

Advisory Committee Meeting
Town of Foxborough
Wednesday September 29, 2021

Members in Attendance: Sharon Weiskerger, Paul Ivanovskis, John Mahoney, Jack Martin, Dan Peterson, Marlowe Farrar, Raffaella Zizza-Feinstein

Members Absent: Salina Chowdhury, Dennis Keefe

Meeting start 7:00 PM

1. Approval of Prior Meeting Minutes – September 15, 2021

Paul requested the approval of the minutes for September 15, 2021. Sharon made a motion to accept the minutes Jack seconded the motion.

Vote: 7-0-0

2. Discussion of Article 1 – Outdoor Dining

Paige Duncan talked about the upcoming change to outdoor dining provisions put in place during COVID. On April 1, 2020 outdoor dining will end, and they propose making the option permanent in Foxborough code. There are currently about 17 establishments in Foxborough that utilize outdoor dining. For some parking lot seating the Chief of Police will go to the establishment to make sure it's safe and there are safety barriers as needed. Outdoor seating will go through a vote for a special permit that will be reviewed.

Barney: Specific zoning related issues will go to the appropriate department

John M: Seems to make sense as long as sidewalks will still be accessible.

If it is not approved by April 1, 2022, we will lose the opportunity for establishments to have outdoor dining.

Raffaella: In the event that the establishment needs to use a 3rd parties' property, if the property decides to sell would the restaurant still be able to use the spot? Would there be a beginning and end date of usage?

Barney: 3rd party would apply to those who have a landlord and can be decided at the time of the sale.

Paige D: Should permission from the 3rd party cease to exist the planning board would need to vote.

Jack M: Agreed that given the last year, outdoor dining has been lenient but should not change on a permanent basis. There have been significant parking problems, inadequate parking in some instances. Who speaks for the pedestrians for use of town sidewalks?

Paige D: Parking would be case by case, would not allow if there is not a parking lot. How much outdoor space would depend on the size of the parking lot. Sidewalk would need approval from BOS. Current bylaw include requirement that public property need highway department to verify it's safe. Restaurants need to use discretion and may not find that outdoor dining is desirable.

3. Discussion of Article 2 – Accessory Apartments

Paige: Proposing to change bylaw, currently the owner and occupant must be related to rent the in-law space. Suggesting to allow renting to non-related person. There's a need for smaller housing units. Foxborough does not want large buildings, it's a small and subtle way to build an addition or convert to and in-law apartment to family member or not. Needs to be attached, owner must live in either spot, no more than 1100 sqft, 1 bedroom. There are 50 legal accessory apartments right now in Foxborough.

Barney: Accessory apartments are already allowed in R15 areas.

Stephanie from the BoS asked about zoning being the same IE: 15ft from property line, needs to be connected does it need to be a breezeway? Motor vehicle, include existing house or include renter? What other communities are doing this? Where is this idea coming from?

Barney: Up to planning board to find breezeway acceptable. 4 motor vehicles total.

Paige D: This is to find smaller home options for someone who needs it. We do not expect to cause an overwhelming demand. The homeowner would need to be willing to spend the money and comply with regulations (ID stairs must be interior not just exterior deck with stairs.) This may help some home owners with cost of their home. Some towns don't regulate this, this would allow it to be done legally.

4. Discussion of Article 3 – Building Height

Barney: current Foxboro code refers in places to number of floors, which can be confusing, especially when buildings have finished basements. This Article creates consistent code definitions based on height instead.

5. Discussion of Article 4 – Brew Pub Definition

Paige D: This expands the definition of a brew pub, Wormtown Brewery has requested to change the definition. Currently the definition of a Brew Pub only includes beer production. Planning thinks it should be a planning decision, economic decision to everyone to keep the definition intact.

Jack: The business can distill spirits on premise, can they bring in products made elsewhere?

Bill K: The spirits must be made onsite.

6. Discussion of Article 5 – Habitable Floor Area

Barney: This proposal is to clarify the definition of habitable floor area, there is currently no definition in bylaw. Having a specific definition would benefit the BOA, building commission, applicants, and abutters. We looked at other communities and spoke to someone with experience to create the definition. It should not impact taxable issues.

7. Discussion of Article 6 – Plan Exemption in FCOD

Paige D: This is specific to uptown Foxborough. This would allow the building commission to approve changes that require no exterior change. For example, the proposed bakery on 46 Central Street is not proposing any changes to the outside, but the current bylaws require them to go to the planning board even though there are no changes.

8. Discussion of Article 7-9

Paige D: Authelet Way and Peterson Lane were approved by the planning board with an intention to approve at Town Meeting. Chris Gallagher will talk during Town Meeting to confirm that they're ready to be included. Garret Spillane is a little different, it was approved in early 2000s to get lots, built to mimic the standards of subdivision even though it is not.

9. Discussion of Article 10

Barney: Propose revision to modify certain provisions of sign bylaw. The object is clarification of the bylaws – there are no change to type of signs, no change to dimensions, no change to requirement that must be followed. It standardizes the application forms and processes for applying for billboards, including formalizing and standardizing the response times from the town.

10. Discussion of Financial Policies

Bill K: Keep free cash, goal is maintain a balance of at least \$2 million. Due to COVID, Meals Tax were not as high as we wanted, but free cash was better in other areas, and we'll end the fiscal year in a good place.

Paul motioned to accept the updated Foxborough Financial Policy and it was seconded.

Vote: 7-0-0

8:35 PM Paul I. – Asked for motion to adjourn the meeting. Motion was received and seconded.

Members approved. 7-0-0