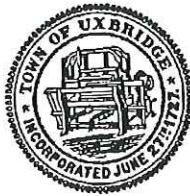


Mark Wickstrom, Chair
Stephen O'Connell, Vice Chair
Joseph Alves, Alternate Member
Thomas Bentley, Alternate Member
Joseph Frisk, Alternate Member



Uxbridge Town Hall
21 South Main Street, Room 205
Uxbridge, MA 01569
508-278-8600 x2013 p
508-278-0709 f

DECISION

SPECIAL PERMIT GRANTED

ZBA Case# FY 16-06

Zone: Residential-C Zone

Owner: SAJO Realty Trust / **Applicant:** Kevin Horne

Property Address: 424 Mendon Street, Uxbridge, MA

Assessor's Reference: Map: 14 Parcel: 4215

Worcester District Registry of Deeds References: Book: 52534 Page: 250

OCT 15 '15 PM 4:48

Received by
Uxbridge
Town Clerk

BACKGROUND: The Applicant is seeking a **SPECIAL PERMIT** to run a farm stand on the property

VOTING MEMBERS PRESENT: Chairman Mark Wickstrom, Vice Chairman Stephen O'Connell, Alternate Member Thomas Bentley.

ABSENT: Clerk Bruce Desilets, Alternate Member Joseph Frisk, and Alternate Member Joseph Alves

PRESENTATION / DELIBERATIONS / FINDINGS OF FACT

The Public Hearing was opened and closed on October 7, 2015. The Applicant submitted the following testimony and evidence: Application and supporting materials

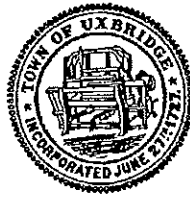
The Applicant described the proposal as an outdoor farm stand selling flowers and shrubs and seasonal items such as pumpkins and Christmas trees. The Applicant stated the stand would be along the southerly side of the property, but not in the front setback area. Also that the parking would be on the existing paved area between the stand and the existing building. The Applicant stated that he would not be selling bulk materials stockpiled on the property and that was not part of the application. The members all stated their familiarity with the property, the existing driveway and existing signage.

MOTION I: to close the public hearing made by Mr. O'Connell. Motion was seconded by Mr. Bentley.
Motion carried 3-0-0.

During deliberations, under **Section 400-50**, the Board found that the proposed application met the criteria for a Special Permit:

1. There is no impact on social, economic, or community needs which are served by the proposal.
2. There is no impact on traffic flow and safety including parking and loading, as the existing parking and egress will be used;
3. There is no impact on utilities and public services.
4. There is no impact on the neighborhood character and social structures as the property was somewhat isolated from neighbors;
5. There is no impact on the natural environment.
6. The fiscal impact, including impact on town services, tax base, and employment, is positive.

Mark Wickstrom, Chair
Stephen O'Connell, Vice Chair
Joseph Alves, Alternate Member
Thomas Bentley, Alternate Member
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MOTION II: Mr. Wickstrom made a motion that the Board **APPROVE** the **SPECIAL PERMIT** for FY16-06 for the applicant to run a farm stand on the property. The proposal meets the criteria set forth in Uxbridge Zoning Bylaws Section 400-50 in that the social, economic, and community needs are served by the proposal, that traffic flow and safety, including parking and loading, have been evaluated and are met by the proposal. There are adequate utilities and public serves at the property for the proposed use. Neighborhood character and social structures are not impacted by the proposal. Given the explanation produced by the applicant, there is no impact on the natural environment. The potential fiscal impact including employment would be positive. The beneficial impacts of bringing a new business in town and neighborhood would be positive given the currently vacant building.

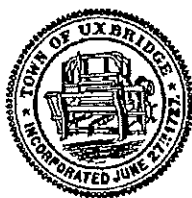
Condition 1: Special Permit is conditioned on usage of existing sign only;

Condition 2: Special Permit does not allow for the bulk storage of open-piled materials.

Condition 3: This Decision does not address any other use of the property including any residential use.

Motion was seconded by Mr. O'Connell.
The motion carried 3-0-0.

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

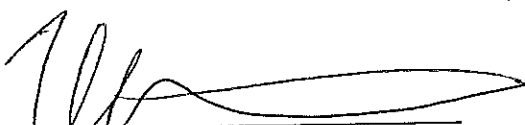


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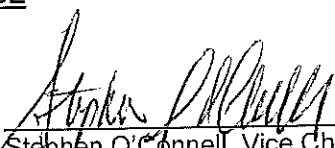
DECISION
SPECIAL PERMIT GRANTED

ZBA Case# FY 16-06
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SIGNATURE PAGE




Mark Wickstrom, Chairman




Stephen O'Connell, Vice Chairman



Bruce Desilets, Clerk



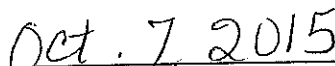
Thomas Bentley, Alternate Member



Joseph Alves, Alternate Member

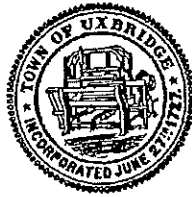


Joseph Frisk, Alternate Member



Date

Mark Wickstrom, Chair
Stephen O'Connell, Vice Chair
Joseph Alves, Alternate Member
Thomas Bentley, Alternate Member
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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 PERMIT IS RECORDED.****