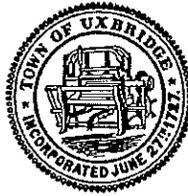


T/C

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



Uxbridge Town Hall
21 South Main Street, Room 205
Uxbridge, MA 01569
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Posted by
Uxbridge
Town Clerk

**TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS**

SEP 3 '15 AM 8:25

MEETING MINUTES: WEDNESDAY, JULY 15, 2015

Minutes of the Uxbridge Zoning Board of Appeals regularly scheduled meeting on **Wednesday July 15, 2015** in the **Lower Town Hall, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA:**

Present: Chairman Mark Wickstrom, Vice Chair Stephen O'Connell, and Alternate Member Joseph Frisk (Remote Participation via Facetime); Administrative Assistant Lynn Marchand

Absent: Clerk Bruce Desilets, Alternate Members Thomas Bentley and Joseph Alves.

It being approximately 6:07 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. Mr. Frisk signed a Certification of Review of all meeting materials. 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. FY13-10: Uxbridge Housing Associates, Inc., 65 Hartford Avenue East, Uxbridge, Assessor's Map 12A, Parcel 2171 as described in a deed recorded in the Worcester District Registry of Deeds Books 892 & 1644 and Deed pages 107-109 and 415-417; located in the Residential A zone.

The Applicant is seeking a Modification to the existing Comprehensive Permit for the redevelopment of the Blanchard School. To comply with HUD regulations pertaining to the HUD project, the directors of UHA have formed the Virginia Blanchard Memorial Housing Association, Inc. for the purpose of continuing the development of the project. Applicant is seeking to have the Special Permit reflect this new non-profit corporation and a "consent to assignment" signed by the Board. There are no other modifications. Mr. Harry Romasco, representing Uxbridge Housing Associates, gave a brief description of the group's history, HUD requirements, and its reasons for seeking the modification. It was also noted that the change to the entity of the Virginia Blanchard Memorial Housing Association, Inc. would be the only significant change as the members and mission would remain the same.

The Applicant submitted the following testimony and evidence: Application and copy of previous ZBA Comprehensive Permit and modification necessary to proceed with HUD regulations and various grants.

The Board had discussion with applicant. There were no abutters or other parties present in opposition.

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

MOTION I: made by Mr. O'Connell that the Board **GRANT** the petition for a **SPECIAL PERMIT** authorizing consent to assignment from Uxbridge Housing Associates, Inc. to Virginia Blanchard Memorial Housing Association, Inc. as presented to the Board by the applicant. Motion was seconded by Mr. Frisk. Motion carried by roll call vote 3-0-0; Mr. O'Connell-aye, Mr. Frisk-aye, Mr. Wickstrom-aye.

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Chair announced a 5 minute recess in order to sign the Consent To Authorize form and have it notarized for the applicant.

2. continued from July 1, 2015 -FY15-19: 619 West St., Henry J. Lane, Lane & Hamer, PC representing applicant, Joseph LaFrance; Owner of the property is listed as **Cynthia LaChance, Trustee of The Stanphyl Road Irrevocable Trust.** Applicant is seeking a **Variance/Special Permit** to allow additional upland area to be added to the pre-existing non-conforming lot. Property is located on **619 West Street** as shown on the Town of Uxbridge Assessor's Map 37, Parcel 852, and described in a deed recorded at the Worcester Registry of Deeds Book 38891, Page 177. Property is located in an Agricultural Zone.

Attorney Lane, representing the applicant, reviewed the map with proposed location of the house. He explained which piece of land was being added to the property.

Board stated, based on the information, that a Variance would be needed.

Chair invited abutters to speak:

Tom Murray: Questioned whether conditions from the previously approved ZBA Special Permit would be included in the Variance, if granted. Board reviewed and consolidated some of the Conditions of approval as due to current language and rules of approval already in use.

Discussion was had regarding the original conditions. Board discussed revisions of Conditions 1-4.

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

The Board had discussion with applicant and abutters.

That the proposed application, with certain conditions discussed by the Board, met the criteria for a Variance, in that there is a financial hardship due to the shape of the lot and topography of the land in relation to certain wetlands. The lot without the additional upland is a pre-existing, non-conforming lot. There is a hardship if the owner were unable to build on the land, as it was purchased with the benefit of the old Special Permit which granted relief in 2003. The lot will be larger with the granting of the Variance which is an improvement of the lot. It is a unique lot and the granting of the Variance does not derogate from the intent or purposes Zoning Bylaws. The proposal, with the conditions set by the Board, is not detrimental to the neighborhood and actually an improvement of the lot.

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MOTION I: made by Mr. O'Connell that the Board **GRANT** the **VARIANCE with Conditions** owing to the circumstances of the shape and topography in proximity to the wetlands affecting development, and that literal enforcement of provisions of the Zoning Bylaws would create hardship, financial or otherwise. The Variance may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purposes of the Uxbridge Zoning Bylaw. **VARIANCE** being **CONDITIONED** upon the following:

1. The minimum frontage shall be 127-feet on a parcel consisting of 2.82 acres.
2. Remaining land to be noted on Plan as combined with Assessor's Parcel 3087 and not a "separate building lot."
3. The maximum front setback shall be no less than forty feet (40') off West Street
4. There shall be no further subdivision of the lots.

Motion was seconded by Mr. Frisk. Motion carried by roll call vote, 3-0-0; Mr. O'Connell-aye, Mr. Frisk-aye, Mr. Wickstrom-aye.

II. NEW BUSINESS

III. MINUTES/MAIL/INVOICES:

06/3/15 Meeting Minutes not voted on due to lack of quorum of the same members that were present at the original meeting. 06/03/15 Minutes will be voted on at a future meeting.

MOTION I: motion to approve the meeting minutes of 07/1/15 as written made by Mr. O'Connell. Motion was seconded Mr. Wickstrom. Motion carried by roll call vote, 3-0-0; Mr. O'Connell-aye, Mr. Wickstrom-aye, Mr. Frisk-aye.

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

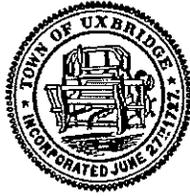
V. ADJOURNMENT: NEXT ZBA MEETING: WEDNESDAY, August 5, 2015.

At approximately 6:50 pm, Mr. O'Connell made a motion to adjourn the meeting. Motion was seconded by Mr. Frisk. Motion carried by roll call vote, 3-0-0; Mr. O'Connell-aye, Mr. Frisk-aye, Mr. Wickstrom-aye.

Respectfully submitted,

Lynn Marchand
Land Use Administrative Assistant

Mark Wickstrom, Chair
Stephen O'Connell, Vice Chair
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SIGNATURE PAGE

Mark Wickstrom, Chair

Absent

Joseph Alves, Associate Member

Stephen O'Connell, Vice Chair

Absent

Thomas Bentley, Associate Member

ABSENT

Remote Participation

Bruce Desilets, Member

Joseph Frisk, Associate Member

9.2.2015

Date