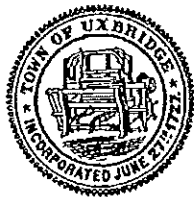


Mark Wickstrom, Chair  
Stephen O'Connell, Vice Chair  
Bruce Desilets, Member  
Joseph Alves, Alternate Member  
Thomas Bentley, Alternate Member  
Joseph Frisk, Alternate Member



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21 South Main Street, Room 205  
Uxbridge, MA 01569  
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508-278-0709 f

Received by  
Uxbridge  
Town Clerk

**DECISION**

**VARIANCE GRANTED**

**ZBA Case# FY 15-19**

**Property Location: 619 West Street, Uxbridge, MA**

**Assessor's Reference: Map 37 Parcel 852**

JUL 29 '15 AM 10:14

**Record Owner:** Cynthia LaFrance, Trustee of the Stanphyl Road Irrevocable Trust  
**Worcester District Registry of Deeds Deed Reference:** Book 38891 Page 177  
**Property Address:** 619 West Street, Uxbridge, MA

**BACKGROUND**

**FY15-19:** The Applicant's representative Joseph LaFrance is requesting a Variance/Special Permit to allow additional upland area to be added to the pre-existing, non-conforming lot, creating a new buildable lot. The property is in the Agricultural Zoning District.

**SUBMITTALS:** The Application and materials included a site plan of the proposed new lot and approximate house location, along with the previously approved ZBA Special Permit from 2004 (with conditions).

**VOTING MEMBERS PRESENT:** Chairman Mark Wickstrom, Vice Chairman Steve O'Connell, Alternate Member Joseph Frisk

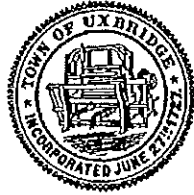
**PRESENTATION / DELIBERATIONS / PROPOSED FINDINGS OF FACT**

The Public Hearing was properly opened on July 1, 2015, continued by vote to July 15, 2015 and was properly closed on July 15, 2015. The Applicant and certain abutters were present.

The Board found during deliberations that the following evidence was submitted:

That the proposed application, with certain conditions discussed by the Board, met the criteria for a Variance, in that there is a financial hardship due to the shape of the lot and topography of the land in relation to certain wetlands. The lot without the additional upland is a pre-existing, non-conforming lot. There is a hardship if the owner were unable to build on the land, as it was purchased with the benefit of the old Special Permit which granted relief in 2003. The lot will be larger with the granting of the Variance which is an improvement of the lot. It is a unique lot and the granting of the Variance does not derogate from the intent or purposes Zoning Bylaws. The proposal, with the conditions set by the Board, is not detrimental to the neighborhood and actually an improvement of the lot.

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



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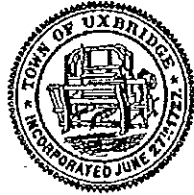
**MOTION I:** to close the public hearing made by Mr. O'Connell. Motion was seconded by Mr. Frisk. Motion carried by roll call vote, 3-0-0; Mr. O'Connell-aye, Mr. Frisk-aye, Mr. Wickstrom-aye.

**MOTION I:** made by Mr. O'Connell that the Board **GRANT** the **VARIANCE** with **Conditions** owing to the circumstances of the shape and topography of the land in proximity to the wetlands, specifically affecting development, and also that literal enforcement of provisions of the Zoning Bylaws would create a hardship, financial or otherwise. The Variance may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purposes of the Uxbridge Zoning Bylaw. **VARIANCE** being **CONDITIONED** upon the following:

1. The minimum frontage shall be 127-feet on a parcel of land consisting of 2.82 acres.
2. The remaining land to be noted and shown on a new Plan as combined with Assessor's Parcel 3087 and "not a separate building lot."
3. The maximum front setback shall be no less than forty feet (40') off West Street.
4. There shall be no further subdivision of the subject property.

Motion was seconded by Mr. Frisk. Motion carried by roll call vote, 3-0-0; Mr. O'Connell-aye, Mr. Frisk-aye, Mr. Wickstrom-aye.

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



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**DECISION**

**VARIANCE GRANTED**

**ZBA Case#** FY 15-19  
**Property Location:** 619 West Street, Uxbridge, MA  
**Assessor's Reference:** Map 37 Parcel 852

**Record Owner:** Cynthia LaFrance, Trustee of the Stanphyl Road Irrevocable Trust  
**Worcester District Registry of Deeds Deed Reference:** Book 38891 Page 177  
**Property Address:** 619 West Street, Uxbridge, MA

**SIGNATURE PAGE**

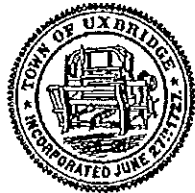
Mark Wickstrom, Chairman

Stephen O'Connell, Vice-Chairman

\_\_\_\_\_  
Joseph Frisk, Alternate Member

7-29-15  
\_\_\_\_\_  
Date

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



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**DECISION**  
**VARIANCE GRANTED**

**ZBA Case# FY 15-19**  
**Property Location: 619 West Street, Uxbridge, MA**  
**Assessor's Reference: Map 37 Parcel 852**

**Owner:** Cynthia LaFrance, Trustee of the Stanphyl Road Irrevocable Trust  
**Applicant:** by Joseph LaFrance, representative of owner  
**Worcester District Registry of Deeds Deed Reference:** Book 38891 Page 177  
**Property Address:** 619 West Street, Uxbridge, MA

**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 VARIANCE IS RECORDED.\*\***