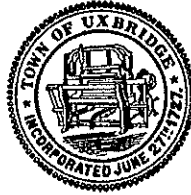


Rob Knapik, Chairman
John Gniadek, Vice Chairman
Mark Kaferlein, Clerk
Thomas McNulty, Associate Member
Jim Blackburn, Associate Member



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21 South Main Street, Room 205
Uxbridge, MA 01569
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TOWN OF UXBRIDGE ZONING BOARD OF APPEALS

MEETING MINUTES: Wednesday, May 5, 2021

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

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. He made the following statement to explain the purpose for the remote meeting: *Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Uxbridge Conservation Commission is being conducted via remote participation. Although, no in-person attendance of members of the public will be permitted, the Town of Uxbridge has made every effort to ensure the public can adequately access the proceedings in real time via technological means. This meeting is being streamed on Uxbridge Community Television and Zoom per the instructions on the agenda alternatively members of the public can call in by calling 301-715-8592 and using meeting i.d 861 620 3349. All motions will be voted on with roll call vote.*

PUBLIC HEARINGS

1. **FY21-13: 619 Quaker Highway, Applicant Kevin Powers**, is seeking a **SPECIAL PERMIT** for a use change to allow commercial truck and heavy equipment repair to be conducted on the site. The property is located in an **Industrial B Zoning District**, shown on the Town of Uxbridge Assessor's **Map 45 as Parcel 2998**, and described in a deed recorded at the Worcester Registry of Deeds **Book 57502 Page 299**.

Discussion: The Chairman explained this public hearing was opened on April 7 where the Board heard testimony and held discussion. During that meeting, Members had an interest in hearing from the Uxbridge Fire Department to ensure appropriate conditions were considered and the meeting was continued. Uxbridge Fire Department Chief Dion submitted comments to the Board 4/19/21 - he explained, because the building is not sprinkled, the applicant is using a points-based solution to meet the requirements – an allowable alternative within the building code in lieu of sprinklers. He and the Building Inspector provided recommendations to the applicant to ensure he accumulates the points required to meet the requirements. It was also noted that any recommendations were based on the building code safety requirements the Building Inspector will have final authority.

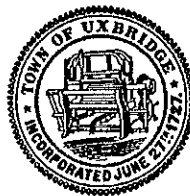
Kevin Powers, the applicant, represented himself during the hearings. He confirmed the meeting with the Fire Chief and Building Inspector and said he is working with his engineer to ensure he has the appropriate measures incorporated to meet the points required.

Larry Lench, Uxbridge Building Inspector, also confirmed the meeting with the Fire Chief and provided some additional information on the points-based system that the IEBC (International Existing Building Code).

Members agreed it was the ZBA's job to determine whether the request complies with the zoning bylaw requirements and impose any appropriate conditions. They did not mention any issues for the proposed use and noted their questions were answered with the comments received from Chief Dion.

The following conditions discussed in more detail with Mr. Powers: parking; number of vehicles, access around the building for emergency vehicles, and tire management/removal. There was also discussion about the parking surface proposed as the site does not yet have any paved areas. Mr. Powers indicated that approximately 1/3 of the property will be paved (100' from the garages out to the curb cut aprons). He also said he plans to keep any vehicles in for repair or storage in an area that will be covered with asphalt millings.

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



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MEETING MINUTES: Wednesday, May 5, 2021

Motion: Mr. Blackburn made a motion to close the Public Hearing FY 21-13 619 Quaker Highway. Motion seconded by Mr. McNulty passed unanimously by roll call vote of 3-0-0 (Blackburn – aye, Gniadek – aye, McNulty – aye).

a: Members briefly discussed the previously issued 2017 special permit and reviewed the Special Permit Criteria from Section 400-50 (b) of the Uxbridge Zoning Bylaw as it applies to the project.

Motion: Mr. Blackburn made a motion that the Zoning Board of Appeals grant the Special Permit as requested in the application FY21-13, 619 Quaker Highway with the following conditions. Motion seconded by Mr. McNulty passed unanimously by roll call VOTE of 3-0-0 (Blackburn – aye, Gniadek – aye, McNulty – aye).

Conditions:

- Hours of Operation may occur Monday through Friday between 6:00am and 8:00pm and Saturdays between 7:00am and 3:00pm.
- Applicant will make diligent effort to park vehicles being maintained on paved or asphalt surfaces to avoid leaking fluids onto gravel surfaces.
- Storage of used or discarded tires are to be limited to twenty (20).
- There is a prohibition on storing vehicles within ten (10) feet of any of the buildings on the property.
- No more than thirty (30) vehicles are to be parked on site.
- The storage of non-operational vehicles and outdoor storage of parts is prohibited.
- No storage of propane transportation trailers or trucks within fifty (50) feet of the buildings on the property.
- Contingent on bringing building up to all necessary code requirements per the Authority Having Jurisdiction.

ADMINISTRATIVE

1. Meeting Minutes Review: 4/7/21 and 4/21/21

Motion: Mr. McNulty made a motion approve the 4/7/21 ZBA meeting minutes as written. Mr. Blackburn seconded, and the motion passed unanimously by roll call vote of 4-0-0 (Blackburn – aye, Gniadek – aye, McNulty, Knapik – aye).

Motion: Mr. McNulty made a motion approve the 4/21/21 ZBA meeting minutes as written. Mr. Blackburn seconded, and the motion passed unanimously by roll call vote of 4-0-0 (Blackburn – aye, Gniadek – aye, McNulty, Knapik – aye).

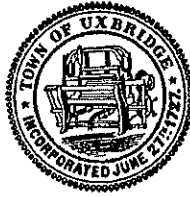
ANY OTHER BUSINESS, which may lawfully come before the Board

ADJOURNMENT: NEXT ZBA MEETING, Wednesday, June 2, 2021

Motion: Mr. McNulty moved to adjourn the May 5, 2021 meeting of the Zoning Board of Appeals. Mr. Gniadek seconded and the motion passed unanimously by roll call vote of 4-0-0 (Blackburn – aye, Gniadek – aye, Knapik – aye, McNulty – aye).

Respectfully Submitted,
Melissa Shelley

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



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**TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS**

MEETING MINUTES: Wednesday, May 5, 2021

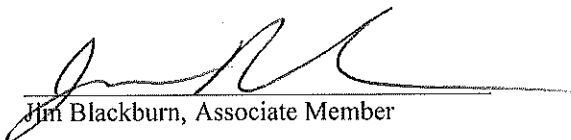
SIGNATURES:

Rob Knapik, Member

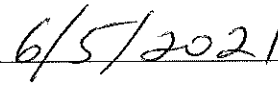
John Gniadek, Member

Mark Kaferlein, Member

Thomas McNulty, Associate Member

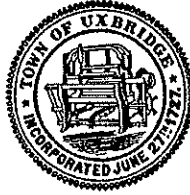


Jim Blackburn, Associate Member



Date

Rob Knapik, Chairman
John Gniadek, Vice Chairman
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**TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS**

MEETING MINUTES: Wednesday, May 5, 2021

SIGNATURES:

Rob Knapik, Member

John Gniadek, Member

Mark Kaferlein, Member

Thomas McNulty, Associate Member

Jim Blackburn, Associate Member

Date

June 5, 2021

Rob Knapik, Chairman
John Gniadek, Vice Chairman
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**TOWN OF UXBRIDGE
ZONING BOARD OF APPEALS**

MEETING MINUTES: Wednesday, May 5, 2021

SIGNATURES:

Rob Knapik, Member

John Gniadek, Member

Mark Kaferlein, Member

Thomas McNulty, Associate Member

Jim Blackburn, Associate Member

June 21, 2021

Date