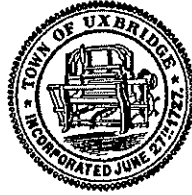


Rob Knapik, Chairman  
John Gniadek, Vice Chairman  
Thomas McNulty, Associate Member  
Jim Blackburn, Associate Member



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

POSTED UXB TOWN CLERK  
2022 AUG 11 AM 10:12

**TOWN OF UXBRIDGE  
ZONING BOARD OF APPEALS**

**MEETING MINUTES: Wednesday, June 1, 2022**

**Present:** Rob Knapik, John Gniadek, Jim Blackburn and Administrator Melissa Shelley

**CALL TO ORDER:**

It being approximately 6:00 pm, the meeting being properly posted, duly called, and a quorum being present, the meeting was called to order by the Chairperson.

**PUBLIC HEARINGS:**

1. **FY22-09: 56 Industrial Drive** The applicant Ronald Parsons, Trustee of 56 Industrial Drive, is seeking a **VARIANCE** of 16 feet 4 inches to the front setback requirement for an accessory structure for the placement of a 25,000-gallon water tank. The property is located in the **Industrial B Zoning District**, shown on the Town of Uxbridge Assessor's **Map 40 Parcel 4659** and described in a deed recorded at the Worcester Registry of Deeds in **Book 61681 on Page 145**.

**Presentation:** Eli Leino, Primmer Piper Eggleston and Cramer PC, represented the Applicant during the public hearing. The property is situated on the northerly side of Industrial Drive is shown as 040.0-4659-0000.0 and comprises of approximately 1.71 acres of land. Situated on the property is an approximate 28,468 square foot industrial building to be used as a marijuana grow facility. The parcel's utilities comprise of town sewer and a private well.

During the building permit process, it was determined that a sprinkler system is required by the Commonwealth and the proposed water tank is necessary to service the system. Alternate locations for placement of the proposed water tank, such as inside or on the roof of the building, were explored but not practicable for various reasons.

Mr. Leino explained having the water tank supporting a sprinkler system is an effort to ensure the health, safety and welfare of the occupants of the building. He also said the 8 feet diameter and 25 feet high proposed water tank will be painted to match the building in efforts to make it fit in the surrounding industrial area. Bollards to be installed around the water tank for are included for added safety. The Uxbridge Fire Department has reviewed and approved the design of the proposed water tank.

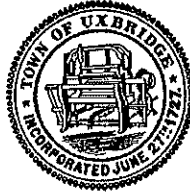
**Discussion:** Members reviewed a prior ZBA decision from 2020 that provided relief so the lots could be divided to comply with BOH regulations. They reviewed the layout, footprint and dimensions of the tank and also agreed it was the best suited location. It was also confirmed that the Uxbridge Fire Department has reviewed and approved the design of the proposed water tank.

Members considered the standard set forth under M.G.L. c. 40A, §10 agreed the shape of the lot presented a circumstance that created a hardship for the property owner and that it was reasonable to conclude that the granting of the variance would not be a detriment to the public good or derogate from the intent of the bylaw.

No members of the public commented on the application.

**Motion:** Mr. Blackburn made a motion to close the Public Hearing FY 22-09 for 56 Industrial Drive. Motion seconded by Mr. Gniadek passed unanimously by vote of 3-0-0.

Rob Knapik, Chairman  
John Gniadek, Vice Chairman  
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

### MEETING MINUTES: Wednesday, June 1, 2022

**Motion:** Mr. Blackburn made a motion that the Zoning Board of Appeals grant a variance to allow for the construction of a 25,000-gallon water tank within 16 feet 4 inches of the front property line on a finding that there is a hardship related to the shape of the parcel and that the variance may be granted without detriment to the public good and without nullifying or derogating from the purposes and intent of the Uxbridge Zoning Bylaw. Motion seconded by Mr. Gniadek passed unanimously by vote of 3-0-0.

2. **FY22-10: 14 No Way** the Applicant, Stephen Jeter, is seeking a **VARIANCE** of 11.4 feet to the right-side setback requirement to construct an addition. The property is located in the **Residential C Zoning District**, shown on the Town of Uxbridge Assessor's **Map 14 as Parcel 1112** and described in a deed recorded at the Worcester Registry of Deeds in **Book 55790 on Page 67**.

**Presentation:** Stephen Jeter, the homeowner and applicant, presented his petition to the Zoning Board of Appeals. He has lived at the property for 6 years and is looking to expand the primary residence to accommodate his growing family. The proposed addition is two-stories with living space on the first floor and an additional bedroom on the second floor. The right side was chosen because the garage is located on the left side at the 30-foot setback position and there is a hardscape and a pool located in the rear of the house.

The property is served by municipal water and a septic system that is located on the left side existing house. Resource areas on the property include bordering vegetated wetlands (BVW) located on the left side and river front in the rear of the property. In 2020, the town's Conservation Agent inspected the property and confirmed in a letter that the proposed addition is outside the 100-foot buffer zone to a BVW and would not require permitting through the Conservation Commission.

No members of the public commented on the application.

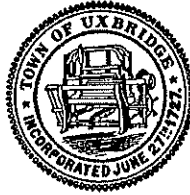
**Discussion:** Members reviewed the plans provided, photographs and aerial images of the property. The location of the septic system was discussed in more detail. They considered whether additional screening was appropriate and requested the existing tree line be reestablished to the best extent possible after construction.

Members considered the standard set forth under M.G.L. c. 40A, §10 agreed the shape of the lot and presence of wetlands present a circumstance that created a hardship for the property owner and that it was reasonable to conclude that the granting of the variance would not be a detriment to the public good or derogate from the intent of the bylaw.

**Motion:** Mr. Blackburn made a motion to close the Public Hearing FY 22-10 for 14 No Way. Motion seconded by Mr. Gniadek passed unanimously by vote of 3-0-0.

**Motion:** Mr. Blackburn made a motion that the Zoning Board of Appeals grant a variance as presented in the application FY22-10 for 14 No Way on a finding that there is a hardship related to the shape, topography and soil conditions of the parcel and that the variance may be granted without detriment to the public good and without nullifying or derogating from the purposes and intent of the Uxbridge Zoning Bylaw. Motion seconded by Mr. Gniadek passed unanimously by vote of 3-0-0.

Rob Knapik, Chairman  
John Gniadek, Vice Chairman  
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**

**MEETING MINUTES: Wednesday, June 1, 2022**

**ADMINISTRATIVE:**

1. Meeting Minutes Review: 4/6/2022
  - Mr. Knapik made a motion to approve the April 6, 2022 meeting minutes as written. Mr. Blackburn seconded, and the motion passed by vote of 2-0-1 (*Mr. Gniadek abstained*)
2. Zoning Bylaw Amendments
  - Members performed a final review of the draft Accessory Dwelling Unit bylaw in preparation of meeting with the Planning Board to introduce and request support to put forth the proposed changes to the Zoning Bylaw.

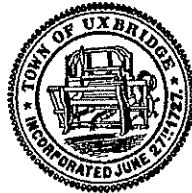
**ANY OTHER BUSINESS, which may lawfully come before the Board:**

**ADJOURNMENT: Next Regularly Scheduled ZBA Meeting, Wednesday, July 6, 2022**

**Motion:** Mr. Blackburn made a motion to adjourn the June 1, 2022 meeting of the Zoning Board of Appeals. Mr. Gniadek seconded, and the motion passed unanimously by roll call vote of 3-0-0.

Respectfully Submitted,  
Melissa Shelley

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

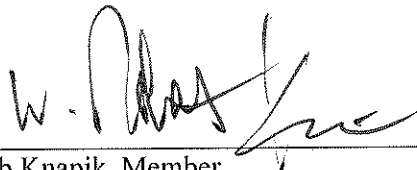


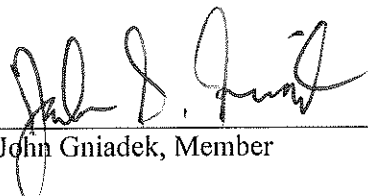
Uxbridge Town Hall  
21 South Main Street, Room 205  
Uxbridge, MA 01569  
508-278-8600 x2019 p

**TOWN OF UXBRIDGE  
ZONING BOARD OF APPEALS**

**MEETING MINUTES: Wednesday, June 1, 2022**


**SIGNATURES:**

  
\_\_\_\_\_  
Rob Knapik, Member

  
\_\_\_\_\_  
John Gniadek, Member

\_\_\_\_\_  
Jim Blackburn, Associate Member

\_\_\_\_\_  
Thomas McNulty, Associate Member

  
\_\_\_\_\_  
Date