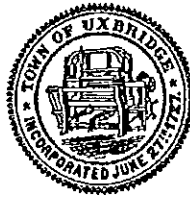


Mark Wickstrom, Chair
Stephen O'Connell, Vice Chair
Bruce Desilets, Member
Joseph Alves, Alternate Member
Thomas Bentley, Alternate Member
Joseph Frisk, Alternate Member



Uxbridge Town Hall
21 South Main Street, Room 203
Uxbridge, MA 01569
508-278-8600 x2013 p
508-278-0709 f

DECISION

SPECIAL PERMIT GRANTED

September 24, 2014

**Posted by
Uxbridge
Town Clerk**

ZBA Case# FY 15-02

Zone Residential A

Property Location 100 Hecla Street, Uxbridge, MA

Assessor's Map 25 Parcel 304

Worcester County District Registry of Deeds

Book 4265 Page 76

Applicant/Owner Name(s): Paul Esposito/Bertram W Bogue, Jr. and Rhonda Greenway

BACKGROUND

FY15-02: Owners Bertram W Bogue, Jr. and Rhonda Greenway/Applicant Paul Esposito. Applicant on behalf of the Owners is requesting a Special Permit/Determination for reconstruction of a non-conforming structure on a non-conforming lot. The proposed duplex structure will increase the front and side setback encroachments. The property is located at **100 Hecla Street, Uxbridge, MA**, as shown on the Town of Uxbridge Assessor's Map 25 Parcel 304 and described in a deed recorded in the Worcester District Registry of Deeds Book 4265 Page 76; in Residential-A zone.

SUBMITTALS

Application form and materials were received August 11, 2014, including a copy of the Application for Certified Abutters List, list and labels; Town of Uxbridge Zoning Enforcement Officer denial letter dated July 31, 2014; Variance Plan dated July 31, 2014; Site Locus dated July 22, 2014; and, associated fee.

PRESENTATION / DELIBERATIONS

Present: Clerk Mr. Desilets, and Associate Members Mr. Alves and Mr. Frisk (participating remotely).

Absent: Vice Chair Mr. O'Connell and Associate Member Mr. Bentley.

Recused: Chair Mr. Wickstrom.

Paul Esposito speaking on behalf of the Owners, stated that existing structure was built in the mid to late 1800s, current building isn't conducive to today's style of family duplex, and it is non-conforming. Target construction timeframe, pending Special Permit approval, is mid-October range to mid Spring. The new building will have two (2) duplexes, each of approximately 1500 square feet in size, three (3) bedrooms, two (2) bathrooms, two (2) driveway openings on Hecla, one for each duplex, each with a single car garage.

The Board discussed with the Applicant why this is a duplex rather than a single family home which is financially not feasible on this size lot; the benefit of the placement of the structure on the parcel; automobile traffic on Hecla Street; removal of hedges increasing the line of sight; height of the new structure; plans to keep parcel rural; positive response from the Applicant to work with the neighbors;

ORIGINAL

The Clerk asked if abutters were present to speak. Mr. and Mrs. Ambrogi of 104 Hecla Street, a direct abutter expressed her concern with the changes Uxbridge is undergoing; absentee landlords, weeds and sticks blown onto their property. Mr. Esposito offered to remove the shrubbery border and replace it quickly on the Ambrogi's side, and is considering fencing as a border option. Mrs. Hagl of 11 Fagan Street expressed her general opposition to this as it doesn't conform with the existing homes on Fagan Street. No other abutters were present to speak.

At a meeting of the Town of Uxbridge Zoning Board of Appeals, a duly noticed public hearing was opened and closed on August 20, 2014.

MOTION

I, Mr. Frisk, move to close the Public Hearing for 100 Hecla Street. Mr. Alves seconded the motion; the motion carried unanimously by roll call vote 3-0-0 (Desilets – aye, Alves – aye, Frisk – aye).

I, Mr. Frisk, in accordance with Town of Uxbridge Zoning Bylaws, move that the Board grant a Special Permit with favorable findings for FY15-02 100 Hecla Street for a re-conforming structure pursuant to Chapter 400 Section 50 subsection B 1 thru 6. Mr. Frisk noted that the Applicant will incorporate into his plans any special vegetation. Mr. Alves seconded the motion, in keeping that the Board finds that the granting of this Special Permit does not nullify or derogate from the intent of the Zoning Bylaws and is not detrimental to the public good; the motion carried unanimously by roll call vote 3-0-0 (Desilets – aye, Alves – aye, Frisk – aye).

Mark Wickstrom, Chair

Joseph Alves, Associate Member

Stephen O'Connell, Vice Chair

Thomas Bentley, Associate Member

Bruce Desilets, Clerk

Joseph Frisk, Associate Member

Date

25 September 14

SPECIAL PERMIT GRANTED

September 24, 2014

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Applicant/Owner Name(s): Paul Esposito/Bertram W Bogue, Jr. and Rhonda Greenway

Appeals, if any, from this decision shall be made pursuant to M.G.L. Chapter 40 A, Section 17 and filed within 20 days after the date of the filing in the Office of the Town Clerk.

I hereby certify that twenty (20) days has elapsed from the file date and no appeal has been filed in this office.

A true copy: **ATTEST**

Town Clerk, Kelly Dumas or
Assistant Town Clerk

Town Seal

****THE APPLICANT IS REMINDED OF THEIR RESPONSIBILITY TO RECORD THIS
DECISION AT THE REGISTRY OF DEEDS PER THE CERTIFICATE OF GRANTING.
NO PERMITS SHALL ISSUE UNTIL THE SPECIAL PERMIT IS RECORDED.****