



Town of Uxbridge
Planning Board
21 South Main Street
Uxbridge, MA 01569
(508) 278-8600, ext 2013

JAN 30 '19 PM 2:53

Received by
Uxbridge
Town Clerk

DECISION
SPECIAL PERMIT APPLICATION -APPROVED
Case No. FY19-17, 510 HARTFORD AVE WEST

Date: January 23, 2019

Name of Applicant: Christopher Cowan/510 Hartford Ave West LLC

Address of Applicant: 168 Driscoll's Lane
Whitinsville, MA 01588

Owner: Christopher Cowan/510 Hartford Ave West LLC

Address of Applicant: 168 Driscoll's Lane
Whitinsville, MA 01588

Name of Representative: Law Offices of Lane and Hamer/Henry Lane

Address of Representative: 100 Main Street
Whitinsville, MA 01588

Location of Property: 510 West Hartford Avenue, Uxbridge, MA

Assessors Map/Parcel: Map 16, Parcel 3881

Worcester Registry of Deeds Book/Page: Book 44999 Page 242

Plan Dated: August 28, 2019

Engineer or Land Surveyor: Andrews Survey & Engineering, Inc.
P.O. Box 312, 104 Mendon Street
Uxbridge, MA 01569

Zoning District(s): Agricultural

BACKGROUND/SUMMARY:

On December 19, 2018 an application was received, by the Planning Board and duly filed with the Uxbridge Town Clerk, for a Special Permit to construct a new building for operation of a veterinary clinic. The application was forwarded to various other Town Departments and Boards/Commissions. The Applicant/Owner of record is Christopher Cowan/510 Hartford Ave West LLC. Notice of the Public Hearing was scheduled and published in the "Worcester Telegram & Gazette" for December 26, 2018 & January 2, 2019 and posted in the Uxbridge Town Hall. Abutters were notified by way of certified return-receipt mail. The Public Hearing was opened and closed on January 9, 2019, following public input.

The property is located at 510 West Hartford Ave, Uxbridge, MA. The property is shown on the Town of Uxbridge Assessor's Map 16, Parcel 3881. The title to said land is recorded in the Worcester District Registry of Deeds Book 44999, Page 242; Property is located in an agricultural zone and is free of encumbrances.

FILINGS upon which the decision is based:

1. The application submitted consisted of original and copies of the Special Permit Application Form, application for Certified Abutters List, a copy of the Abutters List Report, Locus Map, associated fees, and a Site Plan.
2. Plans entitled "Site Plan" drawn by Andrews Survey & Engineering, Inc. and including the following plan sheets:
 - Sheet 1 of 1, dated 9/18/18
3. Original FY16-08, Special Permit Application, associated filings, and review comments for 510 Hartford Ave West
4. Original Special Permit Decision, FY16-08, 510 Hartford Ave West
5. Review Comments:
 - a) Original review comments from FY16-08 public hearing
 - b) Abutters; verbal input on January 9, 2019
 - c) Applicant supporting statements
-Site project & description

Aforementioned materials are on file in the Planning Office.

FINDINGS:

In granting the Special Permit with conditions, the Board determined that any adverse effects of the proposed use of land will not outweigh its beneficial impact to the Town, in view of the particular circumstances of the site and of the proposal in relation to that site. The Board has taken into consideration the following:

1. Applicability:

Based on the review of submitted materials, previous input from the Fire Department and abutters, the property is eligible for a Special Permit in accordance with Uxbridge Zoning Bylaws Section 400-20 – Special Permit.

2. Purpose:

Based on the review of submitted materials the proposed project will have a positive impact and thus meets the Purpose as stated within the Uxbridge Zoning Bylaws Section 400-20; " to protect the health, safety, convenience and general welfare of the inhabitants of the Town by providing for a review of plans for uses and structures which may have significant impacts on traffic, municipal and public services and utilities, environmental quality, community economics, and community values in the Town."

3. Criteria:

The social, economic, and community needs which are served by the proposal are positive. There is not unreasonable impact on traffic flow and safety, including parking and loading. There is minimum impact on utilities and public services in relation to the proposed business. There is a positive impact on the neighborhood character and social structures in that the business will provide veterinary services.

There is little impact on the natural environment. There is a positive fiscal impact.

MOTION: to endorse the Decision for the Special Permit application for Chris Cowan, 510 Hartford Ave West with waivers and conditions as written made by Mr. Laverdiere. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.

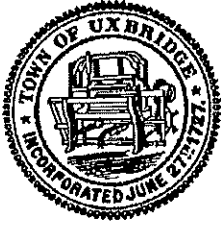
WAIVERS:

Pursuant to the Uxbridge Zoning Bylaw 400-20 G-1, after reviewing the previously submitted impact assessment statements, Fire Department's input, and having received no input from the notified Boards of any negative impact or concerns, the Planning Board granted the requested waivers:

1. Engineering Peer Review
2. Traffic Study
3. Environmental Impact Study
4. Community and Fiscal Impact Study

CONDITIONS OF APPROVAL:

1. The Applicant shall record this Special Permit at the Worcester Registry of Deeds within six (6) months, or this special permit shall become null and void. Said time shall not include such time required to pursue or await the determination of an appeal referred to in M.G.L. Chapter 40A, Section 17. The Applicant shall submit evidence of such recording to the Planning Board.
2. This Special Permit shall lapse in three (3) years, January 24, 2022, of the filing of the Special Permit approval if a substantial use thereof has not commenced, except for good cause, or in the case of a permit for construction, if construction has not begun by such date except for good cause. Said time shall not include such time required to pursue or await the determination of an appeal referred to in M.G.L Chapter 40A, Section 17.
3. All regulations and requirements of the Board of Health, Conservation Commission, Fire Department, Police Department, Department of Public Works and agencies shall be fully complied with.



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UXBRIDGE PLANNING BOARD:

SAID SPECIAL PERMIT APPROVAL IS GRANTED PURSUANT TO M.G.L. CHAPTER 40A, SECTION 9. APPEALS FROM THIS DECISION SHALL BE MADE PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 40A, SECTION 9.

UXBRIDGE PLANNING BOARD:

James Smith, Chairman

Joseph Leonardo, Member

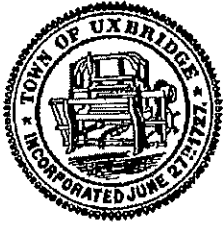
Barry Desruisseaux, Vice-Chairman

Barry Hauck, Member

Eli Laverdiere, Clerk

January 23, 2019

Date



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Appeals, if any, from this decision shall be made pursuant to M.G.L. Chapter 40A Section 17 and filed within 20 days after the date of the filing in the Office of the Town Clerk. A copy of this decision has been filed with the Town Clerk on _____

I hereby certify that twenty (20) days has elapsed from the date this decision was filed and no appeal has been filed in this office.

A true copy: ATTEST

Town Clerk/Assistant Town Clerk
(Town Seal Affixed)

Date _____