

OCT 15 '18 AM 10:32

Rob Knapik, Member
John Gniadek, Member
Mark Kaferlein, Member
Thomas McNulty, Associate Member



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

DECISION

ZBA Case #: FY19-05
Zone: Residential B
Owner: Nancy Iadarola
Property Address: 51 Pinecrest Road
Assessor's Reference Map: 13 Parcel: 1746A
Worcester District Registry of Deeds References: Book: 26060 Page: 185

Variance Granted

Decision Date: October 3, 2018

BACKGROUND: 51 Pinecrest Road, Nancy Iadarola, Owner and Kevin Allen Carpentry, Applicant are seeking a **SPECIAL PERMIT OR VARIANCE** to allow for the construction of a detached garage outside the required setbacks on a pre-existing, non-conforming lot. The property is located in a **Residential B Zone**, is shown on the Town of Uxbridge Assessor's Map 13 and Parcel 1746.A and described in a deed recorded at the Worcester Registry of Deeds Book 26060 Page 185.

VOTING MEMBERS PRESENT: Rob Knapik Chair, John Gniadek and Thomas McNulty

SUBMITTALS:

- Zoning Board of Appeals Application for Variance
- Proposed Certified Plot Plan, dated 9/10/18 Prepared by Tauper Land Survey, Inc., Oxford, MA
- Detached Garage Plans prepared by Kevin Allen Carpentry, Inc, Boylston, MA
- Photographs of the proposed garage location
- Property Deed
- Certified Abutter List

PRESENTATION / DELIBERATIONS / FINDINGS OF FACT:

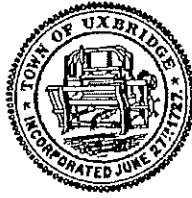
A public hearing was opened and closed on October 3, 2018.

Kevin Allen, of Kevin Allen Carpentry, Inc, represented the applicant during the hearing. Mr. Allen explained the original proposed location was within the required setbacks and they were issued a building permit. However, during preparations they encountered ledge and large boulders, so they shifted the location slightly forward, closer to the driveway. The new location is set back 43.6 feet from the front and the required front setback requirement for an accessory structure in this zone is 65 feet. It was noted that there is already a non-conformity on the lot in that the primary structure, a duplex, is set back 39.8 feet. There is an existing one-car garage underneath the duplex but is not large enough to store the applicant's automobile and yard tools.

Larry Lench, Uxbridge Building Inspector attended and reported he visited the property and that the existing driveway is on the setback line and slopes downhill. He confirmed the presence of ledge and thought this was the best option to locate the garage. The abutter in the attached duplex attended and spoke in favor of the project.

The board agreed there was a hardship owing to the soil conditions, the ledge, on the property. Additionally, there was discussion on whether a Special Permit was needed but it was decided a Variance would be sufficient.

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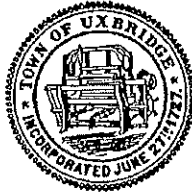
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MOTION / VOTE:

Mr. McNulty made a **MOTION** to close the Public Hearing FY 19-05 for 51 Pinecrest Road. **MOTION SECONDED** by Mr. Gniadek and passed unanimously by vote of 3-0-0.

Mr. Gniadek made a **MOTION** that the Zoning Board of Appeals grant the Variance to construct a 12'x24' detached garage as detailed on the plan submitted. **MOTION SECONDED** by McNulty and passed unanimously by vote of 3-0-0.

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SIGNATURE PAGE

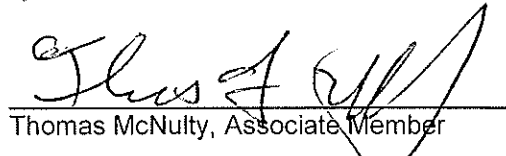


Rob Knapik, Member

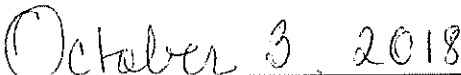


John Gniadek, Member

Mark Kaferlein, Member

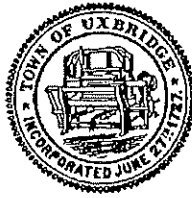


Thomas McNulty, Associate Member



Date

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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

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. ****