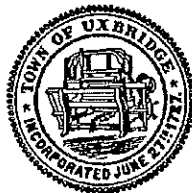


Mark Wickstrom, Chair
 Chris Currie, Clerk
 Bruce Desilets, Member
 Kevin Harn, Member
 Joseph Frisk, Alternate Member
 Joseph Alves, Alternate Member



Uxbridge Town Hall
 21 South Main Street, Room 205
 Uxbridge, MA 01569
 508-278-8600 x2013 p
 508-278-0709 f

Received by
 Uxbridge
 Town Clerk

DECISION

ZBA Case# FY 17-14
Zone: Residential C Zone
Owners: Steve and Laura O'Connell
Property Address: 40 Evans Way
Assessor's Reference: Map: 17 Parcel: 3026
Worcester District Registry of Deeds References: Book: 31771 Page: 108

VARIANCE APPROVED

JANUARY 4, 2017

BACKGROUND: FY17-14: 40 Evans Way the Applicant of record is **Steve O'Connell**, and the owners of record are **Steve and Laura O'Connell**. The owner/applicant is seeking a **VARIANCE** to reduce the front setback of 70' to 41' for the of construction of a detached garage. The property is shown on the Town of Uxbridge Assessor's Map 17, Parcel 3026. The title to said land is recorded in the Worcester District Registry of Deeds Books 31771 page 108. The property is located in a Residential C Zone.

VOTING MEMBERS PRESENT: Mark Wickstrom, Bruce Desilets, and Kevin Harn

SUBMITTALS: Application and the supporting materials including a site plan.

PRESENTATION / DELIBERATIONS / FINDINGS OF FACT: At a meeting of the Town of Uxbridge Zoning Board of Appeals, a duly noticed public hearing was opened and closed on January 4, 2017.

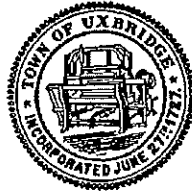
Steve O'Connell, the owner/applicant, reviewed the plan and explained the location was chosen to have the ability to access the garage from the existing driveway and not to interfere with the current septic placement. Additionally, it was noted that the amount of frontage is very limited because of the shape of the lot and this is due to the configuration of the cul-de-sac. Mr. O'Connell stated he spoke with his neighbors and most abutters and received no objections. No abutters were present to speak at the meeting.

The board found during deliberations that the following evidence was submitted:

The proposed location is the only option for a detached garage on the property and that the applicant has proven hardship. Additionally, members noted the proposed location would meet zoning requirements if the cul-de-sac curve was excluded and measured from Evans Way. The board agreed the topography and the shape of the lot cause the hardship and that the garage will not be a detriment to the neighborhood.

MOTION I: Mr. Desilets moved to close public hearing FY-14 40 Evans Way. Seconded by Mr. Harn, the motion passed 3-0-0.

Mark Wickstrom, Chair
Chris Currie, Clerk
Bruce Desilets, Member
Kevin Harn, Member
Joseph Frisk, Alternate Member
Joseph Alves, Alternate Member



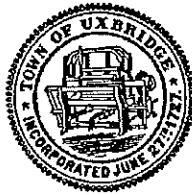
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MOTION II: Mr. Wickstrom moved with regard to FY17-14 that the Zoning Board find that the applicant has shown a hardship due to the shape and topography of the lot and that without relief from the zoning bylaws a hardship would be suffered. They also find there is no detriment to the public good and that the granting of the variance will not derogate from the zoning bylaws of the Town of Uxbridge. Mr. Wickstrom further moved that the proposed 25' x 36' garage be allowed to be constructed as shown on the plans dated 12/12/16 submitted by Andrew's Engineering and Survey, 41' from Evans Way and 15' from the sideline. Seconded by Mr. Desilets, the motion passed 3-0-0.

Mark Wickstrom, Chair
Chris Currie, Clerk
Bruce Desilets, Member
Kevin Harn, Member
Joseph Frisk, Alternate Member
Joseph Alves, Alternate Member



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SIGNATURE PAGE

Mark Wickstrom, Chair

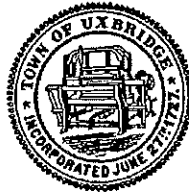
Bruce Desilets, Member

Christopher Currie, Clerk
Kevin Harn, Member
Joe Frisk, Alternate Member
Joseph Alves, Alternate Member

1/4/2017

Date

Mark Wickstrom, Chair
Chris Currie, Clerk
Bruce Desilets, Member
Kevin Harn, Member
Joseph Frisk, Alternate Member
Joseph Alves, Alternate Member



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DECISION

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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 PERMIT IS RECORDED. ****