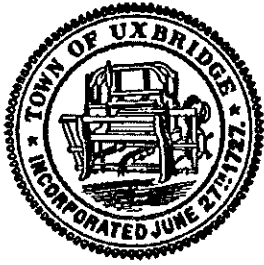


ORIGINAL



Town of Uxbridge
Zoning Board of Appeals

21 South Main Street, Room 203
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Posted by
Uxbridge
Town Clerk

MINUTES

NOV 14 '11 AM 9:57

Wednesday, October 5, 2011

Minutes of the Uxbridge Zoning Board of Appeals meeting held on Wednesday, October 5, 2011 in the Board of Selectmen's Meeting Room of the Uxbridge Town Hall.

Zoning Board of Appeals Members Present: Chairman, Mark Wickstrom, Joseph Frisk, Stephen O'Connell. Not present Christopher Walkiewicz

The Meeting being duly called, properly posted and a quorum being present, Chairman Mark Wickstrom convened the meeting at 7:00 PM with the Pledge of Allegiance.

PUBLIC HEARINGS

Case FY12-06 – Megan Donahue, Applicant is seeking a Variance/Special Permit for Area, Frontage & Right set-back in order to demolish existing home burnt by fire on 5-14-11 and rebuild a single family house. The property located at 25 Kennedy Street, Uxbridge, MA shown on the Town of Uxbridge Assessor's Map 19, Parcel 3951 and recorded in the Worcester County District Registry of Deeds Book 22354, Page 234 located in Residence A zone.

PRESENTATION / DELIBERATIONS

Board members in attendance: Chairman Mr. Wickstrom, Mr. O'Connell, Mr. Frisk.

At a meeting of the Town of Uxbridge Zoning Board of Appeals, a duly noticed public hearing was opened and closed on **October 5, 2011**.

There were no abutter's present for case FY12-06.

Mr. Wickstrom corrected a typo for the Deed book as 44731 page 69.

Megan Donahue applicant spoke on behalf of herself

Criteria for a Variance Chapter 40A § 10 and the Board discussed the application and made favorable findings with relation to the criteria:

1) The reason for granting the variance must be that

- a) The soil on the land or
 - b) The shape of the land or
 - c) The topography of the land
- 2) And that the condition found in item 1 (a. Soil, b. Shape or c. Topo) ... results in a hardship -- financial or otherwise.

MOTION/VOTE:

Mr. Frisk made a **MOTION** to close the Public hearing. Mr. O'Connell **SECONDED** the motion all in favor. **VOTE (3-0-0)**.

Mr. Wickstrom made a **MOTION** that the circumstances related to the shape of the land, that being the historical shape of this land and other land in the neighborhood. We find that there is a hardship, also that the house being burnt by fire is a substantial hardship.

We **GRANT** the applicant a **VARIANCE** to construct a single family house to replace the existing single family house. Consistent with the plans that were submitted with the application, on a plan dated September 12, 2011 and entitled Zoning Board of Appeals plan of 25 Kennedy Street prepared for Pat Collins.

We also allow the existing deck to remain in the current position and the driveway to remain as shown on the plan.

In addition, we also **GRANT** a **SPECIAL PERMIT** for the same reasons under Section 400§12G of the Uxbridge Zoning By-laws as they currently exist.

MOTION SECONDED by Mr. Frisk, the **MOTION** to grant the **VARIANCE/SPECIAL PERMIT** carried unanimously. **VOTE (3-0-0)**

Mr. O'Connell submitted a disclosure under MGL C. 268A s.23B §3 so he was able to vote on this application.

Case FY12-07: Cassidy Family Trust, 59 North Main St. Applicants are seeking a Variance/Special Permit for Frontage in order to make this a saleable lot to build a house. The property located at 59 North Main Street, Uxbridge, MA shown on the Town of Uxbridge Assessor's Map 18B, Parcel 3956 and recorded in the Worcester County District Registry of Deeds Book 6586, Page 188 located in Residence A zone

PRESENTATION / DELIBERATIONS

Board members in attendance: Chairman Mr. Wickstrom, Mr. O'Connell, Mr. Frisk

At a meeting of the Town of Uxbridge Zoning Board of Appeals, a duly noticed public hearing was opened on **October 5, 2011 continued to November 2, 2011.**

Colleen Cassidy of Uxbridge and Tom Cassidy of N. Grovendale, CT spoke on behalf of the Cassidy Family Trust.

The house that was on the lot burnt on January 10, 1976 according to the Fire Department records.

After much discussion the board decided to continue the public hearing until the next meeting. Asking the Cassidy Family to produce other documents for the property in question.

MOTION/VOTE:

Mr. Frisk made a MOTION to continue the case FY12-07 until the next meeting November 2, 2011, Mr. O'Connell **SECONDED** the motion, all in favor. VOTE (3-0-0).

OLD/NEW BUSINESS

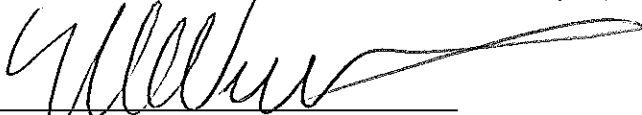
Reviewed & accepted Minutes for September 7, 2011

Mr. Frisk made a MOTION to Accept the meeting minutes for September 7, 2011. Mr. O'Connell **SECONDED**, VOTE (2-0-1). Mr. O'Connell abstained due to the fact he was not in attendance for that meeting.

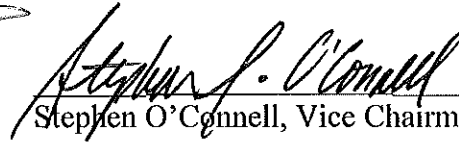
The Board also discussed correspondences which were received during the month.

CLOSING

Mr. Frisk made a MOTION to adjourn the meeting at approximately 8:00 pm. **Seconded** by Mr. O'Connell, the MOTION carried unanimously. (3-0-0)



Mark Wickstrom, Chairman



Stephen O'Connell, Vice Chairman

Joseph Frisk

Chris Walkiewicz, Alternate

11-9-11

Date