

Town of Uxbridge
Zoning Board of Appeals
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Posted by
 Uxbridge
 Town Clerk

MINUTES

Wednesday, February 6, 2013³

Minutes of the Uxbridge Zoning Board of Appeals meeting held on Wednesday, February 6, 2013 in the Board of Selectmen's Meeting Room of the Uxbridge Town Hall.

Zoning Board of Appeals Members Present: Chairman, Mark Wickstrom, Stephen O'Connell, Bonnie Tetrault (non-voting member for Case FY13-05) and Joseph Frisk. Member absent: Alternate, Christopher Walkiewicz.

The meeting being duly called, properly posted, Chairman, Mr. Wickstrom called meeting to order shortly after 7:00 p.m. with the Pledge of Allegiance

PUBLIC HEARINGS

Case FY13-05 — Dedix, LLC of 201 River Road. Applicant is requesting a **Special Permit** to construct a Contractor's Yard within the Industrial Zone. The property is located at **201 River Road, Uxbridge, MA**, as shown on the Town of Uxbridge Assessor's Map 45, Parcels 4024 and 4053 as described in a deed recorded in the Worcester District Registry of Deeds Book 47723 Page 335; located in Industrial zone.

Mr. Wickstrom explained that the decision for this petition was incorrect from 11-17-12 and that the board decided to re-do with another public hearing and to re-do the mailing for the abutters at the Boards expense...

Public Meeting: At a meeting of the Uxbridge Zoning Board of Appeals on **February 6, 2013**, a duly noticed public hearing was **opened and closed**.

Deliberations: The Board noted in deliberations that the Conservation Commission would have jurisdiction over environmental concerns and the Building Commissioner over the construction of the building on the plans.

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

Mr. O'Connell made a **MOTION** to **GRANT** a **SPECIAL PERMIT** for a **Contractor's Yard under Section 400-10(B)** of the Town of Uxbridge Zoning Bylaws, and to construct a building pursuant to the plans submitted, to be used for the storage of equipment and supplies, and parking of wheeled equipment and for office space related to their home heating fuel delivery business, **WITH THE CONDITION** that there be no filling or re-filling of oil delivery trucks, or the overnight storage of full or partially-full fuel delivery trucks on the premises. The Board specifically found the proposed use was less detrimental to the neighborhood than the current use and also the special permit criteria set forth in Section **400-50(B)**, have been met, namely that there was no impact on social, economic and community needs; that traffic would not be impacted and there was off-street

parking; there were adequate utilities; that the neighborhood would not be impacted; that there would be no adverse impact to the natural environment; and the fiscal impact would be positive with the new business. **MOTION SECONDED** by Mr. Frisk, the **MOTION** to grant the **SPECIAL PERMIT** carried. All in favor: VOTE (3-0-0)

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

Old/New Business:

Meeting Minutes:

August 1, 2012 – Amendments need to be made, Board did not sign.

September 5, 2012 – Mr. Frisk made a **MOTION** to accept minutes as written. Mr. O'Connell **seconded**. All in Favor (3-0-0).

October 3, 2012 – Mr. Frisk made a **MOTION** to accept minutes as written. Ms. Tetrault **seconded**. All in Favor (2-0-0).

October 17, 2012 – Mr. O'Connell made a **MOTION** to accept as amended. Mr. Frisk **seconded**. All in Favor (3-0-0).

November 7, 2012 – Mr. Frisk made a **MOTION** to accept minutes as written. Mr. O'Connell **seconded**. All in Favor (2-0-0).

November 14, 2012 – Mr. Frisk made a **MOTION** to accept minutes as amended. Ms. Tetrault **seconded** the motion. All in Favor (3-0-0).

December 5, 2012 – Mr. Frisk made a **MOTION** to accept minutes as written, Mr. O'Connell **seconded**. All in Favor (3-0-0).

Discussion on Zoning By-laws: Board had discussion about a change in the Zoning By-law.

Mr. Joseph Frisk was asked by the Zoning Board to approach the Planning Board in order to put the decision of changing the Manufacturing USES of the board on the Spring Town Meeting agenda.

Closing:

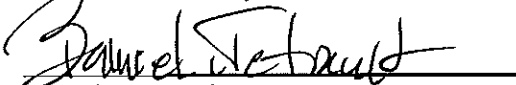
Mr. Frisk made a **MOTION** to adjourn the meeting, Ms. Tetrault **Seconded** the motion. All in favor (4-0-0)



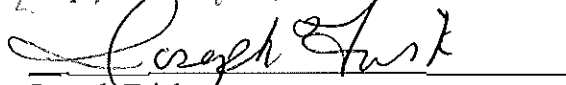
Mark Wickstrom, Chairman



Stephen O'Connell, Vice Chairman



Bonnie Tetrault



Joseph Frisk

Absent

Chris Walkiewicz, Alternate

2/27/13

Date