

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

**TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS**

REC'D UXB TOWN CLERK
2020 FEB 6 AM 8:46

MEETING MINUTES: Tuesday, January 7, 2020

Present: Rob Knapik, John Gniadek, Mark Kaferlein, Thomas McNulty, Jim Blackburn and Land Use Administrator Melissa Shelley

I CALL TO ORDER

It being approximately 6:00pm, 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.

The Chair administratively took the meeting out of published agenda order to review the meeting minutes first because he is recusing himself from the public hearing and will not be returning to the meeting.

II MINUTES/MAIL/INVOICES

1. 01/07/20 Meeting Minutes Review

Motion: Mr. McNulty moved to accept the meeting minutes from the 11/6/20 as written. Mr. Gniadek seconded, and the motion passed unanimously by vote of 4-0-0.

III PUBLIC HEARINGS

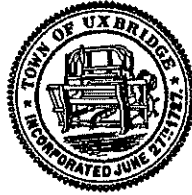
1. **FY20-08: 560 West Street, Uxbridge Rod and Gun Club, owner/applicant, is seeking a SPECIAL PERMIT,** in accordance to the Uxbridge Zoning Bylaw Appendix B Table of Use Regulations, to expand the use of the private club by adding an additional gun range. The property is located in the **Agricultural Zoning District** and is shown on the Town of Uxbridge Assessor's **Map 38 Parcels 1171, 2764, and 2858** and described in a deed recorded at the Worcester Registry of Deeds **Book 4737 Page 473 and Book 08674 Page 106.**

** Mr. Knapik recused himself from the hearing per the conflict of interest law and Mr. Gniadek chaired the remainder of the meeting.*

Discussion: Brian Hassett, Allen Engineering attended on behalf of the applicant, the Uxbridge Rod and Gun Club. He reviewed the plans to add a 600' rifle range to the site highlighting the placement of the firing structure, target area, and access. He provided the following reasons they believe they meet special permit criteria outlined in Section 400-50 (B) of the Uxbridge Zoning Bylaws:

1. social, economic or community needs – *positive, expanding a club*
2. traffic flow and safety, including parking – *neutral, they don't expect any new members, additional trips to the club, no new parking*
3. adequacy of utilities and other public services – *neutral, no existing water or sewer on site*
4. neighborhood character and social structures – *neutral, it is currently a Gun Club*
5. impact on natural environment – *neutral, changing from a wooded area to a grassy meadow, they have filed a Notice of Intent with the Conservation Commission.*
6. fiscal impact including impact on town services, tax base and employment – *neutral, private club so no fiscal impact.*

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Mr. Hassett confirmed they want to increase the use of the property and not be anything more than how it's used now in terms of membership and traffic to the club. He also said once the new range is constructed they plan to convert the existing 100' rifle range into a training field.

Mr. Kaferlein pointed out the large amount of earth removal required to complete the project and asked about the environmental impact. Mr. Hassett acknowledged that there is some impact but they would do their best to mitigate it by planting new trees and shrubs. Mr. Kaferlein also asked whether alternate layouts were considered to lessen the amount of earth removal required. Mr. Hassett response was that it was positioned that for the target structure to also be downrange from the skeet range – so all the firing is going towards the same area. There was a review of the current and proposed contours and elevations on the site.

Mr. Hassett said the area behind the target is wooded and 3000' feet from the closest building (not even built yet – it is in the Cobbler's Knoll Subdivision currently under construction). He described the target structure as a platform that items can be placed on. Safety issues were also briefly discussed and they confirmed there would be a backstop behind the target and there is never any shooting at night. The property is clearly posted and there are warning signs all around the ranges.

Larry Lench, Uxbridge Building Inspector attended to provide comments. He inquired whether they had considered an alternate layout of shooting across the pond because of an existing berm, at the right height, to act as a backstop. The applicant responded they would never shoot across the pond because of the fishing activities going on at the same time.

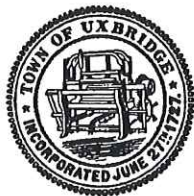
There was further discussion about increasing the height of the proposed berm behind the target structure to ensure safety. After discussion, everyone agreed the berm should be at least 10' above the target. It was also pointed out that the natural elevation rises up to 420' behind the target, which is at 406' elevation.

The project is also being reviewed by the Conservation Commission because of the proximity to wetlands and the Planning Board for an earth removal permit. Members discussed leaving the hearing open to allow for any plan changes that arise to be reviewed.

The Uxbridge Police Chief Marc Montminy visited the site to evaluate for safety and provided comments to the Board which Mr. Gniadek read into the record. It was his opinion the range can be safely placed on the property w/ the proper backstop. He also recommended an additional visit prior to the operation to verify safety concerns are addressed.

Abutter David Vierra, West St, attended and asked to review the plans to ensure the range was not in the direction towards his home.

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The limit of work is over three separate parcels with two owners (the Uxbridge Rod and Gun Club owns one and David Sadowski owns the other two parcels) Mr. Hassett explained the Rod and Gun club is working to purchase the parcels from Mr. Sadowski. The board discussed the impact multiple owners may have on the permit conditions that may be appropriate.

Members requested and the applicant agreed to continue to the next meeting to allow for the following: the applicant to display the berm behind the target area, the results of the other boards' review of the project, and to get clarification regarding land ownership questions.

Motion: Mr. Kaferlein made a motion to continue the public hearing FY20-08 for 560 West Street to the February 5, 2020 Meeting of the ZBA. Mr. McNulty seconded, and the motion passed unanimously by vote of 3-0-0.

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

V ADJOURNMENT: NEXT ZBA MEETING, Wednesday, March 4, 2020

Motion: Mr. McNulty moved adjourn the January 7, 2020 meeting of the ZBA. Mr. Kaferlein seconded, and the motion passed by vote of 3-0-0.

SIGNATURES:

(Recused)

Rob Knapik, Member

[Signature]

Mark Kaferlein, Member

[Signature]

Jim Blackburn, Associate Member

[Signature]

John Gniadek, Member

[Signature]

Thomas McNulty, Associate Member

February 5, 2020

Date

