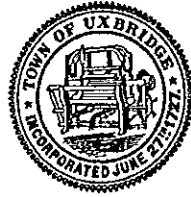


Mark Wickstrom, Chair  
Stephen O'Connell, Vice Chair  
Bruce Desilets, Member  
Joseph Alves, Associate Member  
Thomas Bentley, Associate Member  
Joseph Frisk, Associate Member



Uxbridge Town Hall  
21 South Main Street, Room 203  
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**TOWN OF UXBRIDGE  
ZONING BOARD OF APPEALS**

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**MEETING MINUTES: THURSDAY, DECEMBER 11, 2014**

Minutes of the Uxbridge Zoning Board of Appeals regularly scheduled meeting on **Thursday, December 11, 2014** in the Board of Selectmen's Meeting Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA:

**Present:** Chair Mark Wickstrom, Clerk Bruce Desilets, Associate Member Thomas Bentley, and Assistant Beth Pitman.

**Absent:** Vice Chair Stephen O'Connell, Associate Members Joseph Alves and Joseph Frisk.

It being approximately 6:00 pm, the meeting being properly posted, duly called and a quorum being present, the meeting was called to order by the Chair.

**III. MINUTES/MAIL/INVOICES**

**MINUTES:** 08/17/13 Meeting Minutes, 09/03/14 Meeting Minutes, 11/05/14 Meeting Minutes

**MOTION:** I, Mr. Bentley, move that the Board approve the 12/03/14 Meeting Minutes as written. **Seconded by Mr. Wickstrom, the motion carried 2-0-1. Mr. Desilets abstained.**

**MOTION:** I, Mr. Desilets, move that the Board approve the 11/05/14 Meeting Minutes as written. **Seconded by Mr. Wickstrom, the motion carried 2-0-1. Mr. Bentley abstained.**

The 09/03/14 Meeting Minutes will be moved to the next regularly scheduled meeting agenda.

**I. PUBLIC HEARING**

**FY15-06: Owner Pembroke Realty Trust, Louis C. Tusino, Trustee / Applicant Guaranteed Builders & Developers, Inc.** The Applicant on behalf of the Owner is requesting a Special Permit for the proposed use of the property as a banquet facility with a service bar, citing it as an allowable use per Uxbridge Zoning Bylaw §400-12. The property is located at **515 Douglas Street, Uxbridge, MA**, as shown on the Town of Uxbridge Assessor's Map 23 Parcel 3545 and described in a deed recorded in the Worcester District Registry of Deeds Book 52107 Page 227; in Business zone.

The Chair opened the Public Hearing and read the legal notice into the record. Applicant representative Tracey Sharkey of Guaranteed Builders & Developers, Inc., on behalf of the Owner, stated the intent of the Application is to run a banquet facility with a service bar within the existing building; only cosmetic renovations have been done to date. Discussion included when the facility was last in business, which was early 2000's; had been in business since 1970's; Assessor code is for an eating establishment; trying to re-establish itself; definition of a service bar; renting space for food-based events such as weddings, parties, fundraisers; no kitchen in the facility; received liquor license; facility will not be open to the general public; hours of operation based on license; received food establishment permit to allow caterers onsite; live music with low lighting, alcohol and no food requires additional permit (entertainment license); main hall is approximately 4,500 square feet; outside entrances and parking will remain the same; application use includes the pavilion; served by Town water and a private septic system. The Chair read excerpts of two (2) letters received by the Board from residents, stating concerns with outside noise, increased traffic, bar service, hours of operation, maximum capacity, indoor and outdoor functions, outdoor concerts requiring an entertainment license, and the bar functioning as accessory to function hall.

**ORIGINAL**

**TOWN OF UXBRIDGE - ZONING BOARD OF APPEALS**  
**MEETING MINUTES THURSDAY, DECEMBER 11, 2014**

The Chair opened the Public Hearing to comment from abutters/residents.

Sandra Kelly, 77 Taft Hill Lane, had not seen the proposal, is concerned what abutters can do in regard to the noise; concerned about people that are ill in Summerfield area being disturbed by noise; the general impact on the neighborhood, two events generated a lot of noise (bonfire and open house/cookout with helicopters and music); and, capacity for hall and pavilion. The Chair explained the appeal process, recommended that residents/abutters try to work out issues with the Owner, and licensing authorities, such as the Board of Selectmen, have control over hours of operation.

Evelyn Marchand, 30 Nicki Way, commented on change of uses as property had been an auto parts business prior to being a banquet hall; questioned which regulations are followed; concerned about outing that occurred and noise from helicopters and music; asked if helicopters required a special permit; neighborhood of 165 families, all over age 55, prefer quiet neighborhood and generate a lot of tax revenue for the Town; asked who monitors the decibels; and, inquired about hours of operation and capacity.

The Chair stated the hours of operation on the alcohol license granted by the Board of Selectmen are Monday thru Saturday 8am – 1am, Sunday 12pm – 1am, and holidays according to State law.

Mr. Bentley suggested that neighbors work thru their home owners association if they have issues.

Ms. Sharkey stated she thinks the limit for outdoor music is 10pm as it was discussed during the licensing process with the Board of Selectmen.

The Chair commented that the Board could do additional conditioning that the Board of Selectmen require an entertainment license, place a cut-off time for an entertainment license of 10pm for music, and notify the abutters and/or their association in advance of planned events. Ms. Pitman read the May 27, 2014 Board of Selectmen meeting minutes regarding the alcohol licensing for 515 Douglas Street. Ms. Sharkey stated she was not opposed to a cut off time for outdoor music. Mr. Desilets commented that the sequence of permitting is backwards as they already have a liquor license. Ms. Sharkey stated that work had begun with the previous Town building inspector.

**MOTION:** I, Mr. Bentley, move that the Board close the Public Hearing for 515 Douglas Street. Seconded by Mr. Desilets, the motion carried 3-0-0.

**MOTION:** I, Mr. Wickstrom, move that the Board approve the Special Permit application for use of the property as a banquet facility with a service bar as set forth in the application and Special Permit criteria in Zoning Bylaw 400-50 (b) have been met. Furthermore, the Special Permit is conditioned upon the continued licensing by the Board of Selectmen and Board of Health, as applicable. And further, that any outdoor music be subject to an entertainment license to be issued by the Board of Selectmen with a recommendation to the Board of Selectmen that they set forth the hours of operation for outdoor music and a deadline of 9pm for any outdoor activity. Seconded by Mr. Bentley, the motion carried 3-0-0.

All other agenda items will be addressed at the next meeting on Wednesday, January 7, 2015.

**II. NEW BUSINESS**

ZBA Application: Review/Revise form and application requirements, including Abutter Notification Process.

Zoning Bylaws: review and revise as appropriate, including Home Occupation and Accessory Uses (ZBL 400-11 Part A 1 b).


**IV. ANY OTHER BUSINESS, which may lawfully come before the Board.**

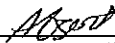
TOWN OF UXBRIDGE - ZONING BOARD OF APPEALS  
MEETING MINUTES THURSDAY, DECEMBER 11, 2014

V. ADJOURNMENT

At approximately 6:40pm, MOTION by Mr. Bentley to adjourn the meeting. Seconded by Mr. Desilets, the motion carried 3-0-0.


Respectfully submitted,  
Beth A Pitman  
Zoning Board of Appeals Assistant

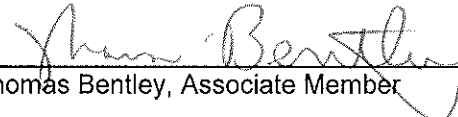
  
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Mark Wickstrom, Chair

  
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Stephen O'Connell, Vice Chair

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Bruce Desilets, Member

1-7-15  
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Date

  
\_\_\_\_\_  
Joseph Alves, Associate Member

  
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Thomas Bentley, Associate Member

  
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Joseph Frisk, Associate Member