



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, September 3, 2008** at 7:00 P.M. in Lower Town Hall, Uxbridge Town Hall, 21 So. Main St., Uxbridge, MA:

**Zoning Board of Appeals Members Present:** Mark Wickstrom, Charles Lutton and Stephen O'Connell. Associate Member Joseph Frisk was also present.

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 09-06:** The applicant / owner of record Samir Shenenda/Emmanuel Trust Corp. is seeking a Special Permit from the Zoning By-laws on property located at 294 North Main Street, Uxbridge, MA shown on Assessors Map 12C, Parcel 3555 and recorded in the Worcester County District Registry of Deeds Book 41025, Page 307 located in the Residence B Zoning District. The property use is currently "non-conforming", with a pizza shop and apartment; the applicant seeks a special permit for expansion of a non-conforming use, to allow a second apartment, on the second floor. He is also pursuing the ability to serve beer/wine in the pizza shop, which is not the subject of this petition.

The Chairman opened the public hearing. Mr. Samir Shenenda was present and discussed the proposal. When the addition to the structure was constructed several years ago, it was built with an area that could serve as an additional dwelling unit. He had a building permit for the construction. The space is currently used for storage.

It was noted by the Board that Residence B allows two family dwellings. It was noted that the neighborhood is generally a mixed-use area, with several business/residential buildings already. There are three exits to the proposed second dwelling unit. It was noted that an occupancy permit from the building inspector will be needed in order to occupy the unit as a dwelling.

Following public input and discussion, **MOTION** by Mr. Lutton to close the public hearing. Seconded by Mr. O'Connell, the motion carried unanimously.

**MOTION** by Mr. O'Connell to approve the application under Section 400-12 B of the Zoning Bylaws. The Board finds that the expansion of the use to two dwelling units and one business is no more detrimental to the neighborhood than the existing non conformity. Seconded by Mr. Lutton, the motion carried unanimously.

**MINUTES. MOTION** by Mr. Lutton to approve the August 28, 2008 Meeting Minutes. Seconded by Mr. Frisk, the motion carried unanimously.

**MINUTES. MOTION** by Mr. Lutton to approve the August 20, 2008 Meeting Minutes. Seconded by Mr. Frisk, the motion carried unanimously.

**MOTION** by Mr. Lutton to approve the August 20, 2008 Executive Session Meeting Minutes. Seconded by Mr. Frisk, the motion carried unanimously.

**Zoning Bylaws** – The Board discussed potential bylaw changes. **MOTION** by Mr. Wickstrom to submit an article to the FATM warrant which is a proposal to revise Section 400-11 of the Zoning Bylaws as drafted and discussed. Seconded by Mr. O’Connell, the motion carried unanimously.

**MOTION** by Mr. Lutton to adjourn the meeting. Seconded by Mr. O’Connell, the motion carried unanimously.

\_\_\_\_\_  
Mark Wickstrom, Chairman

\_\_\_\_\_  
Charles Lutton, Vice Chairman

\_\_\_\_\_  
Stephen O’Connell, Clerk

\_\_\_\_\_  
Joseph Frisk, Associate

Date \_\_\_\_\_