

Town of Uxbridge
Zoning Board of Appeals
 21 South Main Street, Room 203
 Uxbridge, MA 01569
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MINUTES

Wednesday, August 3, 2011

Minutes of the Uxbridge Zoning Board of Appeals meeting held on Wednesday, August 3, 2011 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, Joseph Frisk. Not present - Alternate, Christopher Walkiewicz.

The Meeting being duly called, properly posted and a quorum being present, Chairman Mark Wickstrom convened the meeting at 7:00 PM with the Pledge of Allegiance.

PUBLIC HEARINGS

FY12-01 – Denise A. Davis Trustee, Nike Davis Realty Trust. Applicants are seeking a Variance/Special Permit in order to expand building addition of 120' X 120' on existing combined nonconforming lots per plans. The properties located at 125-135 Ironstone St, Uxbridge, MA shown on the Town of Uxbridge Assessor's Map 50, Parcels 1613, 1631 and recorded in the Worcester County District Registry of Deeds Book #37320, 43682 Page 321, 216 located in Agricultural zone. Mr. O'Connell made a **MOTION** to close the Public hearing. Mr. Frisk **SECONDED** the motion all in favor. VOTE (3-0-0)

MOTION/VOTE - Mr. O'Connell made **MOTION** to approve a **SPECIAL PERMIT** for the extension of an existing Non-conforming USE, said use not being detrimental to the neighborhood and that this board took into consideration all of the Criteria for a Special Permit #400-50. Pursuant to Section 400-12§B.1 Non-Conforming Uses. Move to grant the **Special Permit** for USE of expansion of existing non-conforming use of Commercial indoor recreation. **SECONDED** by Mr. Frisk, the **MOTION** to grant the **SPECIAL PERMIT** carried unanimously. VOTE (3-0-0)

Mr. O'Connell made a **MOTION** to grant a **VARIANCE** for the setback shown on revised plan dated August 1, 2011, zoning variance sketch for Denise A. Davis, Uxbridge, MA by Yerka Engineering, LLC and also a maximum building height of 45 feet. The basis of the motion being the hardship of the topography of the land; the building being located in the setback protects the potentially harmed conservation land to the west. The hardship regarding height is also the topography of the land, as the proposed building would conform to the maximum height

requirement if it was not for the sloped topography on the westerly side. **SECONDED** by Mr. Frisk, the **MOTION** to grant the **VARIANCE** carried unanimously. VOTE (3-0-0)

FY12-02 – Norman & Rita LeFrancois. Applicants are seeking a Variance/Special Permit to demolish an existing house and replace it with a 30' X 80', 3 or 4 bedroom house and garage and an additional 32' X 52' barn as per the submitted plans. The property located at 212 Henry St, Uxbridge, MA shown on the Town of Uxbridge Assessor's Map 20 Parcel 2948 and recorded in the Worcester County District Registry of Deeds Book 32508 Page 228 located in Res-C zone.

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

Mr. Frisk made a **MOTION** to grant a **SPECIAL PERMIT** on case FY12-02 based on Non-conforming Uses and Structures 400-12E and to M.G.L. Chapter 40A § 6, to allow the structures to be built on the lot 156 foot frontage versus the 200 foot required and 41,122 square feet versus the 43,560 square feet required. The proposed structures are not detrimental to the neighborhood.

MOTION SECONDED by Mr. O'Connell, the **MOTION** to grant the **SPECIAL PERMIT** carried unanimously. VOTE (3-0-0)

FY12-03 - GENAI Investments LLC. Applicants are seeking a Variance/Special Permit proposing a conforming Use (Business) Office/Retail Building 24' X 48' on an existing individual nonconforming lot that contains an abandoned home. The property located at 426 Douglas St, Uxbridge, MA shown on the Town of Uxbridge Assessor's Map 23 Parcel 3743 and recorded in the Worcester County District Registry of Deeds Book 46768 Page 260 & 261 located in Business zone.

MOTION/VOTE: Mr. Wickstrom made a **MOTION** to **Continue the Public Hearing** until 9-7-11. Mr. Frisk **SECONDED** the **MOTION**. All in favor (3-0-0).

FY12-04 – Alan & Barbara Gabree. Applicants are seeking a Variance/Special Permit proposing a Carport (30X30) to existing garage per plans. The property located on **54 Douglas Pike, Uxbridge, MA** shown on the Town of Uxbridge Assessor's Map 47 Parcel 4585 and recorded in the Worcester Country District Registry of Deeds Book 12760 Page 193 located in Agricultural zone.

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

Mr. O'Connell made a **MOTION** to issue a **SPECIAL PERMIT** to extend the existing accessory structure at 54 Douglas Pike owned by Alan Gabree, towards Hathaway Lane for a dimension not to exceed 30' X 30', finding that the structure will not be more detrimental to the neighborhood than the existing structures.

MOTION SECONDED by Mr. Frisk, the **MOTION** to grant the **SPECIAL PERMIT** carried unanimously. VOTE (3-0-0)

OLD/NEW BUSINESS

Discussion for Zoning bylaws updates, Mr. Nelson Burlingame, joined the board for the review.

Reviewed & accepted Minutes for March 2, 2011 & May 4, 2011

Mr. O'Connell made a **MOTION** to Accept the meeting minutes for March 2nd & May 4th 2011.

Mr. Frisk **SECONDED**, All in favor. VOTE (3-0-0).

Reviewed and accepted the Meeting Schedule for FY2012.

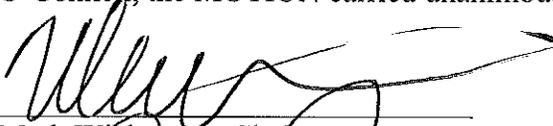
Mr. O'Connell made a **MOTION** to Accept the meeting Schedule for 2011.

Mr. Frisk **SECONDED**, All in favor. VOTE (3-0-0).

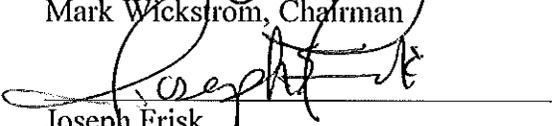
Reviewed and signed Invoice from Worcester Telegram & Gazette for legal ads for August meeting.

CLOSING

Mr. Frisk made a **MOTION** to adjourn the meeting at approximately 9:50 pm. Seconded by Mr. O'Connell, the MOTION carried unanimously. (3-0-0)

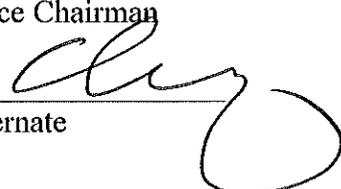


Mark Wickstrom, Chairman



Joseph Frisk

Stephen O'Connell, Vice Chairman

Not in Attendance 

Chris Walkiewicz, Alternate

Date 1/7/11
