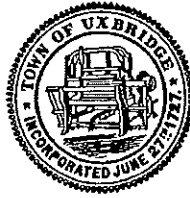


T/C

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



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Posted by
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Town Clerk

SEP 3 '15 AM 8:25

**TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS**

MEETING MINUTES: WEDNESDAY, AUGUST 5, 2015

Minutes of the Uxbridge Zoning Board of Appeals regularly scheduled meeting on **Wednesday August 5, 2015** in the **Board of Selectmen Meeting Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA:**

Present: Chairman Mark Wickstrom, Alternate Members Thomas Bentley and, via remote participation, Alternate Member Joseph Frisk;
Administrative Assistant Lynn Marchand

Absent: Alternate Member Joseph Alves, Vice Chair Stephen O'Connell, and Clerk Bruce Desilets

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, who led the Pledge of Allegiance.

Chair stated Member, Joseph Frisk, would be participating via remote access due to geographical distance. The Chair noted that a physical quorum was also met and stated that all votes must be by roll call vote.

I. PUBLIC HEARINGS

1. FY16-01: 50 Depot Street, Thomas Garafalakis for Trade Auto Brokers. Applicant is seeing a **Special Permit** for a Class II dealer license on **50 Depot Street**. License to sell second hand used autos; Business will have 8-car parking and consist of a free standing building with 2 offices and 1 bathroom. Property is shown on the Town of Uxbridge Assessor's Map 25 Parcel 1095, and described in a deed recorded at the Worcester Registry of Deeds Book 50228 Page 121 and is located in an Industrial Zone.

Applicant, Thomas Garafalakis, stated the building was previously a driving school. His proposed business would be conducted primarily online. His business partner, George Pappas, previously had a Class II license.

Discussion was had with Board members asking questions. Hours will likely be 9 am to 7/8 pm weekdays with earlier hours on the weekend. Mr. Bentley said that the Board of Selectmen would make the determination regarding hours.

Signage was proposed to be simple and clean with name and hours of operation located in the same place the previous business had their sign. Number of employees was said to be (2); himself and his business partner.

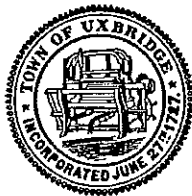
Parking would be for up 8 cars. Parking lot is not currently paved, has a few weeds and small plants. Applicant said he plans to clean it up and put down gravel to improve the parking area. Additional parking was said to be available from the property owner, for Mr. Garafalakis and his business partner.

No car repairs will be done on the property. Applicant is looking local repair shops in the event one of the cars needs work done. Mr. Pappas explained that the cars generally stay at auction.

Applicant stated he is working on getting his business up and running and is aware of the process involved to be compliant with all rules and regulations. (tax ID, business license, going before BOS and ZBA, etc)

Applicant stated no class III or demolished vehicles would be bought or sold.

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Abutter, Cecilia Boatman, asked about the owner of the property, expressed concerns, and asked several questions regarding the proposed business, the applicants, and various aspects of the proposed application.

After hearing testimony from the applicant, his partner, and the abutter, Mr. Bentley suggested the Board conduct a site visit as well as having DPW review the property and application. The other Board members concurred. Mr. Bentley also requested a copy of the lease from the applicant by the next meeting.

MOTION I: to continue the Public Hearing to 8/19/15 at 6:00 pm in the Town Hall made by Mr. Bentley. Motion was seconded by Mr. Frisk. Motion carried by roll call vote 3-0-0.
Mr. Bentley-aye. Mr. Frisk-aye. Mr. Wickstrom-aye

2. FY16-02: 30 Lackey Dam Road, Steve Pedro/Ayoub Engineering. Applicant is seeking to amend a **Special Permit** for new signage at their existing gas station located at **30 Lackey Dam Road**. Property is shown on the Town of Uxbridge Assessor's Map 015 Parcel 0655, and described in a deed recorded at the Worcester Registry of Deeds Book 20743 Page 290 and is located in an Industrial Zone.

The Applicant submitted the following testimony and evidence:

1. Application and site plan
2. Testimony from Steve Pedro, Ayoub Engineering: Mr. Pedro stated that they would be upgrading and consolidating the (2) two existing signs; taking down both existing signs and replacing them with a single sign to be placed in the same spot on the northern corner sign. He stated that the Building Inspector/Zoning Enforcement Officer said that because the business is by Special Permit, any signage would require modification to the Special Permit. The old sign is approximately 116 sq. ft. and the new sign will be approximately 153 sq. ft.
3. Testimony from Tom Healy, operator of the Shell Station: He stated that the signs will be lower than the previous sign but would cause no visibility impact on traffic as there is a wall as well as shrubs in the bottom opening of the existing sign. It will be an LED sign; no scrolling.

No abutters were present.

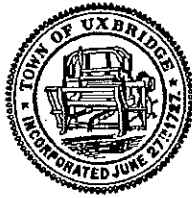
MOTION I: to close the public hearing made by Mr. Frisk. Motion was seconded by Mr. Bentley. Motion carried by roll call vote, 3-0-0

During deliberations, under Section 400-12, the Board found that the proposed application met the criteria for a Special Permit.

1. There is no impact on social, economic, or community needs which are served by the proposal.
2. Applicant has addressed traffic flow and safety. There is no impact on parking and loading.
3. There is no impact on utilities and public services.
4. There is no change to the impact on the neighborhood character and social structures.
5. There is no impact on the natural environment.
6. The potential fiscal impact, including impact on town services, tax base, and employment, is positive.

The findings of the Board is that the proposal is not detrimental to the neighborhood.

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Stephen O'Connell, Vice Chair
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MOTION I: to close the public hearing made by Mr. Frisk. Motion was seconded by Mr. Bentley. Motion carried by roll call vote, 3-0-0. Mr. Bentley-aye. Mr. Frisk-aye. Mr. Wickstrom-aye.

MOTION I: Mr. Bentley made a motion that the Board **GRANT** the **SPECIAL PERMIT** and applicant be allowed to construct a sign as designed in the application as shown on the Nouria Energy Corp Plan, by AYOUB Engineering for 30 Lackey Dam Road dated 4/28/2015 with final revision dated 7/9/2015 and that the special permit criteria under 400-5- has been met conditioned upon existing signs being taken down.

Motion was seconded by Mr. Frisk.

The motion carried by roll call vote, 3-0-0; Mr. Bentley-aye. Mr. Frisk-aye. Mr. Wickstrom-aye.

II. NEW BUSINESS

III. MINUTES/MAIL/INVOICES:

06/03/15 Meeting Minutes
07/15/15 Meeting Minutes

Voting on the meeting minutes was passed over to the next meeting date as there was not a quorum of members present who were also at the meetings of 6/3/15 and 7/15/15.

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

1. David Vieira, abutter of 619 West St.: Questions re: ZBA Decision for FY15-19, 619 West Street; Decision language, notification process, and clarification of previous ZBA Decision on property.

The Chairman, Mr. Wickstrom stated there was a previous ZBA Decision granting a Special Permit with conditions. Chair stated there was a notice sent for the Public Hearing and the PH lasted for two meetings, several abutters present all had their concerns heard and addressed, and a Decision by the Board was made.

He explained that the recent Variance only granted zoning relief, not a Building Permit. Chair stated that zoning relief was required prior to getting a Building Permit and the applicant would still have to go through all the normal processes.

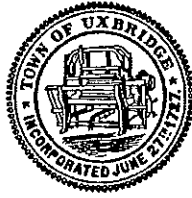
V. ADJOURNMENT: NEXT ZBA MEETING: WEDNESDAY, August 19, 2015.

At approximately 7:02 pm, Mr. Bentley made a motion to adjourn the meeting. Motion was seconded by Mr. Frisk. Motion carried by roll call vote 3-0-0;
Mr. Bentley-aye. Mr. Frisk-aye. Mr. Wickstrom-aye.

Respectfully submitted,

Lynn Marchand
Land Use Administrative Assistant

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SIGNATURE PAGE

Mark Wickstrom, Chair

ABSENT

Stephen O'Connell, Vice Chair

ABSENT

Bruce Desilets, Member

9-2-2015

Date

ABSENT

Joseph Alves, Associate Member

Thomas Bentley, Associate Member

Remote Participation

Joseph Frisk, Associate Member