



Town of Uxbridge
Zoning Board of Appeals
21 So. Main St.
Uxbridge, MA 01569
(508) 278.6487

Minutes of the Uxbridge Zoning Board of Appeals held on **Wednesday, February 6, 2008** at 7:00 P.M. in the Lower Town Hall, Uxbridge Town Hall, 21 So. Main St., Uxbridge, MA:

Zoning Board of Appeals Members Present: **Chairman Mark Wickstrom, Thomas Bentley, Bruce Desilets and Associate Member Charles Lutton**

Zoning Board of Appeals Members Absent: **none**

Others Present: **Megan T. DiPrete, Director of Planning and Economic Development and Tracey Ante, Administrative Assistant**

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

FY 08-16, continued: Mr. Richard Hurteau / 0 Quaker Street. The applicant proposes to build a single family home, horse barn or possibly a kennel on property which has no frontage in the Town of Uxbridge.

Mr. Bentley recused himself due to conflict of interest. Mr. Lutton is therefore participating as a member of the Board. The Chairman re-opened the public hearing. Mr. Hurteau was present and informed the board of his intentions to develop land in the agricultural zone on a lot lacking frontage in Uxbridge.

Ms. DiPrete distributed a memorandum dated February 6, 2008 to the board and to the applicant summarizing the issues. The applicant's request is to develop land on a lot in Uxbridge that has no frontage; it is adjacent to a lot located in the Town of Millville which does have some frontage. An intermunicipal agreement could be utilized to address the service and access considerations in the event the Board considered granting the application for frontage variance.

Mr. Hurteau discussed building an equestrian center and arena suggesting it was a permitted use in the agricultural zoning district under state law. The board noted that the application seeks a frontage Variance. The board discussed the lack of proposed access to the development and no information was provided as to the proposed use of the lots.

Mr. Hurteau will be forwarding a letter and perhaps plans to the board further clarifying the intent of his application, addressing proposed uses and land ownership considerations as he owns multiple parcels in the vicinity.

MOTION by Mr. Lutton to accept applicant's written request to continue the public hearing to March 5, 2008. Seconded by Mr. Desilets, the motion carried unanimously (3 – 0).

Mr. Bentley returned to the board.

FY 08-26: The applicant / owner of record Scotland Yard Limited Liability Partnership is seeking an Appeal of Decision by a town official that Common Driveways are not permitted in Uxbridge on property located 165 Crownshield Avenue, Uxbridge, MA shown on the Town of Uxbridge Assessor's Map 29, Parcel 2965 and 2999 and recorded in the Worcester County District Registry of Deeds Book 18515, page 241 located in Residential A zoning district. The Building Inspector / Zoning Inspector declined to issue a building permit based on his determination of the application's non-compliance with the Zoning Bylaws governing the property.

The Chairman opened the public hearing. Mr. Jeffrey Roelofs, Attorney, was present and spoke on behalf of the applicant. He reviewed his letter dated January 4, 2008 appealing the decision that common driveways are not permitted under the Zoning Bylaws. He stated it was a permitted accessory use not regulated by Zoning Bylaws.

Mr. Nicholas Gazzero, Building Inspector was present and stated he agreed with Town Counsel that common driveways are not a permitted use in the Town of Uxbridge under Zoning Bylaws.

MOTION by Mr. Bentley to close the public hearing. Seconded by Mr. Desilets, the motion carried unanimously.

MOTION by Mr. Bentley to accept applicant's written request to agree to a 4 week extension of time for deliberations and final action, in order to continue deliberations at a future meeting. Seconded by Mr. Desilets, the motion carried unanimously.

Zoning By-Law Revisions – It was noted that a workshop was held on February 5, 2008 to continue working on a proposed recodification of the Zoning Bylaws for the Spring Town Meeting. The Board continued to review material distributed in December. Steve O'Connell, chair of the General Bylaw Review Committee, was present for this ongoing discussion and contributed helpfully to the conversations. An updated draft is anticipated within a few weeks, and will again be widely distributed in anticipation of Town Meeting.

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Meeting Minutes

MOTION by Mr. Bentley to approve the December 5, 2007 Meeting Minutes. Seconded by Mr. Desilets, the motion carried unanimously.

MOTION by Mr. Bentley to adjourn the meeting at 10:00 P.M. Seconded by Mr. Desilets, the motion carried unanimously.

Mark Wickstrom, Chairman

Thomas Bentley

Bruce Desilets

Charles Lutton, Associate Member

Date _____