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UXBRIDGE BOARD OF SELECTMEN MEETING  
UXBRIDGE TOWN HALL  
BOARD OF SELECTMEN'S MEETING ROOM  
MONDAY, MARCH 1, 2010 - 5:15PM

Present: Chair Michael Potaski, Vice Chair Kevin Kuros, Clerk Beth Pitman, Selectman Peter Baghdasarian and Selectman Cari Kay Robertson. Also present, Town Manager, Michael Szlosek and Administrative Assistant, Tracey Ante.

*NOTE: Some matters may have been taken out of agenda order but are presented below based on agenda order for ease of location information.*

**I. CALL TO ORDER AT 5:15PM**

- A. Announcements – Mr. Kuros announced the Supt. Gala is Saturday, March 13<sup>th</sup>, tickets are available through the schools and the Ed Foundation members.
- B. Citizen's Forum - Mr. Harry Romasco inquired as to the meeting held today (March 1<sup>st</sup>) in preparation for the MSBA meeting to be held March 3<sup>rd</sup>. He inquired as to the action plan for public dissemination. He touched base on the MSBA recommendations, schematic design implementation, voting time period, NEASC report, deficiencies in the J&L report and the SBC absent of a Chairperson. Mr. Potaski commented that today's meeting was preparatory for the MSBA meeting on Wednesday, March 3<sup>rd</sup>. He further stated we should not speculate on the decision of the MSBA. It is anticipated the SBC will reorganize at their next scheduled meeting.
- C. Mr. Mark Stacy was present urging the Board to appeal the ZBA Decision case #FY10-05 addressing concerns relating to neighborhood impact.

**II. PUBLIC HEARINGS/SCHEDULED APPOINTMENTS**

None

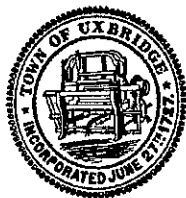
**III. TOWN MANAGER REPORT**

**IV. OLD BUSINESS**

- A. Close and Endorse Special Town Meeting Warrant – Following discussion, **MOTION by Mr. Baghdasarian, that the Board move to insert the petition article entitled "to see if the Town will open the dirt bike track motocross park" into the warrant for the March 30<sup>th</sup> Special Town Meeting and to further move to close and sign the warrant. Seconded by Ms. Robertson, the motion carried unanimously.** It was noted there was typographical errors in the article submitted.

**V. NEW BUSINESS**

- A. Consider vote to appeal ZBA Decision Case # FY10-05 – The Town Manager advised a Selectman addressed concerns with the Special Permit for a proposed rodeo facility granted by the Zoning Board of Appeals in that it was not a pre-existing non conforming use and viewed as an expired use. Mr. Baghdasarian discussed outdoor recreation is not an allowed use and was a Town Meeting vote in May 2008. He advised, the ZBA could extend a non conforming use if the use was no more



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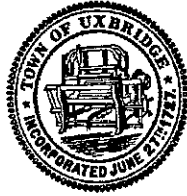
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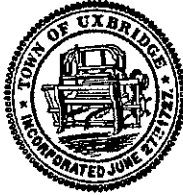
detrimental to the neighborhood, the decision is very broad and sets a bad precedent. He suggested the applicant submit for a zoning bylaw amendment, as discussed at a prior meeting. Mr. Stephen O'Connell, ZBA Member was present and advised the Special Permit was issued on the basis of an abandoned use and discussed the Zoning Bylaws related thereto. Attorney Richard Stang was present on behalf of the applicant and advised the Board as to the process in obtaining the ZBA Special Permit in lieu of Town Meeting as timing is of the essence. He noted the Zoning Bylaws allow the ZBA the process and the authority to grant the Special Permit. During the public hearing process, there was no opposition. He stated an appeal of the ZBA decision would likely shut down the project. Discussion included prior use, expansion of use, abandoned use, evidence of use, statute of limitations, non conforming use verse non conforming structures, zoning amendments, zoning codification, permitting requirements, appeal process, timing and related costs. **MOTION by Mr. Baghdasarian that the Board appeal the ZBA Decision Case #FY10-05. Seconded by Mr. Potaski, the MOTION FAILED 2-3-0 (Mr. Kuros, Ms. Robertson, Ms. Pitman opposed).** Mr. Bassett, Owner was present and addressed the Board with his concerns of appealing the decision. He would like to see the Board promote economic development.

- B. Consider endorsing letter to Applicant for ZBA Case # FY10-05 regarding putting forth a Zoning Article for SATM – No votes or action was taken.
- C. Appointment Cultural Council – **MOTION by Mr. Kuros to appoint Ms. Judy Lanoue to the Cultural Council. Seconded by Mr. Baghdasarian, the motion carried unanimously.**
- D. Appointments Town Scholarship Committee – **MOTION by Mr. Baghdasarian to appoint Ms. Beth Pitman, Mr. George Zini, Ms. Barbara Emerick, Ms. Lisa Arguin and Ms. Jeannie Lovett to the Town Scholarship Committee. Seconded by Ms. Robertson, the motion carried unanimously.** The Town Manager's Office will prepare a resignation memorandum for Ms. Robertson, Mr. Kuros, Mr. Potaski and Mr. Baghdasarian.

**VI. CORRESPONDENCE/OTHER BUSINESS**

**VII. EXECUTIVE SESSION (MGL c.39, §23B)**

No Executive session was held.



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**VIII. ADJOURNMENT: Next BOS Meeting March 8, 2010**

**At 6:45PM, MOTION By Mr. Baghdasarian to adjourn the meeting. Seconded by Mr. Robertson, the motion carried unanimously.**

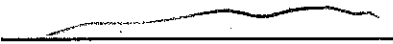
*Minutes respectfully submitted by, Tracey Ante*

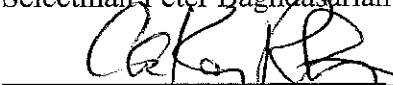
Minutes approved by Board of Selectmen:

  
\_\_\_\_\_  
Chairman Michael Potaski

\_\_\_\_\_  
Vice Chairman Kevin Kuros

\_\_\_\_\_  
Clerk Beth Pitman

  
\_\_\_\_\_  
Selectman Peter Baghdasarian

  
\_\_\_\_\_  
Selectman Cari Kay Robertson

  
\_\_\_\_\_  
Date Approved

Attachments  
DVD