



**TOWN OF UXBRIDGE  
ZONING BOARD OF APPEALS  
APPLICATION FOR A HEARING**

(Revised June 1, 2008)

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

ZBA Case#: FY 21-14

Zone: IB

REC'D UXB TOWN CLERK  
2021 MAY 12 AM 9:56

Referring Agent's Name: Larry Lunch

Reason for ZBA Referral (check all that apply):

☒ Variance

	Req'd	Has	Variance
Area:	_____	_____	_____
Frontage:	_____	_____	_____
Front Setback:	_____	_____	_____
Right Side Setback:	_____	_____	_____
Left Side Setback:	_____	_____	_____
Rear Setback:	_____	_____	_____
Height	<u>45' Max</u>	<u>63'</u>	<u>23'</u>
<input type="checkbox"/> Special Permit for Use			

☐ Comprehensive Permit (Chapter 40B)

☐ Appeal from Decision

☐ Determination/Special Permit

Property Location:

Address: 35 Commerce Drive  
Assessors' Map(s): 40 Parcel #(s): 3855  
Deed Bk(s): 36055 Deed Pg(s): 178

Has any prior appeal at this location been made? No  
(If yes, please attach prior decision, including Book/Page #)

Do you agree to let ZBA members review your property on site? ☒ Yes ☐ No

**Owner(s) Information (identify every owner – use additional sheets if nec):**

Please note: All owners MUST personally sign the application form

Name(s): UniLock New York Inc  
Address: 51 International Blvd  
Brewster, NY 10509  
Phone#(s): (508) 779-4054

**Applicant Information:**

Name: SAME  
Address: \_\_\_\_\_  
Phone#(s): \_\_\_\_\_

**Representative/Contact Person Info:**

Name: MARK WICKSTROM  
Address: 6 Court Street  
Uxbridge MA 01569  
Phone#: 508-228-4500  
E-mail: Mark@wickstrommape.com

**Further Detail on Reason for Application:**

**Variance:** If you are applying for one or more dimensional variances, describe each and also provide evidence of the “hardship” as defined by State Law:

Seeking a height variance for industrial  
purpose. SEE Addendum; Attached.

**Special Permit:** Describe in detail the permit you are seeking and provide specific information as to how the proposed use will meet the Zoning By-laws of Uxbridge (include applicable Section #s of ZBL): \_\_\_\_\_



**Comprehensive Permit:** Describe project and attach all appropriate state eligibility paperwork, as well as material required by the Town of Uxbridge Comprehensive Permit Regulations \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Appeal of a ruling.** Attach a copy of said ruling and provide documentation/ describe in detail why you believe that the ruling is incorrect. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Determination:** Pursuant to MGL Ch 40A Section 6, the Zoning Board may make certain Determinations. Provide information about the Determination you seek, and the evidence therefore (attach additional sheets if necessary): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Owner Name(s) (Please print):**

Jay Lemire, Manager  
Lockport New York Inc.  
Boston Division

**Owner Signature(s):**

Jay Lemire  
Manager

**Date:**

5-12-2021

Variance Petition Addendum  
UNILOCK New York, Inc.  
35 Commerce Drive  
Map 40 parcel 3855

This height variance is sought to accommodate the industrial mixing of concrete. Such a process is inherently a vertical operation, rather than a horizontal "assembly line" process, so the shape of the plant structure needs to be more vertical than a regular industrial building housing a horizontal process.

The additional height of the building is necessary to allow for the tallest part of the equipment that constitutes the Mixer Deck. This deck supports the mixers that mix up the concrete for manufacturing. Above the mixers is an Overhead Crane which allows the ability to remove the large and heavy motors on these mixers for maintenance and/or replacement.

Without the variance, the petitioner would not be able to expand its successful Uxbridge business and would suffer a financial hardship by losing out on that opportunity, and the Town of Uxbridge would lose a valuable opportunity to expand its industrial/business tax base.

The granting of the variance does not affect generally the zoning district in which it is located, as the land is located in the Quaker Industrial Park in the Industrial B Zone, and the building is an expansion of a current business operation already at the premises. The height variance is specific to this concrete mixing operation.

The relief of a height variance may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Uxbridge zoning by-law. If the height limitation is viewed as a public safety feature of the zoning bylaw, this building will go through additional special permit review by the Planning Board and also must comply with the Massachusetts Building Code and OSHA regulations. So public safety will be adequately addressed. If the height limitation is viewed as a general welfare feature of the zoning bylaw, enforcement in this instance does not add to the general welfare but would detract from it. The project is well within the industrial zone and the additional height will not impact the neighborhood. The benefit of additional tax base and local employment, without significant impact to public safety, town services or the school system, will add to the public good and will not be a detriment.