



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, July 2, 2008** at 7:00 P.M. in the Board of Selectmen's Meeting Room, Uxbridge Town Hall, 21 So. Main St., Uxbridge, MA:

Zoning Board of Appeals Members Present: **Chairman Mark Wickstrom and Bruce Desilets. Associate Member Stephen O'Connell was also present.**
Zoning Board of Appeals Members Absent: **Dr. Charles Lutton**
Others Present: **Megan T. DiPrete, Director of Planning and Economic Development**

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 08-30: (continued) – No one representing the applicant was present. Ms. DiPrete indicated that following the “no-show” at the June meeting, she had sent a letter to the applicant advising them to submit the material sought by the Board in April, and to contact the office with any questions. There has been no response to that correspondence, and no material received. The application was filed in March; the public hearing was opened in April but continued at the applicant's request until May, and again until June. In June and in July, no one was present on behalf of the applicant, as required by the Board's operating procedures. **MOTION** by Mr. Desilets to close the public hearing. Seconded by Mr. Wickstrom, the motion carried unanimously.

MOTION by Mr. Desilets to deny the application file #08-30 regarding property at 164 Williams Street based on a lack of response by the applicant, and the failure of the applicant to submit material to the Board in support of the application. Seconded by Mr. Wickstrom, the motion carried unanimously.

Taft Hill Manor – discussion. Due to Mr. Lutton's unexpected absence, the matter will be discussed at a subsequent meeting of the Board. The Chairman clarified for the audience that there is no application pending before the Zoning Board, and there is no public hearing at this time. The developer is anticipated to meet with the Board on a routine level to update the Board on progress with the project.

FY 09-01: The applicant/ owner of record Mr. James and Brindalyn Gingras are seeking Variances from the frontage and square footage requirements of the Zoning By-laws on property located at 26 Oak Street, Uxbridge, MA, shown on the Town of Uxbridge Assessor's Map 19, Parcel 3443 and recorded in the Worcester County District Registry of Deeds Book 32328, Page 271. The property is located in the Residence A zoning district and lacks the required frontage of 125 feet and the required area of one acre. The plot plan shows 111.6' frontage and 10,656 square feet of lot area. The applicant proposes to expand the existing structure by constructing a farmer's porch that is 11 ½ feet X 23 feet on the non-conforming lot.

The Chairman opened the public hearing and designated Mr. O'Connell as a fully participating member for the purposes of this application. Mr. and Mrs. Gingras were present and Mr. Gingras described the

proposal. The lot is lawfully non-conforming. The structure does not encroach on setback areas, and the proposed construction will comply with dimensional (setback and lot area) requirements.

Following public input, **MOTION** by Mr. Desilets to close the public hearing. Seconded by Mr. O'Connell, the motion carried unanimously. **MOTION** by Mr. Desilets to make a Finding pursuant to Mass General Law Chapter 40A Section 6 that the proposal to expand the pre-existing single family structure on the lawful nonconforming lot is not detrimental to the neighborhood and may therefore be permitted. Seconded by Mr. O'Connell the motion carried unanimously.

MOTION by Mr. Desilets to approve the June 4, 2008 Meeting Minutes. Seconded by Mr. Wickstrom, the motion carried unanimously.

Correspondence. The Board reviewed correspondence. In particular, there was discussion about the Draft Open Space Plan. Mr. Desilets expressed his belief that this is an important project and he was glad to see it continuing to move forward. The public input opportunities to date have provided the forum to re-evaluate and re-affirm the Town's overall Open Space goals. Mr. Wickstrom indicated the value of the data compiled in the Open Space Plan, and the staff's continuing efforts to connect our data sets in order to maximize their value. The Board members will continue to review the material and submit comment.

Zoning Bylaws and Zoning Rules and Regulations – The board reviewed and discussed potential bylaw changes that may be put forth for the Fall Annual Town Meeting.

Selectmen's Request for Meeting Attendance July 14 regarding Zoning Bylaws. The Board asked that the Selectmen identify their question so that they may be adequately prepared for the discussion. Ms. DiPrete will communicate that request through the Town Manager.

MOTION by Mr. Desilets to adjourn the meeting at 7:50 P.M. Seconded by Mr. Wickstrom, the motion carried unanimously.

Mark Wickstrom, Chairman

Bruce Desilets

Steve O'Connell, Associate Member

Date _____