



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

**Foxborough Zoning Board of Appeals Minutes  
September 30, 2021**

Members present: Members Barney Ovrut, David Brown and Kim Mellen, Associate Members Lorraine Brue and Kurt Yeghian

This meeting was held in person with the Zoom video platform also available; it was also being broadcast on Foxboro Cable Access.

Vice Chairman David Brown opened the meeting at 7:00 p.m.

**7:00 p.m. Continued Public Hearing - Administrative Appeal of Maurice and Sharon Brodeur pursuant to Section 10.2.2.1. of the Code of the Town of Foxborough, Massachusetts, Chapter 275: Zoning, alleging that the Town of Foxborough Building Commissioner and Zoning Enforcement Officer has not enforced Board of Appeals Decision No. 03-19 and certain of the conditions imposed by the Planning Board in a Site Plan Approval, Special Permit and Finding dated May 19, 2005 with respect to the property situated at 227 Cocasset Street, Foxborough, in the R-40 Residential and Agricultural District. This hearing is being continued to October 7, 2021.**

A motion to continue the Public Hearing for the Administrative Appeal of Maurice and Sharon Brodeur to October 7, 2021 at 8:00 p.m. was made by Ms. Brue and seconded by Mr. Yeghian. The motion carried 3-0-0.

### **Minutes**

The Board reviewed the minutes of August 19, 2021.

A motion to approve the minutes of August 19, 2021 was made by Ms. Brue and seconded by Mr. Yeghian. The motion carried 5-0-0.

### **General Business**

Mr. Brown then handed the Chairman duties over to Mr. Ovrut

Mr. Ovrut updated the Board that he and Town Planner Paige Duncan attended a recent AdCom meeting to discuss the Zoning Bylaw and Sign Bylaw amendments proposed for Town Meeting. Mr. Ovrut felt the meeting went favorably.

Mr. Ovrut also informed the Board that the Board of Selectmen recently voted to support a 40B Local Initiative Project that Mike Saegh would like to develop at 119 Morse Street. The Board of Selectmen voted 4-1 to support the project. Mr. Saegh will now be applying to the Department of Housing and Community Development for a Project Eligibility Letter. Once he receives approval from the DHCD, he will then be applying to the ZBA as a 40B project. There are a number of issues that will need to be worked out and there are a number of residents who oppose the project.

The last item that Mr. Ovrut wanted to let the Board know is that an attorney from Canton emailed regarding a landowner in Foxboro whose land abuts Route 95 and is interested in installing a billboard on their property. The Sign Bylaw only allows billboards on Route 1; a change to allow billboards in other parts of town would require a bylaw amendment which would need to go to town meeting.

**7:10 p.m. To consider and vote on amendments to the Rules and Regulations of the Foxborough Zoning Board of Appeals.** Mr. Ovrut explained that these amendments to the Rules and Regs deal mostly with Comprehensive Permits and a few housekeeping issues elsewhere in the document. The Board reviewed the proposed amendments.

A motion to approve the amendments to the Rules and Regulations of the Foxborough Zoning Board of Appeals as amended this evening was made by Mr. Brown and seconded by Ms. Mellen. The motion carried 5-0-0.

Mr. Ovrut also prepared a sheet showing the time requirements for the Board to open hearings, make decisions and file decisions with the Town Clerk based on state law. He noted that an written agreement to continue a hearing from one month to the next isn't required if the hearing is still within the time period required by state law, but may be required by the Town Clerk. Mr. Ovrut will ask the Clerk's office after Town Meeting about the requirements for continuances.

The meeting was adjourned at 7:32 p.m.

Respectfully Submitted,

Diana Gray

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Signed on behalf of the Board

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Kim Mellen, Clerk