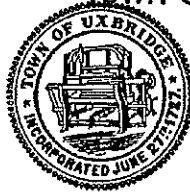


JAN 11 '18 AM 11:09

Rob Knapik, Member
John Gniadek, Member
Joseph Frisk, Alternate Member



Uxbridge Town Hall
21 South Main Street, Room 205
Uxbridge, MA 01569
508-278-8600 x2019 p
508-278-0709 f

DECISION

ZBA Case #: FY18-04
Zone: Residential A
Owner: Route 85 Realty Company
Property Address: 20-22 Hecla Street
Assessor's Reference Map: 19 Parcel: 3944
Worcester District Registry of Deeds References: Book: 57804 Page: 53

SPECIAL PERMIT EXTENSION GRANTED with Conditions

Decision Date: January 3, 2018

BACKGROUND: 20-22 Hecla Street, Route 85 Realty Corporation, Owner/Applicant, is seeking a **SPECIAL PERMIT** pursuant to Section 400-12 C (2) to alter and extend a pre-existing non-conforming structure. The structure will be substantially changed by way of an addition. Property is shown on the Town of Uxbridge Assessor's Map 19 Parcel 3944 and described in a deed recorded at the Worcester Registry of Deeds Book 57804 Page 53 and is located in **Residential A Zone**.

VOTING MEMBERS PRESENT: Rob Knapik, John Gniadek, and Joe Frisk

SUBMITTALS: Application form and materials were received on December 12, 2017 including the certified abutters list, land and engineering plans of the property and an architectural rendering of the addition.

PRESENTATION / DELIBERATIONS / FINDINGS OF FACT:

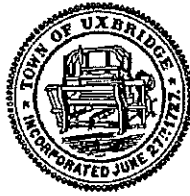
At a meeting of the Town of Uxbridge Zoning Board of Appeals, a duly noticed public hearing was opened and closed on January 3, 2018.

Attorney Joseph Antonellis appeared and spoke on behalf of the applicant Route 85 Realty Corporation. John Nenart, the Project and Supervising Engineer also presented information. Abutter concerns were heard at the meeting.

For some time the existing structure on the property has been occupied as multi-family with two (2) two-bedroom units and one (1) one-bedroom unit. The petition is to rehabilitate the existing home from a three (3) to two (2) family and add a brand new structure connected to the existing structure. The unique aspect is that the new house will be 100% handicap accessible, specifically designed to meet the unique needs of the intended purchaser. The driveway and access to the existing structure will be relocated to Kennedy Street with a parking area behind the building. Access and parking to the new handicap unit will be off Hecla Street to maximize the availability, approachability and usability of the new structure. Special attention was made during the design to ensure there is no need to request a variance for any purpose for either structure. The intent is for Route 85 Realty to be involved in the restoration of the existing structure and the construction of the new structure, and then transfer ownership to Mr. Fayyad providing him with the ability to continue to live and earn income in Uxbridge.

Mr. Antonellis stated he believes the application fits within the confines of the Uxbridge Zoning Bylaw relative to pre-existing uses. They are remodeling and revitalizing the three (3) family use of the property not adding any additional family use. He noted the area is conducive to multifamily living as there is a condominium complex directly across the street and properties on Kennedy Street have been transformed to multi-family residences.

Rob Knapik, Member
John Gniadek, Member
Joseph Frisk, Alternate Member



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Mr. Antonellis also summarized the Special Permit criteria outlined in Section 400-50 (B) of the Uxbridge Zoning Bylaws as it relates to the proposed project:

1. social, economic, or community needs which are served by the proposal – *it is serving the needs of a handicapped individual in our community*
2. traffic flow and safety, including parking and loading – *should not to be affected by the addition of a 1 residential unit on a property that was already serving multiple families*
3. adequacy of utilities and other public services - *current services are adequate*
4. neighborhood character and social structures - *the rehabilitation of the existing structure will have a positive impact on the neighborhood*
5. impacts on the natural environment - *no wetlands, vernal pools or other environmental sensitive areas on the property*
6. potential fiscal impact, including impact on town services, tax base and employment – *values should be increased*

During deliberations, the Board agreed that the existing non-conforming use does not substantially change, that the petition, as presented, complies well with the applicable section of the Uxbridge zoning bylaw as well as the special permit requirements. Further, they found that the permitting the request will not impose any detriment to the neighborhood.

MOTION / VOTE:

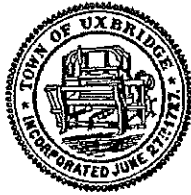
Mr. Gniadek made a **MOTION** to close the Public Hearing FY 18-04 for 22 Hecla Street. **MOTION SECONDED** by Mr. Frisk passed unanimously by roll call vote of 3-0-0 (John Gniadek – aye, Rob Knapik – aye, Joe Frisk – aye).

Mr. Frisk made a **MOTION** that the Zoning board of appeals approve a special permit request for FY18-04 for 20-22 Hecla Street pursuant to Section 400-12C to alter and extend a pre-existing nonconforming structure within the existing three family use, as the board does not find this request as substantially more detrimental than the existing non-conformance use with regards to the required square footage with the following conditions.

1. Building permit application must adhere to the submitted architecture plan
2. Limit to the existing use of three family units
3. Proposed structure comply with all applicable zoning setback requirements

MOTION SECONDED by Mr. Gniadek and the motion passed unanimously by roll call vote of 3-0-0. (John Gniadek – aye, Rob Knapik – aye, Joe Frisk – aye).

Rob Knapik, Member
John Gniadek, Member
Joseph Frisk, Alternate Member

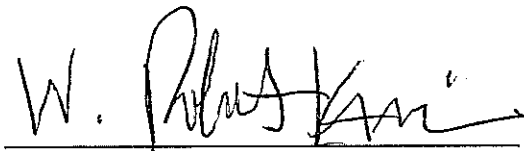


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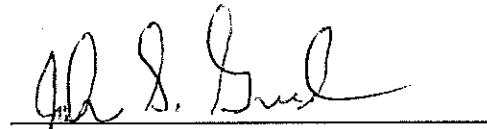
DECISION

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SIGNATURE PAGE



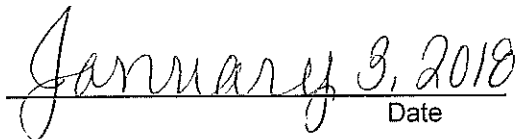
Rob Knapik, Member



John Gniadek, Member

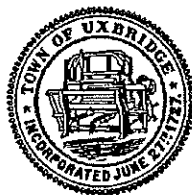


Joe Frisk, Alternate Member



Date

Rob Knapik, Member
John Gniadek, Member
Joseph Frisk, Alternate Member



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DECISION

ZBA Case #: FY18-04
Zone: **Residential A**
Owner: **Route 85 Realty Company**
Property Address: **20-22 Hecla Street**
Assessor's Reference Map: **19** Parcel: **3944**
Worcester District Registry of Deeds References: Book: **57804** Page: **53**

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

Date

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. ****