



BOARD OF APPEALS
TOWN OF FOXBOROUGH
40 SOUTH STREET
MASSACHUSETTS
02035

**Foxborough Zoning Board of Appeals Minutes
August 23, 2018**

Members present: Members Barney Ovrut and David Brown, Associate Member Lorraine Brue, Kurt Yeghian and Kim Mellen (at 7:05 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. William Yucatonis seeks a Special Permit pursuant to the Code of Foxborough, Chapter 275, Section 3.1.6., Table 3-1. Table of Uses, Use Group L.5 to allow the construction of a residential garage in excess of 625 square feet. The request is to construct a 30' x 36' detached 1.5 story garage on the property at 9 Comey Avenue. The property is located in the R-15 Residential and Agricultural District and is not located in any restrictive overlay districts. Mr. and Mrs. Yucatonis appeared before the Board and represented themselves. Mr. Yucatonis explained that they would like to construct an oversized garage that will be semi-attached to their existing home. The proposed size is 30' x 36' 1 1/2 stories with storage on the second floor. They feel that this size would be appropriate to the scale of their Victorian house, the rooflines were designed to be similar to their home. They have large vehicles and sporting and yard equipment to store; Mr. Yucatonis will also have a workbench area. Their existing garage is 12' x 24' and was hit by a tree during one of the winter storms and considered totaled by the insurance company. The footprint of the house is 38' x 24'. The garage will be 53 feet from the street and 6.5 feet from the house. The garage doors will be 10 feet wide. They are not proposing to have a bathroom or running water and the materials and color will match the house.

The connecting walkway will have a stamped concrete and a metal roof with chandeliers for lighting. They will be installing a new driveway to the existing drive and will consist of crushed stone.

The Board members asked about the existing house in relation to the new structure. Mr. Yucatonis estimated the house to be about 1,118 sq. ft. and the proposed garage is 1,080 sq. ft. Mrs. Yucatonis noted that the extra storage for the children's sporting equipment as well as their lawn equipment and snow blower. Mr. Yucatonis stated that the garage will be aligned with the back of the house and has been sized to fit their vehicles. It also needs a staircase to access the upper level. The lot is 30,000 sq. ft.

There were no abutters present.

A motion to close the Public Hearing was made by Mr. Brown and seconded by Mr. Brue. The motion carried 3-0-0.

The Board immediately moved into deliberations. The usual conditions for a garage were discussed, the Board would also like an As-Built Plan submitted as part of the decision.

A motion to approve a Special Permit for the construction of a 30' x 36' 1,080 sq. ft. 1 1/2 story residential garage at 9 Comey Avenue with conditions that the building be constructed according to the submitted plans, a certified as-built plan be submitted to the Building Department by September 20, 2018, the exterior materials match the existing house, the garage be used for storage of personal vehicles and property only with a personal work area, no commercial activity or residential dwelling is allowed, no water service is to be installed, single phase electric only be installed, no outside lighting be installed and no storage of hazardous materials was made by Mr. Brown and seconded by Ms. Brue. The motion carried 3-0-0.

7:10 p.m. Continued Public Hearing - Foxborough Regional Center for the Performing Arts seeks a Special Sign Permit pursuant to the Code of the Town of Foxborough, Massachusetts, Chapter 213: Signs, for a Special Sign Permit under Section 213-3.F.(2) and F.(3) to alter the pre-existing wall sign and to replace it with a wall sign that is 9.5' x 11.5' (109.25 sq. ft.). The property is located at 1 School Street in Sign District 3. Mr. Brown recused himself from this hearing as he has a conflict of interest. Mr. Hickey advised the Board that he could not find an alternative for an electronic sign and since electronic signage is currently prohibited in the downtown district he would like to ask for a withdrawal without prejudice of this petition. He will continue to work with the Sign Bylaw Committee to hopefully have a proposal to bring to town meeting in 2019.

A motion to allow the petitioner to withdraw the request for a Special Sign Permit at 1 School Street without prejudice was made by Mr. Yeghian and seconded by Ms. Brue. The motion carried 3-0-0.

GENERAL BUSINESS

Minutes – July 19, 2018

The Board reviewed the minutes of July 19, 2018.

A motion to approve the minutes of July 19, 2018 was made by Mr. Yeghian and seconded by Ms. Brue. The motion carried 5-0-0.

Comprehensive Permit Decision 14-07, Wyman Village, 8 Community Way Covenant Amendment endorsement

Mr. Ovrut has prepared a decision to modify the height of the perimeter fencing at Wyman Village. Mr. Lovely has also prepared a Modification to the Covenant for signatures.

A motion to endorse the Comprehensive Permit Decision Modification for Case #14-07 Wyman Village and to endorse the Covenant Amendment for Wyman Village was made by Mr. Brown and seconded by Ms. Mellen. The motion carried 5-0-0.

The meeting was adjourned at 7:45 p.m.

Respectfully Submitted,

Diana Gray

Signed on behalf of the Board

Kim Mellen, Clerk