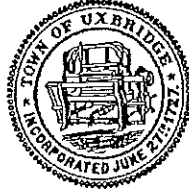


Rob Knapik, Member
John Gniadek, Member
Mark Kaferlein, Member
Thomas McNulty, Associate Member
Jim Blackburn, Associate Member



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

Zoning Board of Appeals DECISION

ZBA Case #: FY21-16
Zone: **Business & Residential C**
Applicant: **Bill Perkins**
Property Address: **85 S. Main Street**
Assessor's Reference Map: **25** Parcel: **2531**
Worcester District Registry of Deeds References: Book: **60402** Page: **215**

Variance Granted

Decision Date: July 7, 2021

VOTING MEMBERS: Rob Knapik, John Gniadek and Jim Blackburn

SUBMITTALS:

- Complete Zoning Board of Appeals Application and Fee
- Property Deed
- Property Municipal Lien Certificate
- Certified Abutter List and Assessor's Map of the Property
- Zoning Board of Appeals Plan of 85 South Main Street, Prepared by Turning Point Engineering, Sutton, MA, Dated June 8, 2021

REQUEST: The applicant, **Bill Perkins**, is seeking a dimensional Variance for the property at **85 South Main Street**. Specifically, the request is for a 143.15-foot **VARIANCE** for frontage along McCaffrey Street to allow for the residentially-zoned land to be redeveloped for a single-family dwelling.

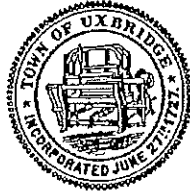
PRESENTATION / DELIBERATIONS / FINDINGS OF FACT:

A public hearing was opened and closed on July 7, 2021. Stephen O'Connell, Turning Point Engineering represented the applicant during the public hearing. Mr. Perkins was in attendance and also provided comments.

The site contains 3.04± acres of land with 131.94± feet of frontage along South Main Street and 56.86± feet of frontage along McCaffrey Street. The site is divided by the Business zoning district in the front of the property along South Main Street and the Residence C zoning district at the rear of the property partially along McCaffrey Street. The site also contains three (3) existing non-residential buildings that are situated predominantly in the Business zoning district and are accessed from South Main Street. The site is serviced by town sewer and water from connections on South Main Street.

The applicant proposes to split the existing lot so that the three (3) existing buildings in the Business zoning district will be situated on a new lot that conforms to zoning with frontage exclusively along South Main Street. The remaining land will become a separate lot with land situated mostly in the Residence C zoning district and

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Mark Kaferlein, Member
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Zoning Board of Appeals DECISION

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Zone: **Business & Residential C**

Applicant: **Bill Perkins**

Property Address: **85 S. Main Street**

Assessor's Reference Map: **25** Parcel: **2531**

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56.86± feet of frontage exclusively along McCaffrey Street. The Variance, if granted, will allow for the residentially-zoned land to be redeveloped for a single-family dwelling in an area that consists of other residential properties.

No comments from members of the public or the Zoning Enforcement Officer were provided during the public hearing.

Board members reviewed the standard for the grant of a variance as outlined in M.G.L. Chapter 40A §10. They agreed there is ample area for the existing lot to be divided into two (2) conforming lots, however, the shape of the lot relative to the existing zoning district boundary and the frontage configuration results in a circumstance that prevents the residentially zoned land to be reasonably used in accordance with the intent of the purpose of the Uxbridge Zoning Bylaw.

MOTION / VOTE:

Mr. Blackburn made a **MOTION** to close the Public Hearing FY 21-16 for 85 S. Main Street. **MOTION SECONDED** by Mr. Gniadek passed unanimously by roll call **VOTE** of 3-0-0 (Blackburn -aye, Gniadek – aye, Knapik – aye).

Mr. Blackburn made a **MOTION** that the Zoning Board of Appeals **GRANT** the request outlined in ZBA petition FY21-16, 85 S. Main for a 143.15-foot frontage **VARIANCE** along McCaffrey Street. **MOTION SECONDED** by Mr. Gniadek passed unanimously by roll call **VOTE** of 3-0-0 (Blackburn -aye, Gniadek – aye, Knapik – aye).

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John Gniadek, Member
Mark Kaferlein, Member
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SIGNATURE PAGE 1 of 3

Rob Knapik, Chairman

John Gniadek, Vice Chairman

Mark Kaferlein, Clerk

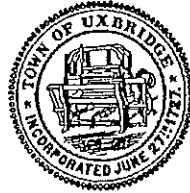
Thomas McNulty, Associate Member

Jim Blackburn, Associate Member

Date

7/14/2021

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



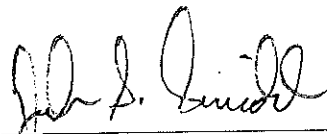
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SIGNATURE PAGE 2 of 3

Rob Knapik, Chairman



John Gniadek, Vice Chairman

Mark Kaferlein, Clerk

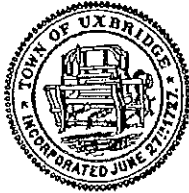
Thomas McNulty, Associate Member

Jim Blackburn, Associate Member

7/14/2021

Date

Rob Knapik, Member
John Gniadek, Member
Mark Kaferlein, Member
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SIGNATURE PAGE 3 of 3

Rob Knapik, Chairman

John Gniadek, Vice Chairman

Mark Kaferlein, Clerk

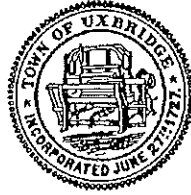
Thomas McNulty, Associate Member



Jim Blackburn, Associate Member

7/19/2021
Date

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John Gniadek, Member
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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. ****