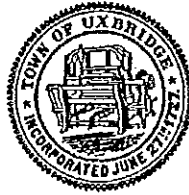


COPY

Mark Wickstrom, Chair
Stephen O'Connell, Vice Chair
Bruce Desilets, Member
Joseph Alves, Alternate Member
Thomas Bentley, Alternate Member
Joseph Frisk, Alternate Member



Uxbridge Town Hall
21 South Main Street, Room 203
Uxbridge, MA 01569
508-278-8600 x2013 p
508-278-0709 f

DEC 4 '14 PM 12:52

DECISION

SPECIAL PERMIT GRANTED

December 3, 2014

Received by
Uxbridge
Town Clerk

ZBA Case# FY 15-05

Zone Business

Property Location 2 West Hartford Avenue, Uxbridge, MA

Assessor's Map 12 C Parcel 2745

Worcester District Registry of Deeds Book 14455 Page 112

Owner Leemill's Petroleum, Inc. c/o Getty Realty Corp

Applicant Lehigh Gas Corporation

BACKGROUND

FY15-05: Owner Leemill's Petroleum, Inc. c/o Getty Realty Corp / Applicant Lehigh Gas Corporation. Representative Carolyn Parker on behalf of the Owner and the Applicant is requesting a Special Permit for the installation of a new 24' x 40' overhead canopy above the existing fuel dispensers and will convert from full serve to self-serve. The property is located at **2 West Hartford Avenue, Uxbridge, MA**, as shown on the Town of Uxbridge Assessor's Map 12 C Parcel 2745 and described in a deed recorded in the Worcester District Registry of Deeds Book 14455 Page 112; in Business zone.

SUBMITTALS

Application form and materials were received October 14, 2014, including Canopy Plan dated October 2, 2014; Preliminary Drawing #14-079 (24'-0" x 40'-0" x 2 column canopy); sample picture of 24'-0' wide BP OH Canopy; Landlord Authorization letter dated September 16, 2014; Executor's Deed; a copy of the Application for Certified Abutters List, list, and labels; and, associated fee.

PRESENTATION / DELIBERATIONS

Present: Chair Mark Wickstrom, Vice Chair, Stephen O'Connell, and, Clerk Bruce Desilets.

Absent: Associate Members Joseph Alves, Thomas Bentley, and Joseph Frisk.

Carolyn Parker representing the Applicant stated she was before the Board previously for a canopy at this site with a company that is no longer in existence; therefore coming again on behalf of the new ownership. Ms. Parker stated that have to work within the existing parcel; canopy will be put around the existing pumps; gas station will change from full serve to self-serve; canopy size is based on existing pumps and size of cars; requesting two logos on each side of the canopy with standard green striping. Discussion included canopy not being backlit; it's not illuminated other than area of decal; primary lighting will be LED and stream down; height is fifteen (15) feet with three (3) foot fascia for a total of eighteen (18) feet; no proposed building improvements; self-serve fire suppression will be installed; appearance of the sidewalk; and, removal of temporary signs hanging from BP sign.

The Chair asked for comment from the public.

Jacqueline Blinkhorn of 6 West Hartford Avenue asked if business hours and lighting will remain the same. Ms. Parker stated that hours of operation will be the same and safety lighting will remain on.

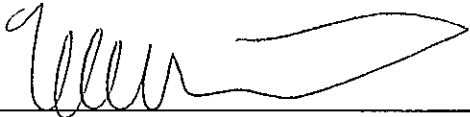
The Chair asked for further comment from the public. Being none, the Public Hearing was closed.

At a meeting of the Town of Uxbridge Zoning Board of Appeals, a duly noticed public hearing was opened and closed on November 5, 2014.

MOTIONS

I, Mr. O'Connell, move that the Board close the Public Hearing for 2 West Hartford Avenue. Seconded by Mr. Desilets, the motion carried 3-0-0.

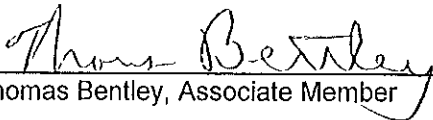
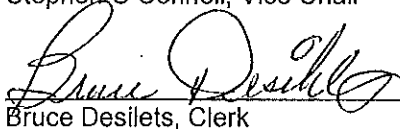
I, Mr. Wickstrom, in accordance with Town of Uxbridge Zoning Bylaws, move that the Board grant a Special Permit for FY15-05 Owner Leemilt's Petroleum, Inc. c/o Getty Realty Corp/Applicant Lehigh Gas Corporation to construct a canopy above the gas pumps in compliance with Zoning Bylaw 400-12 Section C in that it is not substantially more detrimental than the existing non-conformity on the lot to the neighborhood. Furthermore, the Board finds that the criteria under Zoning Bylaw 400-50 has been met, and the Special Permit is met with the following special conditions: 1) light emanating from the canopy must be contained on the property; 2) no signs shall be placed on the property that obstruct the line of sight for the traffic at the intersection; 3) the hours of operation to be maintained at the existing hours; and, 4) the size and location of the canopy must be consistent with the plans that were submitted with the application. Seconded by Mr. O'Connell, the motion carried 3-0-0.



Mark Wickstrom, Chair

Joseph Alves, Associate Member

Stephen O'Connell, Vice Chair


Thomas Bentley, Associate Member
Bruce Desilets, Clerk

Joseph Frisk, Associate Member

December 14

Date

*Certified Mail 4 December 14
7013 2250 0000 3929 1790*

SPECIAL PERMIT GRANTED

December 3, 2014

ZBA Case# FY 15-05

Zone Business

Property Location 2 West Hartford Avenue, Uxbridge, MA

Assessor's Map 12 C Parcel 2745

Worcester District Registry of Deeds Book 14455 Page 112

Owner Leemilt's Petroleum, Inc. c/o Getty Realty Corp

Applicant Lehigh Gas Corporation

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

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

A true copy: **ATTEST**

Town Clerk, Kelly Dumas or
Assistant Town Clerk

Town Seal

****THE APPLICANT IS REMINDED OF THEIR RESPONSIBILITY TO RECORD THIS
DECISION AT THE REGISTRY OF DEEDS PER THE CERTIFICATE OF GRANTING.
NO PERMITS SHALL ISSUE UNTIL THE SPECIAL PERMIT IS RECORDED.****