



**Town of Uxbridge
Zoning Board of Appeals
21 So. Main St.
Uxbridge, MA 01569
(508) 278-8603**

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Minutes of the **April 4, 2007** at 7:00 P.M. in the Board of Selectmen's Meeting Rm., Uxbridge Town Hall, 21 So. Main St., Uxbridge, MA:

Member(s) Present: Chairman **Ernie Esposito, Carol Masiello, and Mark Wickstrom**

Associate Member(s) Present: **John Higgins**

Member(s) Absent: **None**

Others Present: **Floyd Forman, Dir. Of Planning & Economic Development, Cheryl Brodeur**

The meeting being duly called, properly posted and a quorum being present, Chairman Esposito convened the meeting at 7:00 P.M.

Chairman Esposito explained to the assembled that the Board was going to open the Public Hearings on each case, take testimony, close the Public Hearings on each (as appropriate), and deliberate after all the cases have been heard.

PUBLIC HEARING(S) CONTINUED

FY07-20: The applicant, Steven Flagg, is seeking, in the Business Zone, a Class 1 License to sell new motor homes, trailers and RVs, seven (7) days a week from 9:00 A.M. to 8 P.M. on a property located at A. 30 Monahan Dr. and B. 164 Providence St., Uxbridge, MA, shown on the Town of Uxbridge Assessor's Map 51, A. Parcel 2755 and B. Parcels 2841, 2768 and 2881, and recorded in the Worcester County District Registry of Deeds (A.) Bk. 06471, Pg. 349 and (B.) Bk. 17166 Pg. 274. The owner of record is David Besette. Mark Wickstrom made a motion, seconded by Carol Masiello, to accept the applicant's attorney's (see Exhibit "A" attached) request to continue the Public Hearing on this matter to 05/02/07. The vote was 3-0-0 in favor of the motion. (Action: Cont. PH to 05/02/07)

FY07-24: The applicants / owners of record, Northwind Partners MA, LLC, are seeking, in Residence C and Agricultural Zones, a Special Permit for Use in accordance with the Town of Uxbridge Zoning By-law S. XX Age Restricted Development Overlay District, s.s. B. Permitted Uses and s.s. N. Criteria for Review, on a lot located at Taft Hill Ln., Uxbridge, MA, shown on the Town of Uxbridge Assessor's Map 23, Parcel 4435, and recorded in the Worcester County District Registry of Deeds Bk. 34880, Pg. 294, in order to construct a 130-unit condominium development. Mark Wickstrom recused himself from this matter owing to a potential conflict of interest. Alternate member, John Higgins, replaced him. Atty. Mark Kablack represented the applicant who was also present. Atty. Kablack told the Board members that there are a significant number of units developed or under development on the site and that the applicant is planning future construction. He indicated that the project was part of a 2002 Special Permit and that the purpose for being before the Board today is to amend the Special Permit regarding the TM passed Zoning Article (Age Restricted Overlay Development) and to

designate 15 affordable units to qualify toward that Town's count of affordable units with the State. This was all discussed at the Special Town Meeting. Atty. Kablack reminded the Board that no testimony was taken in March (With Mark recusing himself and John being absent, there was not a quorum to take testimony on this case at that time.). He further reminded the Board members that this was an amendment to the previously granted Special Permit and that the only things that have changed are the site design on drainage, sewer and water and that these items were reviewed when the Town Meeting Zoning Article was reviewed. Atty. Kablack went on to say that the application was reviewed as part of the Zoning By-law Article and that BETA Group reviewed the Plan relative to the new overlay district in a memo dated March 27, 2007 (**Exhibits "B", "C" & "D" attached**). Further, he pointed out to the Board members that the proposal will always be subject to **Exhibit "E" (attached)** regarding the affordable units. He told the Board members that the 3 model types and the cottage represent a re-work of the original layout and pointed out that the affordable units will be the cottage design and that this is consistent with the 2002 Special Permit.

Atty. Kablack explained that the project is essentially the same (as called for in the original Special Permit) and that the major difference is the number (20) and type of affordable units (originally figured @ 70% of market price). He went on to say that the problem was that this pricing structure did not meet state affordable standards and that the applicant was willing to meet the state's affordability standard but was financially forced to reduce the number of affordables they would provide to the Town. The compromise meant that instead of providing 20 affordable units the applicant would provide 15 with a going price of approximately \$145K. This action, he explained, would guarantee that these units would count toward increasing the Town's quota of affordable units. He then explained that the applicant recently went before the Conservation Commission to modify the drainage facilities on the site. Floyd Forman indicated that he had drafted conditions of approval and said that Atty. Kablack did a good job of explaining the relationship between the old Special Permit and the new Zoning Bylaw. Mr. Forman went on to say that the DPW had some issues with the road. Further he indicated that the applicant has done a good job of cooperating with the Town and its goals. Chairman Esposito asked Mr. Forman to go through the conditions (**Exhibit "F" attached**). Mr. Forman indicated that Conditions 1 and 2 merely tracked state law and that Condition 3 was okay. On Condition 4A, he said that someone should see the material for review. On Condition 4B, he said that 4-5 years ago this might have been turned over but that now it was needed. Re: Condition 5, Mr. Forman said this is one tract of land and that any change (subdivision or reduction of the tract) would require a modification of the Special Permit. Mr. Forman went on to say that Condition 6 may be eliminated because Atty. Kablack's recent email indicates that the landscaping plan, floor plans and building elevation information have already been submitted. Re: Condition 7, Atty. Kablack indicated that there may be some adjustment to this Condition and Carol Masiello expressed her concerns about seeing the affordable units built early on so as to ensure that they are built at all. Chairman Esposito reminded Board members that this Condition called for the applicant to complete the affordable units in Phase 1 before they got building permits for anything in Phase 2. Floyd Forman next directed the Board members' attention to DPW Superintendent's proposed conditions (**Exhibit "G" attached**). Carol Masiello asked what the affordable unit would be in all phases and Atty. Kablack answered that it would be the cottage without a basement (on a slab) and that topography came into play regarding the placement of same. George Yankovich commented that 3 affordables were to be provided in the first fifty units built (40 of which have already been built) and that they will be scattered throughout the last section of 5 duplexes. No abutters were present. Kevin Aguiar of BETA Group Engineering said that the information has checked out and that there was no missing information.

Atty. Kablack spoke to the Conditions next. He indicated that he had two items of concern. 1.) The issues raised by the DPW: #2 re: Inspection and Clerk of Works: Atty. Kablack indicated that they are currently undergoing and paying and continue to comply; #1: Nature of Roadway and Response to Town Manager last week: Atty. Kablack explained that the site is subject to subdivision and that this does not mean you're building anything including the roadway and promised to submit the subdivision plan that created the 63 acre parcel. Atty. Kablack then produced a map (**Exhibit "H" attached**) regarding the road. He then said that the road is private and will be maintained by the condo association, that the road was a cul de sac and that the design of the road was part of the site plan and approved by DPW. He went on to say that this was an approved subdivision through the subdivision process and provided for frontage and a private road. The easements associated with same make provisions for a private way with access. He continued with his thought that the DPW was asking for a modification of roadway improvements and indicated that his client is resistant to changing the original plan. 2.) The issue of the Affordable Units: Atty. Kablack said that when we discuss the By-law on the 01/09/07 STM Warrant (**Exhibit "I" attached**), Page 4, #6, that speaks to the number of affordable units per phase, that the applicant wanted some sort of flexibility as to where the units would go because their buyers might want their market value unit in a location slated for an affordable unit. Atty. Kablack assured the Board members that if there were to be any "substantial changes" that his client would come back to the ZBA. Chairman Esposito questioned what Atty. Kablack meant by "substantial". Atty. Kablack suggested Chairman Esposito look at the By-law and look at the state's criteria on "substantial". Atty. Kablack went on to say that he thought Condition 7b was only relevant when placing units spatially and he postured that the Town wanted no exposure. Mr. Forman complimented Atty. Kablack on a job well done in clarifying rather than modifying what Town Meeting voted on. Mr. Forman expressed concerns about phasing and the build out of the affordables. Chairman Esposito agreed with these concerns. Atty. Kablack returned to the roadway issue and then assured the Board that it was his believe that clustering affordables together would constitute a violation of the Special Permit and the Zoning Overlay District By-law and went on to say that if changes to locations were made that his client was committed to integration. Floyd Forman suggested that the Board ask that the affordables be built out at the same time as the market value units were being built out.

Atty. Kablack then presented the Board members with a sample deed (**Exhibit "J" attached**). A Roger Messier, Summerfield at Taft resident, indicated he had a question on the road, mainly how abutters could use the road by not be responsible for the road. Mr. Forman indicated that he did not know who was maintaining the road but went on to say that the people who buy / live there will maintain the road until the road is taken, if ever, by Town Meeting. Atty. Kablack indicated that his client could improve the road to higher standards. Mr. Messier asked what a rolling bond was and Floyd Forman explained that when a subdivision is being built, the applicant has to post surety to be sure the road is done properly. Kevin Comeau has been cooperative and posted appropriate surety. **Carol Masiello** made a motion, seconded by **John Higgins**, to continue the Public Hearing to 05/02/07. Ms. Masiello indicated that she was just given the materials on which to base any decision tonight and Mr. Higgins concurred. Atty. Kablack indicated that he was hopeful that his client was at the end of the process and mentioned the hiccup of losing last month's meeting to Mr. Wickstrom's last minute recusal. He asked that the Board consider closing the Public Hearing tonight or possibly holding a Special meeting to wrap up the project. Chairman Esposito indicated that he did not think the Board members had any serious problems with approving the Special Permit but that the members just wanted time to digest the materials they just received. Chairman Esposito acknowledged the fact that Atty. Kablack had been working on the Special Permit on behalf of his client for some time now. Carol Masiello mentioned that the Board was already meeting on April 18, 2007 for another matter and

suggested that Mr. Kablack continue the Public Hearing to that meeting. Atty. Kablack indicated that this proposal would not work for him and asked that the Board proceed with continuing the Public Hearing to 05/02/07. The vote on the earlier motion (to continue the Public Hearing to 05/02/07) was **3-0-0 in favor** of the motion. (Action: Cont. PH to 05/02/07)

PUBLIC HEARING(S) NEW

FY07-25: The applicant / owner of record, Robert Marino, is seeking, in the Residence A Zone, a Frontage Variance of 35.4 ft. from the 125 ft. requirement, on a lot located at 48 Hecla St., Uxbridge, MA, shown on the Town of Uxbridge Assessor's Map 19, Parcel 4742, and recorded in the Worcester County District Registry of Deeds Bk. 33620, Pg. 182, in order to construct a 2nd floor 40 ft. x 16' ft. master bedroom addition over his existing 40 ft. x 14 ft. kitchen. Chairman Esposito opened the Public Hearing on this matter and explained to the Board members that the Applicant appeared before the Board two months ago with a similar request, slightly smaller square footage of the upper addition, ZBA Case# FY07-19. When the Applicant subsequently applied for his Building Permit, the 14 ft. dimension for the 2nd floor overhang was actually a 16 ft. dimension and the Building Inspector, referencing the earlier ZBA decision, would not issue a Building Permit which was not in concert with what he told the Board he was building when he met with them two months ago and therefore referred him back to the Board. Mr. Marino indicated that it was a mistake on his part. Mr. Wickstrom suggested that the Board reference the FY07-19 Decision in their current Decision. No abutters were present and there were no questions from any of the Board members. The Chairman declared the Public Hearing on this matter closed. (Action: Cont. PH

FY07-26: The applicant / owner of record, Jeffrey G. King, is seeking, in the Agricultural Zone, a Rear Setback Variance of 2.0 ft. from the 10 ft. requirement, on a lot located at 558 Elmwood Ave., Uxbridge, MA, shown on the Town of Uxbridge Assessor's Map 49, Parcel 4425, and recorded in the Worcester County District Registry of Deeds Bk. 12430, Pgs. 121-123, in order to legitimize an existing garage that was built too close to the rear lot line. Chairman Esposito opened the Public Hearing on this matter. Rick Hathaway of Andrews Survey and Engineering represented the Applicant. Mr. Hathaway explained that the Applicant recently discovered that a garage on his property encroached on the required rear setback, instead of meeting the 10 ft. requirement, the garage only meets 8' ft., short of 2 ft. He explained that the abutter impacted by this matter is Boston Edison who has no buildings on the site, only shrubs and brush. Mr. Hathaway went on to explain that the Applicant just wanted to comply by petitioning the Board for a decision on his property. He did indicate that a Building Permit for the garage was sought and issued but that the property was not staked out by a surveyor at that time. No abutters were present and there were no questions from any of the Board members. The Chairman declared the Public Hearing on this matter closed.

FY07-27: The applicant / owner of record, Ralph E. True, Jr., is seeking, in the Residence C Zone, a Frontage Variance of 150 ft. from the 200 ft. requirement, on a lot located at 91 Quaker Hggy., Uxbridge, MA, shown on the Town of Uxbridge Assessor's Map 30, Parcel 3382, and recorded in the Worcester County District Registry of Deeds Bk. 34739, Pg. 387, in order to construct a home meeting all required setbacks on the resultant lot. Chairman Esposito opened the Public Hearing on this matter for the sole purpose of continuing the Public Hearing. **Mark Wickstrom** made a motion, seconded by **Carol Masiello**, to continue the Public Hearing on this matter to 05/02/07. Carol Masiello expressed concern that neither the applicant nor their attorney made this request to the Board in writing. She went on to say that she would like to see this rule added to the ZBA Rules and Regs. The vote was **3-0-0 in favor** of the motion.

FY07-28: The applicant / owner of record, Uxbridge Sports Limited Partnership, is seeking, in the Industrial Zone, a Determination of Similar Nature pursuant to Section VII. E. 1 (Any use permitted in Business districts...) and Section VII. D. 5 (Any use determined to be of similar nature...) of the Town of Uxbridge, MA Zoning By-Laws, on a lot located at 374 West St., Uxbridge, MA, shown on the Town of Uxbridge Assessor's Map 28, Parcel 4152, and recorded in the Worcester County District Registry of Deeds Bk. 19200, Pg. 236, in order to legitimize the operation of a commercial soccer field, paint ball facility and summer camp program at that location. Chairman Esposito opened the Public Hearing on this matter. The Applicant, Mr. Ferrar, and his legal representative, Atty. Henry Lane, were present. Atty. Lane explained that the Habitat was comprised of a large indoor soccer facility, an external soccer field, paint ball and summer camps. He went on to say that the facility was built 10 yrs. ago with all the required permits, but that it was recently brought to the Applicant's attention that the permitting only applied to the building and not the external or exterior uses. He stated further that the Building Inspector told the Applicant to petition the ZBA. Atty. Lane said that this is a fairly unusual situation and cited that under the Business Zone and Industrial Zone uses caveat, entertainment uses, commercial recreational uses, and competition, should be allowed. He went on to say that the By-law does not specifically differentiate between indoor or outdoor use. Atty. Lane argued that this was a similar use, calling this a contemporary version of uses permitted in 1978 and went on to say that the facility has been in its current location for 10 yrs., that it serves the entire Blackstone Valley, and that it is a unique facility. Mr. Ferrar indicated that the outdoor facility was built at the same time as the indoor facility, that he started out with 6 acres and has subsequently added 4 additional acres, and that the Town said there was no problem (although he did not have documentation to back him up). Mr. Ferrar explained that he therefore built the facility, and in 1998 lent indoor and outdoor facility areas to Uxbridge High School. He went on to say that he recently re-did the fields and that Northbridge Youth Soccer is currently interested in using his facility for their program. Mr. Ferrar explained to the Board members that he needed to supplement the income of the from the soccer end of his business with paintball, a sport which appeals to those between the ages of 12 and 24. Chairman Esposito inquired about the length of the paintball season. Mr. Ferrar replied that the season begins mid-April and extends until mid – late October with the hours on Friday being 3:00 – dark (usually no later than 8) and on Saturday and Sunday from 10 – 4. Chairman Esposito inquired as to whether or not the selling of equipment took place at the facility to which Mr. Ferrar replied in the affirmative, indicated that there were some 38 – 52 kids per paintball session, and said that on holidays (Memorial Day, Labor Day and Columbus Day) that there were as many as 115 kids present. Carol Masiello asked whether soccer tournaments would be held there and Mr. Ferrar replied in the negative. Mark Wickstrom inquired whether or not employees were providing coaching or instruction to the athletes and Mr. Ferrar replied in the affirmative, stating that it was mostly along the lines of safety training for instructors and referees and went on to say that they hold paintball birthday parties at the facility. Mark Wickstrom asked if teams come to the facility for training and Mr. Ferrar responded in the affirmative. Mark Wickstrom went on to say that he felt commercial recreation uses and commercial service uses might apply to that which is available at the facility. Mr. Ferrar went on to say that the following was available at his facility: a karate center, a clinic, lacrosse instruction, flag football, dodge ball, summer camps including baseball, soccer, football and lacrosse, much of which occurs on the exterior of the building. Atty. Lane indicated that there are 203 parking spaces and that paintball is conducted behind the building and the field. John Higgins asked if paintball and soccer were done at the same time. Mr. Ferrar said no. Carol Masiello asked if a game could be played if someone was engaged in paintball. Mr. Ferrar said that paintball would not reach out to the field. Ms. Masiello further inquired as to the velocity of paintball. Mr. Ferrar replied that the velocity is 230 ft. per second and went on to say that the

balls are made of the same gelatin as gummy bears. John Higgins asked if the Fire Chief had reviewed the scene regarding rescues, etc. Mr. Ferrar said the fields are netted with special 17 ft. high netting, that it is a sealed off field, that the players wear masks, and that there if a low, if any, incidence of paintball associated injury. Mark Wickstrom postured that he thought the owner was bound to comply with safety issues. Mr. Ferrar told the Board members that the Uxbridge Police Department has played at his facility. Carol Masiello asked if the facility has ever been reviewed by the Public Safety Committee. Mr. Ferrar responded that they had been regarding no parking signs on the street. Atty. Lane went on to say that after "The Station Club" fire in Rhode Island, everyone went through this facility by way of a \$16,000.00 review that resulted in 9-10 page letter to the Town Building Inspector. Abutter Sara Manganelli indicated she had questions and comments. Ms. Manganelli said she can see the paintball field from her house and that the noise generated from it sounds like a war. She went on to say that trash blows into her yard from across the road and that activity on site begins earlier than 9:00 A.M., even as early as 7:00 A.M. She said there is a lot of noise, some swearing, and lights shining into her bedrooms up to 3:00-3:30 in the morning. Mr. Ferrar indicated that he does have a men's soccer league that plays until 1:00-1:30 A.M. and that there are no lights involved with paintball. Ms. Manganelli went on to say that the parking lot lights were a problem as was parking along West Street and Longmeadow Street and on the grass of residents of Longmeadow. Further, she claims that the Police are reluctant to do much because Longmeadow is a private road. She recommended Mr. Ferrar extend his parking lot or allow parking on the grass on site. Ms. Manganelli claims that there are dances held at the site and that the music is much too loud. Ms. Manganelli indicated that she thought the facility was great for kids but that it generated too many parking problems, too much noise and too much trash. Abutters Rachel and Ron Macgillivray indicated they had the same complaints as Ms. Manganelli and spelled them out to the Board members. Peter Baghdasarian, concerned citizen, indicated that he was not a sports person but that he has become conversant with the Town By-laws, and sought copies of BOS meeting minutes and Town Counsel opinions. Mr. Baghdasarian indicated that he thought that all the problems in the last several years (that came to the ZBA), were re: people who should have the right, are being sent to the ZBA and what Mr. Baghdasarian has found is that people take one section of the By-law and that they magnify unwarranted pieces. Mr. Baghdasarian called the Board members' attention to Sec. V (General Protective Provisions) A. (Lawful Use) Uses such as books, shoe stores, etc. He indicated that the section begins with "such as" and ends with "etc." He went on to say that a business can located in the Industrial Zone and that one had only to look at the By-laws and went on to say that the Zoning Enforcement Officers do not understand the By-laws. Mr. Baghdasarian brought up the case of EMX (Flagship Automation) and its relocation from Quaker Highway (Industrial Zone) to Buxton St. (Business Zone) and the fact that they should have gone to the ZBA for a Finding such as Mr. Ferrar is seeking but that EMX did not want to do so and did not. He said that he went to the Town Clerk seeking such a Finding and found there was no such Finding. Chairman Esposito inquired as to the hours of operation and Mr. Ferrar answered that the former manager on duty (re: Columbus Day complaint) was no longer with the Habitat. Someone inquired as to how the Habitat landed in front of the ZBA and Mr. Ferrar responded that the way they found out there was an issue raised (by Steve Griff regarding uses in the Industrial Zone) back in November was when he received a letter from the Building Inspector (that the Town Manager directed him to send) that told Mr. Ferrar that no further outdoor use of the facility would be allowed. But, he went on to say that he was never formally directed to appear before the Board. Mr. Ferrar then told the Board members that the paintball tournaments were run on Sunday mornings. Atty. Lane indicated that there are no cars parked on the sides of West Street on days when there is a lot of traffic. He went on to say that a Building Permit was issued in 1997 for the building and uses in the building and that

his client needed a determination from the Board. Ms. Manganelli further expressed concerns including overnight campers and dogs on site. Concerned citizen, Harry Romasco, said that he sat on the Board of Selectmen for three years and that not once during that time was there ever an issue raised about the Habitat's license and that he thought it ironic that we were here today. Further, he said he hopes that Uxbridge will become a more business-friendly community. Carol Masiello checked with Mr. Ferrar to be certain he was seeking outdoor soccer, paintball and summer camps and Mr. Ferrara said yes and that without paintball he would be forced to close his facility. Chairman Esposito declared the Public Hearing on this matter closed.

CONTINUED / NEW / OTHER BUSINESS

FY07-25: Deliberation: Re: The Question of Waiving the Second Fee to be Charged Mr. Marino for His Prior Error: Ernie Esposito made a motion, seconded by **Carol Masiello**, to waive the second fee incurred by Mr. Marino for the error he made on his first application to the ZBA (FY07-19). **Mark Wickstrom** made a motion, seconded by **Carol Masiello**, to convert the application from a Request for Variances to a Request for a Finding under MGL C. 40A, Sec. 6 and to reference the FY07-19 decision in the new decision. The vote was **3-0-0 in favor** of the motion. **Carol Masiello** made a motion, seconded by **Mark Wickstrom**, to make a **FINDING** under MGL C. 40A, S. 6 and as per the decision of ZBA Case FY07-19 that there is a pre-existing structure on a non-conforming lot and that the applicant wishes to extend or alter the structure according to the submitted hand drawn plan showing a new addition above the kitchen (40 ft. x 16 ft.) to be used as a bedroom and that the intended extension or alteration is not substantially more detrimental to the neighborhood than the existing non-conformity and that the Building Inspector shall issue a permit for the work. The vote was **3-0-0 in favor** of the motion. **(Action: Finding Made)**

FY07-26: Deliberation: Mark Wickstrom made a motion, seconded by **Carol Masiello**, to grant a Rear Setback **VARIANCE** of 2 ft. based upon the following four (4) findings: A. There exists a hardship to the Applicant because the property line is unclear owing to ownership by the power company; B. It would be a hardship to the Applicant to move the existing garage; C. No abutters attended the Public Hearing to object to the granting of said Variance; and D. Granting said Variance would not effect the Zoning District. The vote was **3-0-0 in favor** of the motion. **(Action: Variance Granted)**

FY07-28: Deliberation: Chairman Esposito reminded the Board members that this was a discussion of outdoor use of soccer fields, paintball and outdoor camps and further reminded the Board members that they can put conditions on their decision. Chairman Esposito indicated that he had no problem with the current stated hours. Mr. Wickstrom reminded Board members that the Board was strictly here to determine if the use is allowed or not and that the Board had no jurisdiction beyond that one issue. Chairman Esposito reminded the Board members that the business is in the Industrial Zone and that the business has been in existence at this location for ten (10) years and mentioned something about Sunday morning hours. Carol Masiello said that the Board should determine the use issue first and that the Board members should be looking at facts that supported or did not support use(s) similar in nature to those in the Industrial Zone, and mentioned Sections 2 or 3 as possibilities of similarity. Mark Wickstrom postured that training in athletics would qualify as a service. Carol Masiello indicated that she disagrees with everyone who thinks this business is similar in nature to those allowed in the Industrial Zone but since the business has existed in this location since 1997, she would not support shutting the business down. **Mark Wickstrom** made a motion, seconded by **Carol Masiello**, to make a **FINDING** under MGL C. 40A, S. 6 and Town of Uxbridge Zoning By-laws Sec. VII D. 5, that the following uses are of a similar nature to those allowed in the Industrial Zone: Athletic training, athletic instruction, and providing athletic fields for playing certain athletic sports, specifically including

the Uxbridge Sports Limited Partnership's request to operate a commercial soccer field, athletic sports camps and paintball games and that the making of said finding does not relieve the petitioner from complying with any applicable licensing regulations and health, safety, building code, environmental laws / rules or regulations. The vote was **3-0-0 in favor** of the motion.

(Action: Finding Made)

Vote to Accept and Endorse 03/07/07 ZBA Meeting Minutes: Carol Masiello made a motion, seconded by Mark Wickstrom, to approve as written and endorse the 03/07/07 ZBA Meeting Minutes. The vote was **3-0-0 in favor** of the motion.

Adjournment: Carol Masiello made a motion, seconded by Mark Wickstrom, to adjourn. The vote was **3-0-0 in favor** of the motion. The meeting adjourned at 10:20 P.M.

Approved by the Town of Uxbridge Zoning Board of Appeals:

Ernie Esposito, Chairman

Carol Masiello, Member

Mark Wickstrom, Member