

Rob Knapik, Chairman
John Gniadek, Vice Chairman
Mark Kaferlein, Clerk
Thomas McNulty, Associate Member
Jim Blackburn, Associate Member



Uxbridge Town Hall
21 South Main Street, Room 205
Uxbridge, MA 01569
508-278-8600 x2019 p

Zoning Board of Appeals Decision

REC'D UXB TOWN CLERK
2020 FEB 13 PM 12:02

ZBA Case #: FY20-08
Zone: **Agricultural Zoning District**
Owner: **Uxbridge Rod and Gun Club**
Property Address: **560 West Street**
Assessor's Reference Map: **38** Parcels: **1171, 2764 and 2858**
Worcester District Registry of Deeds References: Book: **4737** Page: **473** and Book: **08674** Page: **106**

Special Permit Granted with Conditions

Decision Date: February 5, 2020

BACKGROUND: 560 West Street, Uxbridge Rod and Gun Club, owner/applicant, is seeking a **SPECIAL PERMIT**, in accordance to the Uxbridge Zoning Bylaw Appendix B Table of Use Regulations, to expand the use of the private club by adding an additional gun range.

SUBMITTALS:

- Zoning Board of Appeals Application for a Special Permit, prepared by Allen Engineering, including the property deeds and a certified list of abutters
- Site Design Plan for the Uxbridge Rod and Gun Club, prepared by Allen Engineering, Job #00230, Dated December 5, 2019 and Revised on January 16, 2020
- Correspondence and Comments:
 - Marc Montminy, Uxbridge Police Chief, dated December 30, 2019
 - Jay Talerman, Uxbridge Town Counsel, dated January 8, 2020

VOTING MEMBERS: John Gniadek, Mark Kaferlein, Thomas McNulty

PRESENTATION / DELIBERATIONS / FINDINGS OF FACT:

At a meeting of the Town of Uxbridge Zoning Board of Appeals, a duly noticed public hearing was opened on January 7, 2020 and closed on February 5, 2020.

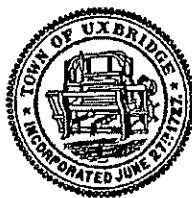
Brian Hassett, of Allen Engineering, represented the applicant during the hearings. The proposal outlined the work associated with adding a six hundred foot (600') rifle range to the club. The applicant does not expect an increase in membership or traffic to the club because of the new range. Once project is complete, there are plans to convert the existing 100' rifle range into a training field. The project is also under review of the Uxbridge Conservation Commission due to the proximity to wetland resource areas and the Uxbridge Planning Board because a substantial amount of earth removal is required to bring the area to the appropriate grades.

During review of the project, the Board took into consideration comments from the Uxbridge Police Chief Marc Montminy and the Uxbridge Building Inspector. The first hearing was continued to allow for safety concerns behind the target area to be addressed by the applicant and for members to consult with Town Counsel regarding a condition related to land ownership. No members of the public voiced opposition to the project.

During deliberations, members of the Board applied the request to the Special Permit criteria outlined in Section 400-50 (B) of the Uxbridge Zoning Bylaws:

1. Social, economic or community needs – *positive, expanding an existing local private club*
2. Traffic flow and safety, including parking – *neutral, new members and/or additional trips to the club is not anticipated, & no new parking is needed. Additionally, the applicant addressed concerns for safety on site during design revisions.*

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3. Adequacy of utilities and other public services – *neutral, no existing water or sewer on site*
4. Neighborhood character and social structures – *neutral, the Gun Club was in existence at the site for some time*
5. Impact on natural environment – *neutral, changing from a wooded area to a grassy meadow*
Additionally, the Uxbridge Conservation Commission has issued an Order of Conditions for the work and the Uxbridge Planning Board is reviewing an application for the associated gravel removal from the site
6. Fiscal impact including impact on town services, tax base and employment – *neutral, private club so no fiscal impact is anticipated*

MOTION / VOTE:

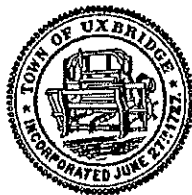
Mr. McNulty made a **MOTION** to close the Public Hearing for FY 20-08 for 560 West Street. **MOTION SECONDED** by Mr. Kaferlein passed unanimously by **VOTE** of 3-0-0.

Mr. McNulty made a **MOTION** that the Zoning Board of Appeals **APPROVE** the **SPECIAL PERMIT** as requested in ZBA application FY20-08 for **560 West Street** subject to the following **CONDITIONS**:

1. The project is constructed as designed in the plan set submitted with the application (Site Plan for Uxbridge Rod and Gun Club, prepared by Allen Engineering, Job #00230, Revised January 16, 2020).
2. The applicant obtains any required permits and project complies with all applicable state and local regulations.
3. Only one firing range may be open and active at any given time. Simultaneous firing activity on the skeet range and rifle range is shall not be permitted.
4. The Uxbridge Police Department must perform a safety visit and provide approval in the form of a signature on the Building Permit prior to opening the new range.
5. The Uxbridge Rod and Gun Club complete a Purchase and Sale agreement with David Sadowski for Parcels 2764, 2858 on Uxbridge Assessors Map number 38.

MOTION SECONDED by Mr. Kaferlein and the motion passed unanimously by **VOTE** of 3-0-0.

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SIGNATURE PAGE

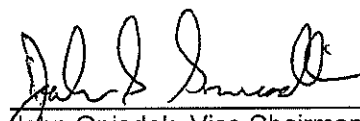


Rob Knapik, Chairman



Mark Kaferlein, Clerk

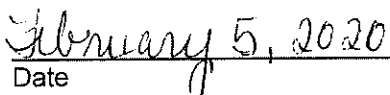
Jim Blackburn, Associate Member



John Gniadek, Vice Chairman

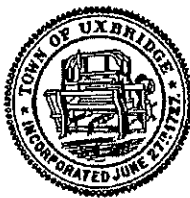


Thomas McNulty, Associate Member



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

Date

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. ****