

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

**COPY**

### **VARIANCE GRANTED**

**ZBA Case#** FY 16-09

**Zone:** Business Zone

**Owner:** Clean Energy Collective, LLC

**Property Address:** 164 Providence St, Uxbridge, MA

**Assessor's Reference: Map:** 51 **Parcel:** 2881/2841/2768

**Worcester District Registry of Deeds References: Book:** 53351 **Page:** 359 **Town Clerk**

**FEB 17 '16 PM 6:50**

**Received by**  
**Uxbridge**  
**Town Clerk**

**BACKGROUND:** The Applicant is seeking a **VARIANCE** to place an auxiliary structure inside the front setback boundary for the purpose of storing parts and supplies per a submitted site plan.

**VOTING MEMBERS PRESENT:** Chairman Mark Wickstrom, Alternate Member Joseph Alves & via remote participation Alternate Member Joseph Frisk; Administrative Assistant Lynn Marchand

**ABSENT:** Vice Chairman Stephen O'Connell, and Member Thomas Bentley

### **PRESENTATION / DELIBERATIONS / FINDINGS OF FACT**

The Public Hearing was opened and closed on February 3, 2016.

The Applicant submitted the following testimony and evidence:

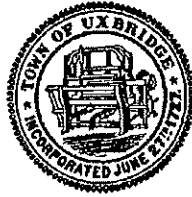
Application, supporting materials, photos, letter stating summary and substantiation of request, and site plan.

The Board reviewed the documentation provided and discussion was had with the applicant's representatives. There were no abutters present.

The Board found that the proposed application, with certain conditions, met the criteria for a **VARIANCE**.

The Board stated their agreement with the location of the container due to the shape and topography of the land. It was stated that the whole project would be visually improved by the proposed additional screening.

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**DECISION (cont'd)**  
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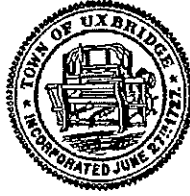
Mr. Alves made a motion that the Board **GRANT** the petition for a **VARIANCE**, and allow the construction of the proposed storage container as shown and located on the plan submitted with the application, and that Board find that if the Variance were not granted the applicant would suffer a financial hardship due to the shape and topography of the land as shown on the plan, and that the literal enforcement of the Zoning Bylaw would cause that hardship. Furthermore, the Variance may be granted without substantial detriment to the public good nor derogate from the intent or purpose of the Zoning Bylaws.

The Variance is **CONDITIONED** upon additional planting of vegetation as shown on the plan and subject to Planning Board inspection and approval of final plantings upon completion.

Motion was seconded by Mr. Frisk.

Motion carried by roll call vote, 3-0-0. Mr. Alves-aye. Mr. Frisk-aye. Mr. Wickstrom-aye.

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**DECISION**

**VARIANCE/SPECIAL PERMIT GRANTED**

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**SIGNATURE PAGE**

Recused/Absent

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

\_\_\_\_\_  
Stephen O'Connell, Vice Chairman

Recused/Absent

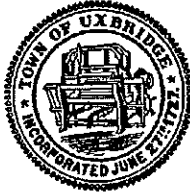
\_\_\_\_\_  
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Joseph Alves, Alternate Member

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

\_\_\_\_\_  
Date

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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.\*\***