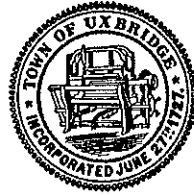


Rob Knapik, Member
 John Gniadek, Member
 Mark Kaferlein, Associate Member
 Joseph Frisk, Alternate Member



Uxbridge Town Hall
 21 South Main Street, Room 205
 Uxbridge, MA 01569
 508-278-8600 x2013 p
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**TOWN OF UXBRIDGE
 ZONING BOARD OF APPEALS**

Received by
 Uxbridge
 Town Clerk

MEETING MINUTES: Wednesday, March 19, 2018

Present: Rob Knapik, John Gniadek, Mark Kaferlein and Administrator Melissa Shelley

I CALL TO ORDER

- It being approximately 6:47pm, the meeting being properly posted, duly called, and a quorum being present, the meeting was called to order by the Chair, who led the Pledge of Allegiance.

II PUBLIC HEARINGS

1. **FY18-08: 20 Megan Court, Giguere Realty, Applicant** is applying for a **Special Permit** to install a fuel tank for company fleet of trucks. Property is shown on the Town of Uxbridge Assessor's Map **45 Parcel 4058** and described in a deed recorded at the Worcester Registry of Deeds Book **55788** Page **155**. The property is located in an **Industrial Zone**.

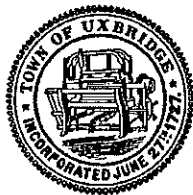
Discussion: Scott Vargas, co-owner of Giguere Realty, attended the meeting and explained the request. The business is a trucking company with approximately 15 Class A flatbed trucks. They are looking to replace their current mobile fueling unit with the proposed 5000 gallon above ground fuel tank. The mobile unit has to be moved inside every night and the new system will be easier to use and cleaner. The tank will be filled with diesel road fuel and the applicant has no plans to dispense or sell fuel to the public. Mr. Vargas stated employees will be trained to use the new system and keys and codes are required to dispense fuel. He also explained they have received necessary approvals from the Uxbridge Fire Department and will be subject to safety requirements and inspections.

Chris Swanson, RI Hydraulics Co Inc., the installer, also attended and provided the following product and safety details: (i) the product is a 5000 gallon steel, double walled, above ground fuel tank with a pedestal pump (ii) it will be installed on a concrete pad with surrounding safety bollards (iii) the tank holds 110% of its capacity between the two walls (iv) the pedestal system requires code and key to unlock dispensing (v) there are monitoring and shut off safety features (vi) the area will be fenced off with 6' chain link fence with sliding gates. Larry Lench, Uxbridge Building Inspector, attended and provided a few recommendations for conditions. There were no abutters present at the meeting.

The Board considered the applicant's testimony and referred the Uxbridge Zoning Bylaw Table of Uses and Definitions and a Gasoline or Oil Filling Station is allowed as a Commercial Use in an Industrial Zone with a Special Permit from the ZBA. There was a review of the six Special Permit Criteria Section 400-50 (B) of the Uxbridge Zoning Bylaws summarized below and made the finding that based on the evidence the proposal meets the standard set forth:

1. social, economic, or community needs which are served by the proposal – *positive impact for the applicant; reduces need for the Class A trucks to travel for fuel*
2. traffic flow and safety, including parking and loading – *same point as above*
3. adequacy of utilities and other public services – *no impact anticipated*
4. neighborhood character and social structures – *site is well suited and surrounded by similar industrial type businesses*
5. impacts on the natural environment – *outside 200' riverfront buffer zone; there are processes in place for safety measures during fuel dispensing and filling of the tank*
6. potential fiscal impact, including impact on town services, tax base and employment – *no impact anticipated*

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**TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS**

MEETING MINUTES: Wednesday, March 19, 2018

MOTION / VOTE:

Mr. Gniadek made a **MOTION** to close Public Hearing FY 18-08 for 20 Megan Court. **MOTION SECONDED** by Mr. Kaferlein passed unanimously by vote of 3-0-0.

MOTION / VOTE:

Mr. Gniadek made a **MOTION** that the Zoning Board of Appeals to **APPROVE** a **SPECIAL PERMIT** for FY18-08, 20 Megan Court, subject to the conditions below and that the petition met the Special Permit criteria outlined in Section 400-50 B in the Uxbridge Zoning Bylaws. **MOTION SECONDED** by Mr. Kaferlein passed unanimously by vote of 3-0-0.

CONDITIONS:

1. The fuel tank is installed generally in accordance to the proposal and plan submitted with the petition and that all Building and Fire Codes are adhered to.
2. The special permit authorizes the storage and dispensing of on-road diesel fuel. Dispensing is only permitted to the applicant and the applicant's vehicles and not to the public.
3. The property will include fencing that is secure and prohibits access to the fuel tank at times when the applicant's business is not open or the building is not staffed.

III ANY OTHER BUSINESS, which may lawfully come before the Board

IV ADJOURNMENT: NEXT ZBA MEETING, WEDNESDAY, April 4, 2018

- Mr. Gniadek moved to adjourn the March 19 meeting of the ZBA. Mr. Kaferlein seconded and the motion passed by vote of 3-0-0.

SIGNATURES:

Rob Knapik, Member

John Gniadek, Member

Mark Kaferlein, Alternate Member

Joe Frisk, Alternate Member

April 4, 2018

Date