXBOROUGH, MA 02035

Parcel Number: 053-021-000  
CAMA Number: 053-021-000  
Property Address: 5 VANDOORN AVENUE

Mailing Address: PALMER SHANE J & PATRICIA R TE  
5 VANDOORN AVE  
FOXBORO, MA 02035

Parcel Number: 053-023-000  
CAMA Number: 053-023-000  
Property Address: 184 MAIN STREET

Mailing Address: ORLANDO TAUNYA L & COREY J JT  
180 MAIN STREET  
FOXBOROUGH, MA 02035

Parcel Number: 053-024-000  
CAMA Number: 053-024-000  
Property Address: 186 MAIN STREET

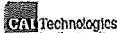
Mailing Address: COBB JACQUELINE & LAWRENCE H TE  
186 MAIN ST  
FOXBORO, MA 02035-0000

Parcel Number: 053-058-000  
CAMA Number: 053-058-000  
Property Address: 181 MAIN STREET

Mailing Address: SMITH BRADFORD L & MARYANN  
181 MAIN ST  
FOXBOROUGH, MA 02035-0000

Parcel Number: 053-059-000  
CAMA Number: 053-059-000  
Property Address: 177 MAIN STREET

Mailing Address: FITTON CORNELIUS J & KAREN J  
177 MAIN STREET  
FOXBOROUGH, MA 02035-0000



www.cai-tech.com

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9/21/2023

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