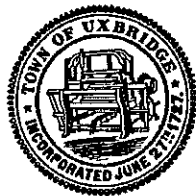


Mark Wickstrom, Chair
Thomas Bentley, Alternate Member
Bruce Desilets, Alternate Member
Joseph Frisk, Alternate Member
Kevin Harn, Alternate Member



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Uxbridge Town Hall
21 South Main Street, Room 205
Uxbridge, MA 01569
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**TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS**

Received by
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Town Clerk

MEETING MINUTES: WEDNESDAY, JULY 6, 2016

Minutes of the Uxbridge Zoning Board of Appeals meeting on **Wednesday July 6, 2016** in the **Lower Town Hall, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA:**

***Present:** Chairman Mark Wickstrom, Alternate Member Tom Bentley; Alternate Member Kevin Harn, and participating remotely, Alternate Member Joseph Frisk.; also Administrative Assistant Lynn Marchand

Absent: Vice Chair Stephen O'Connell and Alternate Member Bruce Desilets

It being approximately 7:00 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.

The Chair welcomed a new alternate member, Kevin Harn and thanked him for his expected service. He stated that Mr. Frisk would be participating remotely per MGL on electronic participation and all votes will be by roll call vote for the Public Hearings that he participates in.

I. PUBLIC HEARINGS

1. FY16-13: 950 Millville Road/Owners, Edward L. Thiebault and Debroah A. Thiebault and 0 Millville Road/Owner Edward L. Thiebault. Applicants are seeking a **SPECIAL PERMIT** pursuant to Section 400-12 so that their son, Joshua E. Thiebault, may continue the non-conforming use that the owners began circa 1989, consisting of processing and selling firewood, which Joshua took over circa 2012. Property is shown on the Town of Uxbridge Assessor's Map 46 Parcels 2133 & 1395 and described in a deed recorded at the Worcester Registry of Deeds Books 12060 & 52741 Pages 88 & 305 and is located in Residential-C zone.

Mr. Knapik stated that he was informed that was not a quorum of the required members that had previously participated in the public hearing and felt a continuance was in order. He asked that they be placed last on the agenda.

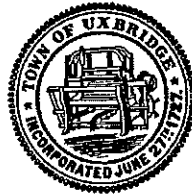
The Public Hearing was continued to the next meeting date of August 3, 2016 at 6:00 due to a lack of the original voting members present to meet quorum.

2. FY16-14: 162 Rockmeadow Road/Owners, Michael Vautrain and Katie Vautrain. Applicant is seeking a **VARIANCE** for frontage setback. Applicant was issued a building permit to construct a garage on a corner lot and the lot lacks the appropriate setback requirements in accordance with the Uxbridge Zoning Bylaws, Appendix B, Table of Dimensional Requirements. Property is shown on the Town of Uxbridge Assessor's Map 8 Parcel 3017 and described in a deed recorded at the Worcester Registry of Deeds Book 47826 Page 300.

Mike and Katie Vautrain built their house based on the permit given to them by a former building inspector. They were told after the garage was built that it was too close to the road for their zone. The applicants stated that the closest point of the garage to the street was approximately 60 feet. The closest distance from the property line is 13 feet 10 inches. The setback requirement is 75 feet.

The Chair noted that the house, which pre-existed the zoning bylaw was closer to Rockmeadow Road (and further into the setback area) than the garage was to Hartford Ave.

Mark Wickstrom, Chair
Thomas Bentley, Alternate Member
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TOWN OF UXBRIDGE ZONING BOARD OF APPEALS

MEETING MINUTES: WEDNESDAY, JULY 6, 2016

The Board reviewed the zoning violation letter and the letter of support from the Building Inspector/Zoning Enforcement Officer. The Board acknowledged the financial hardship, and that the structure was not detrimental to the neighborhood.

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. Frisk-aye. Mr. Bentley-aye. Mr. Wickstrom-aye.

MOTION II: to approve FY16-14, 162 Rockmeadow Road for a special permit, based on MGL 40A Section 6, where extension of the non-conforming use of the property by the garage location in the setback is not substantially more detrimental to the neighborhood, and does not increase the non-conforming nature of said use, so that the existing garage may remain in its present location on Parcel 3017, which is described in a deed recorded at the Worcester Registry of Deeds Book 47826 Page 300, in that the garage is approximately 50 feet from Hartford Avenue.

Motion was seconded by Mr. Bentley.

Motion carried by roll call vote 3-0-0. Mr. Frisk -aye. Mr. Bentley -aye. Mr. Wickstrom -aye

3. FY16-15: 671 & 685 Quaker Highway, Cardinal Enterprise Realty, LLC, Owner. Applicant is seeking a **SPECIAL PERMIT** to construct a proposed gas service station and retail (convenient store) on a parcel of land within an Industrial Zoned area. In accordance with the Uxbridge Zoning Bylaws Appendix A D. Commercial Uses "Gasoline or Oil Filling Station" requires a Special Permit from the Zoning Board of Appeals in accordance with Article IX, Chapter 400, Section 50. Property is shown on the Town of Uxbridge Assessor's Map 45 Parcels 3895 & 4725 and described in a deed recorded at the Worcester Registry of Deeds Book 42585 Page 253.

The Public Hearing was continued to the next meeting date of August 3, 2016 at 6:00 due to a lack of a quorum. Mr. Frisk and Mr. Wickstrom stated they would both have to recuse themselves.

II. NEW BUSINESS

III. MINUTES/MAIL/INVOICES:

05/12/16 Meeting Minutes -site visit

MOTION I: to accept the Meeting Minutes of 5-12-16 made by Mr. Bentley.

Motion was seconded by Mr. Wickstrom.

Motion carried 2-0-0.

06/01/16 Meeting Minutes -passed over

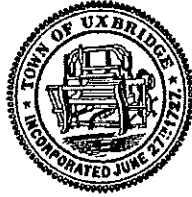
06/18/16 Meeting Minutes -site visit

MOTION I: to accept the Meeting Minutes from Saturday 6-18-16 made by Mr. Frisk.

Motion was seconded by Mr. Frisk.

Motion carried by roll call vote 2-0-0. Mr. Frisk -aye. Mr. Bentley -aye.

Mark Wickstrom, Chair
Thomas Bentley, Alternate Member
Bruce Desilets, Alternate Member
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**TOWN OF UXBRIDGE
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IV. OTHER BUSINESS, which may lawfully come before the Board.

1. FY2017 –Reorganization –passed over
2. 02/24/16 Planning Board Memo regarding striking footnote #4 of the Table of Dimensional Requirements
The Board signed the Memo in support of the Planning Board's request.

V. ADJOURNMENT: NEXT ZBA MEETING: WEDNESDAY, AUGUST 3, 2016 IN UXBRIDGE TOWN HALL

At approximately 7:31 pm, Mr. Frisk made a motion to adjourn the meeting.
Motion was seconded by Mr. Bentley. Motion carried by roll call vote 4-0-0.
Mr. Frisk –aye. Mr. Harn –aye. Mr. Bentley –aye. Mr. Wickstrom –aye.

Respectfully submitted,

Lynn Marchand
Land Use Administrative Assistant

SIGNATURE PAGE

Absent

Mark Wickstrom, Chairman

Thomas Bentley, Alternate Member

Absent

Bruce Desilets, Alternate Member

Stephen O'Connell, Vice-Chairman

Joseph Frisk, Alternate Member

Absent

Kevin Harn, Alternate Member

9-21-16

Date