

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



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

Zoning Board of Appeals DECISION

ZBA Case #: FY21-08

Zone: Residential C

Owner/Applicant: Pinto's Plumbing and Heating

Property Address: 10 Rockmeadow Road

Assessor's Reference Map: 14 Parcel: 2255

Worcester District Registry of Deeds References: Book: 35286 Page: 10

VARIANCE Granted

Decision Date: January 6, 2021

REQUEST: 10 Rockmeadow Road, Pinto's Plumbing and Heating, Owner/Applicant, is seeking a **VARIANCE** of eighteen feet and eight inches (18.7') from the front setback requirement of forty feet (40') to construct a single-family home. The property is located in the **Residential C Zone** and shown on the Town of Uxbridge Assessor's Map 14, Parcel 2255 and described in a deed recorded at the Worcester Registry of Deeds in **Book 35286 and Page 10**.

SUBMITTALS:

- Complete Zoning Board of Appeals Application and Fee
- Building Permit Plan of 10 Rockmeadow Road, produced by Andrews Survey and Engineering, Inc., dated 11/16/2020
- Property Deed
- Certified Abutter List and Assessor's Map of the Property
- Municipal Lien Certificate
- Copy of previous Variance granted August 4, 2006

VOTING MEMBERS: Rob Knapik, Mark Kaferlein, Jim Blackburn

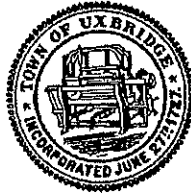
PRESENTATION / DELIBERATIONS / FINDINGS OF FACT:

A public hearing was opened and closed on January 6, 2021

The applicant was represented by Byron Andrews, Andrews Survey and Engineering.

- Pinto's Plumbing and Heating purchased the property in 2004.
- A Variance was granted by the Uxbridge Zoning Board of Appeals in 2006 but never acted upon.
- The lot is long and narrow with wetlands covering a large portion of the northeast and southwest corners.
- The dimensions of the proposed house are sixty-two feet long by twenty-four to twenty-eight feet wide (62'L x 24-28'W).
- The distance from the corner of the proposed house to the street line is approximately twenty-two feet (22') and approximately forty-two feet (42') from the paved roadway.

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The Uxbridge Building Inspector attended the meeting and confirmed the site description. No members of the public commented during the hearing.

During deliberations Board members found the shape and soil conditions of this lot are unique creating a hardship in limiting the placement of a building. They considered whether the variance could be granted without substantially derogating from the intent of the Uxbridge Zoning Bylaw.

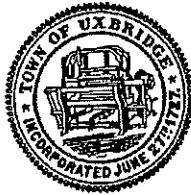
MOTION / VOTE:

Mr. Blackburn made a **MOTION** to close the Public Hearing FY 21-08 for 10 Rockmeadow Road. **MOTION SECONDED** by Mr. Kaferlein passed unanimously by roll call **VOTE** of 3-0-0 (Blackburn – aye, Kaferlein - aye, Knapik – aye).

Mr. Blackburn made a **MOTION** that the Zoning Board of Appeals **GRANT** the **VARIANCE** request FY21-08 as proposed for 10 Rockmeadow Road on a finding that the unique shape and soil conditions create a hardship and granting the Variance will not substantially derogate from the intent of the Uxbridge Zoning Bylaw.

MOTION SECONDED by Mr. Kaferlein passed unanimously by roll call **VOTE** of 3-0-0 (Blackburn – aye, Kaferlein - aye, Knapik – aye).

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SIGNATURE PAGE 1 of 3

Rob Knapik, Chairman

John Gniadek, Vice Chairman

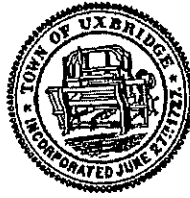
Mark Kaferlein, Clerk

Thomas McNulty, Associate Member

Jim Blackburn, Associate Member

January 13, 2021
Date

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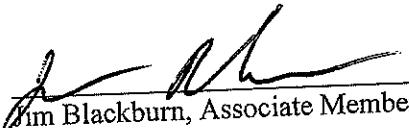
SIGNATURE PAGE 2 of 3

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John Gniadek, Vice Chairman

Mark Kaferlein, Clerk

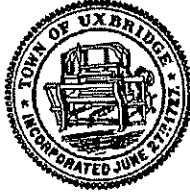
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Jim Blackburn, Associate Member

01/13/2021
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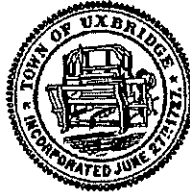
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Appeals, if any, from this decision shall be made pursuant to M.G.L. Chapter 40 A, Section 17 and filed within 20 days after the date of the filing in the Office of the Town Clerk.

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. ****