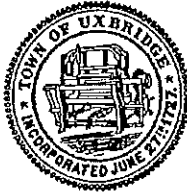


Rob Knapik, Member  
John Gniadek, Member  
Thomas McNulty, Associate Member  
Jim Blackburn, Associate Member



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

## **Zoning Board of Appeals DECISION**

ZBA Case #: **FY22-05**  
Zone: **Residential A Zoning District**  
Applicant: **Monica Nofi**  
Property Address: **16 Capron Street**  
Assessor's Reference Map: **19 Parcel: 3389**  
Worcester Registry of Deeds Book: **54973 Page: 354**

### **SPECIAL PERMIT GRANTED**

February 2, 2022

**VOTING MEMBERS:** Rob Knapik, Thomas McNulty, Jim Blackburn

#### **SUBMITTALS:**

- Complete Zoning Board of Appeals Application and Fee
- Plan of Land, produced by Andrews Survey and Engineering Inc., dated August 24, 1995
- Drawing of the proposed addition, produced by the Applicant
- Property Deed
- Certified Abutters List

**REQUEST:** The Applicant Monica Nofi, is seeking a **VARIANCE** or a **SPECIAL PERMIT** to construct an attached garage to the principal structure on the property.

#### **PRESENTATION / FINDINGS OF FACT / DELIBERATIONS:**

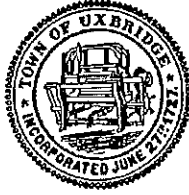
A public hearing on the Application was opened & closed by the Board on February 2, 2022.

Ms. Nofi presented the petition to the Zoning Board members. According to Ms. Nofi, the primary reason for the request is to increase living space. The proposed addition is 18-feet wide and 25-feet long and two-stories and will be 5.6 feet from the north property line. It will comprise of a room with a one-car garage underneath.

The Property situated at 16 Capron Street, is shown as Uxbridge Assessor's Parcel ID 019.0-3389-0000.0, and comprises approximately .131 acres ( $\pm$ 5700 sq. ft.) of land. Located on the Property is one single family dwelling. The current structure is positioned 24 feet from the front property line and 23 feet from the rear property line.

The Board agreed this is a pre-existing, non-conforming structure on a pre-existing, non-conforming lot. Section 400-12 of the Uxbridge Zoning Bylaws states the Board may award a special permit to reconstruct, extend, alter or change a non-conforming structure only if it determines that such reconstruction shall not be substantially more detrimental than the existing non-conforming structure to the neighborhood.

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



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The Uxbridge Building Inspector confirmed the non-conformity of the existing structure and lot. One abutter spoke in favor of the petition.

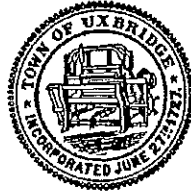
After further consideration of the proposal, the existing conditions, and the neighborhood, the Board found the addition would not be substantially more detrimental to the neighborhood than the existing non-conforming structure.

### **MOTIONS / VOTES:**

Mr. McNulty made a **MOTION** to close the Public Hearing FY 22-05 for 16 Capron Street. **MOTION SECONDED** by Mr. Blackburn passed unanimously by roll call **VOTE** of 3-0-0 (Blackburn – aye, McNulty – aye, Knapik – aye).

Mr. McNulty made a **MOTION** that the Zoning Board of Appeals **GRANT** a **SPECIAL PERMIT** for the relief as requested, on a finding that it's not substantially more detrimental than the existing non-conforming use. **MOTION SECONDED** by Mr. Blackburn passed unanimously by roll call **VOTE** of 3-0-0 (Blackburn – aye, McNulty – aye, Knapik – aye).

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



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## Zoning Board of Appeals DECISION

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### SIGNATURE PAGE

Rob Knapik, Chairman

John Gniadek, Vice Chairman

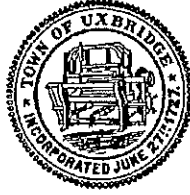
Jim Blackburn, Associate Member

Thomas McNulty, Associate Member

February 2, 2022

Date

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



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## **Zoning Board of Appeals 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

\_\_\_\_\_  
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. \*\***