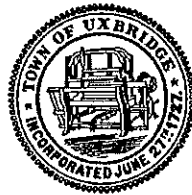


Chris Currie, Chairman
Kevin Harn, Clerk
Joseph Frisk, Alternate Member



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**TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS**

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MEETING MINUTES: TUESDAY September 12, 2017

Minutes of the Uxbridge Zoning Board of Appeals meeting on **Tuesday September 12, 2017** in the **Board of Selectmen Meeting Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA:**

Present: Kevin Harn, Chris Currie, Rob Knapik and Administrative Assistant Melissa Shelley

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.

The agenda was taken out of order to hear the item under Any Other Business 1st as it is a quick administrative matter.

I. PUBLIC HEARINGS

1. **FY17-29: 30 Monahan Drive (870 Quaker Highway), All for One, Inc., Owner/Applicant**, is seeking a **SPECIAL PERMIT** in order to obtain a Class II Auto Dealer License to conduct the sales of used motor vehicles. Property is shown on the Town of Uxbridge Assessor's Map **51 Parcel 2755** and described in a deed recorded at the Worcester Registry of Deeds Book **57224** Page **342** and is located in a **Business Zone**.

Discussion: Mr. Peterson Pereira, the owner/applicant attended the meeting and described his business to the Board. He emphasized the business would continue to operate as it has for the past 20+ years under the name Quaker Highway Service and the reason for this petition is that the original decision was never filed with the Worcester Registry of Deeds.

The Board agreed that it appears to be an appropriate use of the property and during deliberations determined the application, as proposed, met the following criteria outlined in Section 400-50 (B) of the Uxbridge Zoning Bylaws:

1. No impact on social, economic or community needs
2. No impact on traffic flow and safety, including parking, and loading
3. The utilities and other public services are adequate
4. No impact on the neighborhood character and social structures as it is an already existing business in an business zone
5. No impact on natural environment
6. The fiscal impact including impact on town services, tax base and employment is positive.

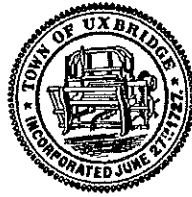
Motions and Votes:

Rob Knapik made a **MOTION** to close Public Hearing FY 17-29 for 30 Monahan Drive. **MOTION SECONDED** by Mr. Harn passed unanimously by VOTE (3-0-0).

Mr. Knapik made a **MOTION** that the Board **GRANT** the **SPECIAL PERMIT** to All for One Inc. for the retail sales of used automobiles at 30 Monahan Drive under the following conditions:

1. The Special Permit will be Subject to licenses from the Board of Selectmen and compliances to all other zoning by-laws, signage and other setback requirements that may apply.
2. The Special Permit will only apply for a Class II License only (used automobiles)– not Class III (Junk Cars or Parts Sales).

Chris Currie, Chairman
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3. The hours of operation will be maintained as stated during the hearing Monday-Friday 9:00am to 6:00pm Saturday 9:00am to 1:00pm and Closed on Sunday.
4. Maximum number of 30 vehicles (for sale) allowed on lot.

MOTION SECONDED by Mr. Harn passed unanimously by **VOTE (3-0-0)**.

2. **FY17-30: 14 Ryan's Way, Eddie & Jennifer Jameson, Owner/Applicant**, is seeking an 11' **VARIANCE** to the rear setback requirement of 30' in order to construct a deck. Property is shown on the Town of Uxbridge Assessor's Map **24A** Parcel **2415** and described in a deed recorded at the Worcester Registry of Deeds Book **57109** Page **115** and is located in a **Residential A Zone**.

Discussion: Mr. Jameson, the homeowner, and Mr. Lench, the Building Inspector attending the meeting and both explained the reason for the request. The house was constructed in 2016 and during final inspection it was determined the deck encroached on the rear setback. The deck was subsequently removed to allow the occupancy permit to be obtained. There is a very small unique building envelope on this irregularly shaped lot. There was discussion regarding options for placement of the deck and determined this is the only viable side of the building for it to be installed.

Motions and Votes:

Mr. Harn made a **MOTION** to close Public Hearing FY 17-30 for 14 Ryan's Way. **MOTION SECONDED** by Mr. Knapik passed unanimously by **VOTE (3-0-0)**.

Mr. Knapik made a **MOTION** that the Board **APPROVE** the applicant's request for a **VARIANCE** of 11' to the rear setback line shown on the plot plan accompanying the application. The Board found the variance is warranted and there is a hardship due to the irregular topography and shape of the lot and it does not derogate from the intent or purpose of the bylaw. **MOTION SECONDED** by Mr. Harn passed unanimously by **VOTE (3-0-0)**.

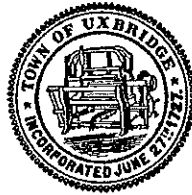
3. **FY18-01: 690 Quaker Highway, Albert Sliney, Applicant**, is seeking a **SPECIAL PERMIT** in order to obtain a Class II Auto Dealer License to conduct the sales of used motor vehicles. Property is shown on the Town of Uxbridge Assessor's Map **45** Parcel **3995 and 4077** and described in a deed recorded at the Worcester Registry of Deeds Book **14087** Page **125** and is located in an **Industrial Zone**.

Discussion: The applicants Albert and Joseph Sliney attended the meeting and described the property and the proposed business to the Board. There is an existing structure on the property that was once used for Rendezvous Leathers, a motorcycle parts and accessories business. The building has the appropriate water and utilities for customers and will not be used as a residence.

The Board agreed that it appears to be an appropriate use of the property and during deliberations determined the application, as proposed, met the following criteria outlined in Section 400-50 (B) of the Uxbridge Zoning Bylaws:

1. No impact on social, economic or community needs
2. No impact on traffic flow and safety, including parking, and loading
3. The utilities and other public services are adequate

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TOWN OF UXBRIDGE ZONING BOARD OF APPEALS

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4. No impact on the neighborhood character and social structures as it is an already existing business in an business zone
5. No impact on natural environment
6. The fiscal impact including impact on town services, tax base and employment is positive.

MOTION / VOTE:

Rob Knapik made a **MOTION** to close Public Hearing FY 18-01 for 690 Quaker Highway. **MOTION SECONDED** by Mr. Harn passed unanimously by VOTE (3-0-0).

Mr. Knapik made a motion that the Board GRANT the SPECIAL PERMIT for the retail sales of used automobiles at 690 Quaker Highway under the following conditions:

1. The Special Permit will be Subject to licenses from the Board of Selectmen and compliances to all other zoning by-laws, signage and other setback requirements that may apply.
2. The Special Permit will only apply for a Class II License only (used automobiles) – not Class III (Junk Cars or Parts Sales).
3. The hours of operation will be maintained as stated during the hearing Monday-Friday 9:00am to 6:00pm Saturday 9:00am to 2:00pm and Closed on Sunday.
4. Maximum number of 40 vehicles (for sale) allowed on lot.

MOTION SECONDED by Mr. Harn passed unanimously by VOTE (3-0-0)

4. **FY17-10: 124 & 126 N. Main St., 128-130 N. Main St., 4 Hazel St., & 8-10 Hazel St., Special Permit and Determination/Special Permit Application, on Remand during Appeal from Worcester County Superior Court.** The Applicant of record is **Cumberland Farms, Inc.**, and the owners of record, **Richard & Edward Riley, Lori & Scott Brady, Blackstone Realty, LLC & Blackstone Realty, LLC.** The Special Permit request is for permission to allow the operation of a gasoline filling station in a Business Zone. The Determination/Special Permit portion is to allow the alteration or change to a pre-existing nonconforming sign support structure by constructing a new double pole sign and relocating it to a less nonconforming location. The properties are shown on the Town of Uxbridge Assessor's Map 304, Parcels 2966, 1967, 2964, & 2958. The title to said land are recorded in the Worcester District Registry of Deeds Books 34960, 41846, 18685, & 20548, Pages 391, 394, 305, & 195, respectively; Properties are located in a Business zone.

- No Discussion due to lack of Quorum. Public hearing to be opened during the October 4, 2017 ZBA Meeting.

II. BUSINESS

1. Discuss Board Membership

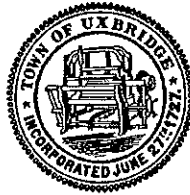
- Mr. Currie mentioned the ZBA's need for volunteers

III. MINUTES/MAIL/INVOICES

1. Review August 2, 2017 Meeting Minutes

- Mr. Currie made a MOTION to approve the meeting minutes from August 2, 2017 as written. Mr. Harn SECONDED and the motion passed by VOTE 2-0-0.

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

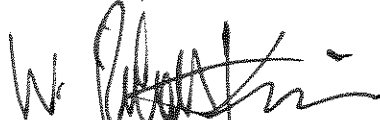
1. Case FY13-10 Comprehensive Permit 65 Hartford Avenue East – review and respond to letter from the Virginia Blanchard Memorial Housing Association

- Mr. Romasco attended the meeting with members of the VBMHA and explained the request to assign its rights to the Blanchard School LLC a nonprofit organization. Mr. Romasco emphasized this is essentially a name change and there are no changes to the actual project. Mr. Knapik reviewed the request and materials and did not have any objections.
- MOTION: Mr. Knapik moved that the board acknowledge to consent to the change. Mr. Harn seconded and the motion passed unanimously by VOTE of 3-0-0.

I. ADJOURNMENT: NEXT ZBA MEETING, WEDNESDAY, October 4, 2017


SIGNATURES:

Kevin Harn, Member



Rob Knapik, Member

10-4-17
Date



Christopher Currie, Member